

Texas Department of Public Safety Self-Evaluation Report



**Submitted to the
Sunset Advisory Commission**

September 29, 2017

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Texas Department of Public Safety Self-Evaluation Report

I. Agency Contact Information

A. Please fill in the following chart.

**Texas Department of Public Safety
Exhibit 1: Agency Contacts**

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Table 1 Exhibit 1 Agency Contacts

II. Key Functions and Performance

Provide the following information about the overall operations of your agency. More detailed information about individual programs will be requested in a later section.

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

The mission of the department is "Protect and Serve Texas."

B. Do your key functions continue to serve a clear and ongoing objective? Explain why each of these functions is still needed. What harm would come from no longer performing these functions?

The key functions of DPS serve the mission of the department, "Protect and Serve Texas" and its four strategic objectives:

- Combat Crime and Terrorism
- Enhance Highway and Public Safety
- Enhance Statewide Emergency Management
- Enhance Public Safety Licensing and Regulatory Services

Furthermore, the department has restructured key functions within its divisions based upon assigned responsibilities and subject matter expertise, and these key functions also occur in the field under a unified regional command structure, in which regional leadership are empowered to make decisions.

Included in the DPS Chief of Staff responsibilities is oversight of essential specialized sections within the Director’s Office, such as Cyber Security, Media & Communications, Government Relations, Equal Employment Opportunity, Dispute Resolution Office, and Executive Protection.

The department’s divisions reside under three branches according to key functions.

1. The Homeland Security Branch:
 - Intelligence and Counter-Terrorism Division
 - Division of Emergency Management
 - Office of Homeland Security

2. The Law Enforcement Operations Branch:
 - Aviation Operations Division
 - Criminal Investigations Division
 - Texas Highway Patrol Division
 - Texas Rangers Division

3. The Administration and Services Branch:
 - Administration Division
 - Driver License Division
 - Education, Training & Research Division
 - Finance Division
 - Information Technology Division
 - Law Enforcement Support Division
 - Regulatory Services Division

DPS established seven regional unified commands with geographic boundaries that comply with the legislative directive to align DPS disaster districts with the compatible geographic boundaries of the Regional Councils of Government. Region 7 has the responsibility for the Capitol Complex and the DPS Security Program. The headquarters’ locations for the regions are as follows:

<u>Region</u>	<u>Regional Headquarters Office</u>
1	Garland
2	Houston
3	Weslaco
4	El Paso
5	Lubbock
6	San Antonio
7	Austin (Capitol Complex)

The regional unified command structure is essential to the timely integration of core law enforcement and homeland security disciplines and resources in addressing the rapidly-evolving threats in the below seven public safety categories:

1. Terrorism
2. Crime
3. Motor Vehicle Crashes
4. Natural Disasters
5. Public Health Threats (pandemic disease, etc.)
6. Industrial Disasters
7. Cyber Threats

Today crime is increasingly transitory, transnational, organized and discrete, and terrorism has become more disaggregated. The globalization and convergence of crime and terrorism has resulted in an asymmetric threat environment requiring the timely and accurate understanding of rapidly-evolving threats, and proactive, integrated strategies to minimize the threat and maximize the effectiveness of limited resources. The integration of essential cross-disciplinary functions both within and outside the department, working closely with local, state and federal agencies, is absolutely essential to success – anything less undermines public safety.

Furthermore, this integrated approach is also critical in preparing for, responding to and recovering from man-made or natural disasters, such as catastrophic hurricanes, as well as public health threats, including such as pandemic influenza or Severe Acute Respiratory Syndrome (SARS). As with all major public safety threats, an effective response requires multi-disciplinary and multi-jurisdictional planning and execution. Texas is one of the few states in the nation that has a unified public safety preparedness and response capability to address the full spectrum of modern-day threats. Sunset legislation moved operational control of the Emergency Management function to DPS, combining intelligence, planning, prevention, response, search and rescue, security, and unified field coordination of state capabilities and resources.

The department also must consider other key drivers that directly and indirectly impact the department's ability to achieve its key objectives. The population of Texas has dramatically increased since its last Sunset Review. There has also been a proliferation of organized criminal activity related to a porous international border with Mexico. All eight of the most significant Mexican Cartels now operate in Texas, which has become a transshipment center for the smuggling and trafficking of drugs and people into and throughout Texas and the nation. Some of those exploiting the gaps in along the border are criminal aliens, sex traffickers, transnational gang members, or individuals who originate from countries with a large number of terrorists and countries that support terrorism.

Increasing international travel and the legal and illegal migration of people from around the world presents challenges for public health professionals working to detect and prevent the spread of pandemic viruses and disease. Diseases, such as Ebola, Plague and Anthrax that can

be weaponized for use by terrorist organizations, also pose a viable public health and safety threat.

The increasing population combined with the number of commercial and passenger vehicle miles driven in Texas increases the number of deaths on Texas roadways. In 2010, the number of people killed on Texas roadways was 3,060, and in 2016 the number increased 23 percent to 3,751, which is 2.5 times more than the number of homicides (1,472) in Texas in 2016. Based on 2017 so far, the number of deaths and serious life-altering injuries from vehicle crashes remains staggering despite the substantial safety improvements by vehicle manufacturers. In Texas, these increases correlate with increases in population and vehicle miles driven.

Texas roadway deaths remain far too high, and increasing the number of high visibility patrols on the roadways is essential to reducing these preventable tragedies. Furthermore, patrol efforts should target areas with high frequencies of crashes resulting in fatalities or serious bodily injuries. This approach is even more effective when working with other law enforcement agencies in targeted operations driven by data analysis.

For example, the Texas State Legislature established a 10-hour workday for State Troopers, which immediately increased the level of patrol coverage on Texas roadways. The increase in patrol coverage directly correlates with 2,019 fewer crashes DPS investigated from 2015 to 2016, a 3 percent decrease. At the same time, the number of crashes investigated by other law enforcement agencies in the state increased by 27,296 crashes – a 6 percent increase. DPS has conducted several joint traffic enforcement operations with local agencies, which are effective in reducing crashes in targeted problem areas.

Ideally, DPS would have a sufficient number of Troopers to staff each of the autonomous patrol areas identified throughout the state, especially now with the increasing demands upon the department. (DPS uses the Northwestern University Police Allocation Model (PAM) to project minimal State Trooper staffing needs across the state.)

The DPS responses to the Sunset Review questions include all key functions located within DPS divisions. Independently, each key function within the divisions serves the strategic objectives of the department. For example, the production of state intelligence estimates and the operation of a statewide suspicious activity-reporting network support the strategic objective of combatting terrorism and crime, as does the investigation of major violent crimes by the Texas Rangers. A major gang and/or sex trafficking investigation by Special Agents in the Criminal Investigation Division and the detection and rescue of child victims of sex trafficking by Texas State Troopers assists in combatting crime, as do the large seizures of heroin and methamphetamine by State Troopers and DPS Special Agents. It would also include locating dangerous fugitives and coordinating their arrests using DPS aircraft, the dynamic entry and rescue of hostages by the DPS SWAT team, or successful negotiations by DPS negotiators with dangerous criminals that result in the subjects surrender without harm to the hostages.

Texas Troopers conducting high visibility patrols in areas with high numbers of fatal crashes directly supports the strategic objective to enhance highway and public safety, as does removing unsafe commercial vehicles from the roadways, changing flat tires for a stranded citizen along a dangerous stretch of roadway, or rescuing a person from a burning vehicle.

Today, DPS must address complex and seemingly intractable public safety threats requiring the combination and integration of multiple key functions and capabilities, detailed planning and coordination, and timely execution for varying durations of time, intensity, and resource.

For example, within the last decade, the state leadership and legislature directed the department to assist local agencies in addressing the East Texas Church Arsons, and later, the Twilight Rapist. Both of these serial criminals operated over a long period of time and had generated fear across two large regions in Texas. DPS established multi-agency task forces that combined the capabilities of Texas State Troopers, Special Agents and Texas Rangers' under a unified command structure, which was headed up by a Texas Ranger Major-in-Charge, who fully integrated operations with other agencies.

Similarly, DPS was required to assist in the Kaufman County murders in 2013. A Texas Ranger Major was designated as the DPS Incident Commander, and DPS Special Agents, Troopers, Texas Rangers and Intelligence Analysts worked efficiently and effectively with other agencies to solve the murder of an Assistant District Attorney, a District Attorney and the district attorney's wife. These two separate attacks made a reverberating impact across the nation. For example, some federal prosecutors refused to prosecute cases involving members of the Aryan Brotherhood gang, which was initially believed to be connected to the Kaufman County murders. It was also necessary to provide security to protect in Kaufman County public officials, who were deemed at-risk, as well as the special prosecutor assigned to the case.

In June 2014, DPS modified its operational framework to address the large influx of drugs and people being smuggled and trafficked into the Rio Grande Valley from Mexico, destined for locations throughout Texas and the nation. This framework has also been successful in addressing increasing violent crime in some of the large urban areas in Texas. Operation "North Star" provides direct support to local law enforcement to address the increasing number of violent "take-over" robberies in Harris County. Troopers, Texas Rangers, Special Agents, DPS pilots, Emergency Management Planners and Intelligence Analysts have played a key role in shutting down 25 robbery crews responsible for 197 commercial robberies as well as the arrests of several violent gang members. DPS is assisting other major cities as well, such as San Antonio.

During natural disasters such as Hurricane Harvey, DPS Highway Patrol Captains served as the State's Incident Commanders in the impacted areas to coordinate search, rescue, security, sheltering and the eventual resource and personnel de-mobilization. DPS Special Agents, Texas Rangers, Tactical Marine Unit Crews, specialized tactical teams and Aviation assets all reported to the Texas Highway Patrol Incident Commander in the area of impact. The Disaster District Coordinators (DDC) in each of the state's disaster districts activated during Hurricane Harvey to

coordinate the state resources provided to support local officials. These Highway Patrol Captains were responsible for making the resource requests for the local first responders and public officials.

DPS often receives requests to assist other agencies at critical times because of its unique capabilities. For example, in April 2016, a student was sexually assaulted and brutally murdered on the campus of the University of Texas. The president of the University requested DPS assistance, which required a substantial commitment of State Troopers and specialized patrol units to conduct around-the-clock patrol operations on the campus. In addition, multiple DPS Special Agents with security assessment expertise conducted a security threat assessment at the request of the University's president.

By necessity, a core competency for DPS is the planning and execution of multi-agency, multi-disciplinary operations integrating key DPS and other agency functions tailored to the specific threat. This evidence-based approach is the most effective and efficient way of addressing the state's highest priority public safety threats using the latest available data and intelligence.

The department has been assigned other important responsibilities, including the issuance and regulation of Driver Licenses and Identification Cards; the issuance and regulation of License to Carry; the Vehicle Inspection Program; licensing and regulation of Private Security; the regulation of metals and the administration of the Compassionate Use Program. DPS also serves other public safety agencies by providing forensic laboratory services; public safety radio interoperability; and the Uniform Crime Reporting and critical information technology systems, such as IAFIS, CODIS, NCIC, TCIC and TXGANG.

There are some functions currently assigned to the department that the Legislature may wish to move to another state agency. However, certain key functions would be substantially degraded if moved to another agency, and DPS fully understands this.

DPS must always remain nimble, threat-driven, efficient and effective, which requires robust and streamlined administrative and financial operations with strong internal controls. In addition, special staff sections provide important internal and external services that support the wide-ranging functions of the department to include Cyber Security, Media & Communications, Government Relations, Equal Employment Opportunity and Dispute Resolution. Two other key functions within DPS were established by legislation stemming from the last Sunset Review – the creation of the DPS Office of Inspector General and the reporting structure for the DPS Chief Auditor's Office. The State Legislature entrusts DPS with substantial authority, and it is imperative that it always remains accountable for its actions. During the 81st Legislative Session, the DPS Office of Inspector General Office was created to conduct independent investigations into allegations of misconduct by DPS employees. The OIG reports directly to the DPS governing body, the Texas Public Safety Commission. The DPS Chief Auditor previously reported to the Director of DPS, and the 81st Legislature made changes so the Auditor now reports to the Public Safety Commission.

DPS has an obligation to provide superior service and oversight of all responsibilities assigned to the department by the Texas Legislature. To do so requires the use of streamlined business and customer service processes, high-value technology, and sufficient resources to meet customer demand. There are some functions currently assigned to the department that should move to other state agencies better suited to handle.

DPS is committed to performing all of its key functions in an exceptional manner regardless of the risk. On a daily basis, DPS key functions operate independent of each other to serve one or more of DPS' strategic objectives. For example, high visibility patrols by State Troopers increase highway safety by deterring reckless driving behavior and removing impaired drivers. These same patrols combat crime with the arrests of violent gang members for felony crimes and the seizure of large quantities of drugs destined for the retail markets in Texas. DPS Special Agents assigned to Joint Terrorism Task Forces combat terrorism on a daily basis and DPS Special Agents combat crime by conducting criminal enterprise investigations targeting Mexican Cartels and sex trafficking organizations. Texas Rangers routinely combat crime by conducting investigations of major violent crimes or investigating public corruption.

All of these key functions and others play a vital role in achieving DPS' strategic objectives. However, the nature of today's public safety threats and the need to maximize results with limited resources requires an operational framework that integrates multiple key functions in a timely manner to address the state's most significant public safety threats in a way that achieves a desired outcome in the most effective and efficient manner possible. As public safety threats change, so will the focus and types of operations. For example, the assignment of more than 600 Troopers, Special Agents and Texas Rangers to the Pope's visit to the Texas/Mexico border was implemented to prevent an act of violence against the Pope and as a precautionary public safety measure due to the extremely large audience in attendance (not to make criminal arrests or issue citations). Hence, the success of such operations will not be included in Legislative Budget Board performance measures; yet this important public safety mission was highly successful in achieving its objective.

As noted previously, border security operations require the combined and fully-integrated efforts of DPS Troopers, Special Agents, Texas Rangers, Emergency Management Planners, Pilots, Tactical Marine crews, Intelligence Analysts, Communications Specialists and other support personnel under a unified command structure.

Some of the DPS operational activities are included in the LBB performance measures for key functions, such as Spot Reports, criminal enterprise investigations, public corruption investigations, drug and currency seizures and the arrests of high threat criminals. However, these numbers taken together sometimes do not reflect the desired outcome of the legislature and leadership.

Lastly, some key licensing and regulatory functions require the application and integration of other key functions at the department because of the high value placed on these state services/resources by criminals and suspected terrorists, such as obtaining a driver license). For

instance, the other key functions used to support the driver license function include intelligence support, corruption and fraud investigations, and counter-terrorism investigations.

C. What evidence can your agency provide to show your overall effectiveness and efficiency in meeting your objectives?

Effectiveness and efficiency measures can be found within Section C of each of the DPS outlined programs.

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

The agency's enabling law, Chapter 411 of the Texas Government Code, accurately reflects DPS' mission and objectives. The organizational structure of the agency, however, does not match the modern breakdown of the agency.

Examples of updates needed include:

- An update of the current organizational structure – As currently written, Government Code 411 lists three major divisions: Texas Rangers, Texas Highway Patrol and Administration. The Department has changed and reorganized significantly and the enabling legislation should be updated to remove references to the archaic organization.
- An update of the current reporting structure – As currently written, Government Code 411.021 states that the highest ranking officer of the Texas Rangers is responsible to and reports directly to the Director. No other division director reports directly to the Director.
- Personnel Records for Commissioned Officers – Government Code 411.00755 provides that the personnel records of a commissioned officer may not be disclosed or otherwise made available to the public unless the record can be made available based on a list of exceptions including items such as disciplinary action. Updating the definition of personnel records and the records that are releasable under 411.00755 will better accommodate the Department's efforts for transparency, as well as prevent unnecessary disputes over public access to records.
- Commissioning Individuals Not Employed By or Retired from the Department – There are several provisions in law that authorizes the Director to commission peace officers or special rangers who are not employed or retired from the Department. These statutes should be reevaluated. For example:

- Code of Criminal Procedure Article 2.121 authorizes the Director to appoint railroad peace officers who are employed by a railroad company to aid law enforcement.
 - Code of Criminal Procedure Article 2.125 authorizes the Department to appoint special rangers who are employed by the Texas and Southwestern Cattle Raisers Association to aid law enforcement.
 - In addition to honorably retired commissioned officers of the Department, Government Code Section 411.023(a) authorizes the Public Safety Commission to appoint as special rangers up to 300 “other persons”, including those mentioned above. Additionally, the Department carries the commission under 411.023 for “other persons” for members of the National Insurance Crime Bureau.
- Law Enforcement Support Division Updates- There are several provisions in law that do not align with the mission and objectives for programs in the Law Enforcement Services Division including:
 - Government Code 411 does not align with the Crime Laboratory Services’ mission and objectives based on growth and changes in the scientific analysis of forensic evidence and crime laboratory CODIS database areas.
 - The Government Code 411 subchapter G should be updated to better align with changes in technology and changes in the federal program to clarify requirements (or expectations) of cooperating agencies. One example that needs updated is the difference between GC 411.1471(e) and GC 411.151. GC 411.147(s) states that a court shall order the department to destroy the DNA sample and expunge the record of its receipt if the defendant under 411.1471 is acquitted or charges are dropped. GC 411.151 says that it’s the responsibility of the individual to petition a court in order to have records expunged.
 - The Breath Alcohol Laboratory’s enabling law is found in Chapter 724, Section 724.016 of the Texas Transportation Code and it continues to correctly facilitate the laboratory’s mission, objectives and approach to the performance of its function.
 - Generally, the Crime Records Service enabling statues Sec. 411.042 Government code; Chapter 411, Subchapter F, Government Code; Chapter 60, CCP; Chapter 62, CCP; Chapter 61, CCP do reflect our mission and objectives.

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

Driver License (DLD)

The Texas Legislature adopted the following Department recommendations for Driver Licensing and Identification Services statutory changes.

- Commercial Driver License (CDL) Cleanup – Federal Motor Carrier Safety Administration (FMCSA) rules and audit findings necessitate regular revisions to Texas Transportation Code Chapter 522 to maintain compliance with the federal program and ensure continuation of the CDL program. The 84th Legislature enacted a significant revision to TRC 522 that streamlined the chapter, modernized language and eliminated redundancies with federal requirements. The legislation was part of HB1888, and provides clearer guidance for commercial operators and law enforcement and aligns state statute with federal regulations.
- Security Initiatives – The REAL ID Act of 2003, a federal initiative to improve the security of DL and IDs nationwide required several statutory changes for Texas to become compliant with the Act. The 84th Legislature enacted SB1934, which included restricting issuance of driver licenses and identification cards to one document for each person; requiring proof of Social Security Number (SSN) for ID issuance; and eliminating the indefinite expiration ID for persons over 60 years of age. These statutory amendments are enabling Texas compliance with the Act, which will ensure Texas cardholders continued access to domestic airlines and secure federal facilities as well as improve card security.
- Driver education initiatives – SB1705, enacted by the 83rd Legislature, provided additional authority for approved third party entities to administer skills examinations for driver licensing. Implementation of this legislation alleviates some of the demand for driving skills examinations in the driver license offices.
- The 85th Legislature enacted numerous recommendations that will clarify statute and improve services. HB3050 included removal of the color photograph requirement (also in HB1345), provided flexible language to use current technology to provide files to authorized purchasers; it also allowed customers to obtain certified abstracts of driver records online and revised the peace officer alternative address provisions. It updated language throughout the chapter from the obsolete term of learner's permit to learner license and added municipalities to the county issuance program.
- HB3272 affected enforcement actions and updated the minor Failure to Appear (FTA) provisions, allowed for consistent enforcement against drivers less than 18 years of age, provided the ability to conduct telephone or video hearings and strengthened the cancellation authority for payment with insufficient funds.
- HB3376 allows the Department to send notice of certain enforcement proceedings and actions electronically in addition to the mail notifications. This is a modernization effort that provides another avenue to notify customers in a direct and timely manner.
- SB1205 established the requirement for DSHS to share unique identifiers, including SSN, in the death record file provided to the Department. This legislation supports accurate matching of records for driver licensing, jury wheel and voter registration activities.

- HB3051 standardized the race and ethnicity reporting categories to conform to national standards. This change will ensure Texas reports race and ethnicity in a way that conforms to the categories used by other states and federal entities responsible for licensing and criminal data.

Recommendations that have not been adopted include: amending TRC 521.148 and 522.034 (motorcycle), TRC 521.1601 (adult driver education) regarding adult driver education and motorcycle safety course completion requirements. Current statute requires a person who surrenders a valid, unrestricted license or motorcycle authorization/license from another state to take a second motorcycle safety or driver education course, in addition to whatever was required to obtain the license in the previous state. This conflicts with the requirements of the Driver's License Compact (TRC 523). The amended statute would add clarifying language that the requirement to complete a motorcycle safety course or adult driver education does not apply to someone surrendering a valid license or motorcycle authorization from another state and match the current business practice. These proposed changes were not adopted.

Law Enforcement Support Division (LES)

Some changes to the controlled substance statutes were suggested and adopted that made changed to the Texas penalty groups. Changes made through the Legislature during the 84(R) session allowed the laboratory system to continue to report the identity of synthetic cannabinoids.

- The Breath Alcohol Laboratory has recommended amending the current law to define the offense of driving while intoxicated as having an alcohol concentration of 0.08 or more at the time the specimen(s) of blood or breath are taken. This change in the law would significantly reduce prosecutorial problems and greatly simplify DWI cases in general. S.B. 27 (79R) is an example of this type of bill that was filed but did not pass.
- CHRIP Bureau: It was recommended to track and monitor the submissions from the local law enforcement and judicial agencies. The 81st Legislative Session, HB 2730 was passed.
- A&D Bureau: Recommendations have been made to the Legislature in the past to improve the agency's operations. More specific to the Access & Dissemination Bureau, Government Code 411 statute recommendations to further the authorization of entities to receive criminal history record information. Some of the recommendations have been adopted over the years. Examples would be Government Codes 411.129 and 411.1295. The addition of the ability to run criminal history checks on employees, contractors and volunteers.
- CIB: The Department was operating and maintaining a program on behalf of the DMV ABTPA, the Help End Auto Theft (H.E.A.T.) program. This program was ineffective and the Department worked with the legislature to make changes to legislative language, stating that the Department no longer had a requirement to maintain the HEAT program. The

“shall” statement was replaced with “may.” Participation by the public was voluntary and based on participation rates, the Department determined the program was ineffective at meeting its goal. Our changes were accepted and the program was discontinued.

- UCR: The Department made suggestions with regards to legislation that would move the state from a hybrid state, collecting and reporting crime incident data in both the Summary (SRS) and Incident Based Reporting (IBR) methodologies, to an all IBR state. During the 84th legislative session (2015), House Bill 11 was passed. This bill required the Department to set a goal to migrate all UCR reporting agencies to an IBR methodology by 2019.
- Communications: Exceptional Item requests have routinely been submitted to fill unfunded radio needs for the Troopers and units on the road and to sufficiently fund the statewide radio system. Additionally, exceptional item request have been made to support the functions of the Mobile Communications Command Program. These Exceptional Items were not funded. An Exceptional Item request for funding to staff the SWIC Office was approved by the 83rd Legislature.

Regulatory Services (RSD)

Please see each program’s respective “Guide to Agency Programs,” in Section M. The changes reflected therein have not been adopted.

Emergency Management (TDEM)

During the Texas’ Legislature’s 83rd Session, H.B. 3178 amended law relating to the Texas Statewide Mutual Aid System.

When a natural disaster occurs, part of the recovery process may include seeking disaster relief assistance from the Federal Emergency Management Agency (FEMA). Under the law, local governments may enter into mutual aid agreements to assist one another when response needs exceed an individual jurisdiction's capabilities. While the law was originally intended to encourage local governments in a planning region to work together within the region, critics assert that local governments and others involved in emergency management have found that certain procedures and requirements for regional mutual aid overstep local control of emergency management planning and thus have not endorsed or adhered to the policies. FEMA has identified this situation as a reason to decline federal funding.

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

All duplicative functions are described per DPS program in Sections H, I and J.

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

Information about how other states conduct similar services is outlined in each respective program, if known. Some summary information for some Administration & Services areas can be found below.

Driver License (DLD)

In the United States, driver licenses and identification cards are issued by each state in accordance with its state laws and regulations. There are many similarities as most states follow American Association of Motor Vehicle Association (AAMVA) best practices and the federal requirements for commercial drivers and REAL ID compliance. While there are some variations, most states fall into three models. The Public Safety model, which Texas follows, has driver licensing and control functions within the state police agency. The Department of Motor Vehicles model places driver licensing and vehicle titling and registration within one agency. Third is the Department of Transportation model, which is one agency responsible for transportation infrastructure, vehicle titling and registration, and driver licensing.

Education, Training, and Research (ETR)

The majority of states have similar functions of law enforcement training and recruiting, with the exception of providing support to local law enforcement agencies. Unlike Texas, many state law enforcement agencies serve as the primary training provider for all local law enforcement agencies. This insures consistent training throughout the state, consolidates training funding, maintains a higher standard and provides support to the state law enforcement personnel throughout the state.

Law Enforcement Support (LES)

Other States have scientific analysis of forensic evidence performed by laboratories. This includes the examination of Controlled Substances, DNA evidence, Trace Evidence, Latent Fingerprints, Firearms, Blood Toxicology and Drug Toxicology, Questioned Documents, Digital Evidence. These laboratories are run by the State Police, State Highway Patrol, or State Medical Examiner's office depending on the state. These organizations will also oversee the states AFIS and NIBIN databases.

All states have some type of implied consent law and their breath alcohol testing programs usually emanate from that authority. Most states operate their breath alcohol testing programs in a manner similar to Texas, through forensic laboratories, public health departments.

Each State has a designated CODIS laboratory mandated by their individual State's Laws that allow them to participate in the federal program.

Most states manage state-level implementations of the same national programs as the Crime Records Service, so there is great similarity among how the states perform these functions. There is a very robust national community of state and local agencies involved in these systems. We have established data and functional standards that drive compatibility for information exchange and result is very similar processes.

Texas is more proactive, especially in the arena of emergency response training, exercise and deployment to natural and man-made disasters and high profile incidents. Some states likely use a model similar to what Texas employs, but functions vary from state-to-state, depending on funding, terrain, population and mission-driven initiatives.

Regulatory Services (RSD)

RSD does not generally maintain information on how other states carry out similar functions.

The following reflects the division's existing background knowledge of how other states operate the various programs:

Handgun Licensing: The regulation of the carrying of handguns varies widely from state to state. Some allow open carry with a license, others do not. The eligibility criteria vary as well. The existence of reciprocity agreements with other states may provide some evidence of rough similarity, insofar as they reflect the satisfaction of the statutory requirement provided in Texas Government Code §411.173 that the state perform an FBI background check on its applicants.

Private Security: The division has not researched the manner in which other states regulate the various private security services. A very limited comparison was made in 2007 of the eligibility criteria for private security officers in the states sharing a border with Texas. Generally, these states' qualifications are comparable to those of Texas, in that they all disqualify convicted felons, though Oklahoma, New Mexico and Louisiana are slightly less restrictive insofar as they limit the disqualifying Class A misdemeanor offenses to those involving violence, dishonesty, moral turpitude, or weapons. In Texas and Arkansas, on the other hand, *all* Class A misdemeanors are disqualifying. However, in all of the contiguous states, a single felony conviction is *permanently* disqualifying, whereas in Texas only multiple felonies are permanently disqualifying – a single felony is disqualifying for twenty years. All of the states are comparable to Texas in their treatment of Class B misdemeanors. It should be noted that these states generally have training requirements similar to those of Texas.

Compassionate Use: Among the states that regulate the production and distribution of low-THC cannabis, the licensing models vary considerably, from market based approaches to strict, and regionally based monopolistic models involving competitive review application processes. The differences arise primarily from the differences in statutory authority.

Precursor Chemical Laboratory Analysis: The division is aware that California and Arizona regulate these materials, but has not researched the manner in which they regulate these materials and is otherwise not familiar with the regulations of other states.

Metals: All 50 states have a metal sales reporting requirement, but the requirements vary from state to state.

COPS: Fifty-one states and U.S. territories have Prescription Monitoring Programs (PMPs). Control of and access to the PMPs is regulated independently by each state. PMPs are housed

in various types of agencies, including law enforcement, departments of health, professional licensing boards, boards of pharmacy, or consumer protection divisions. The majority of states and territories have an electronic PMP portal by which information is reported, but the PMP portals are not standardized across the nation. Access authority varies from state to state.

Emergency Management (TDEM)

In 17 of 50 other states, the state emergency management program is carried out under the auspices of public safety or state police organizations. Like Texas, most states have a state director (chief) of emergency management with an organizational structure that manages the main emergency management focus areas (mitigation, preparedness, response, recovery, prevention).

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

All obstacles and challenges can be found per DPS program in Section M.

I. What are your agency's biggest opportunities for improvement in the future?

Opportunities for improvement is outlined in each respective program. Some summary information for some Administration & Services areas can be found below.

Driver License (DLD)

DLD continues to develop forward-thinking ideas that will improve efficiencies and provide a better experience for our customers and employees. Below is a list of goals and supporting initiatives which require prioritization and significant research to determine feasibility. This list will also be reviewed to determine an implementation timeline.

Increase Access to Online and Call Center Services

- Procure Customer Relationship Management software to improve Customer Service Center (CSC) analytics;
- Procure and implement a workforce scheduler;
- Integrate the IVR with the Driver License System to provide self-service to customers;
- Revamp website to improve effectiveness in communicating services and requirements for services;
- Remove barriers to enabling customers to transact online such as requiring an audit number to conduct transactions;
- Integration of self-photo capability in order for customers to upload pictures for renewal;
- Send email renewal notification to customers that requires customer authorization and payment;
- Create online capability for customers to better identify what documentation they need to bring to conduct transactions in offices; and

- Create capability to input customer data prior to arriving at an office. This may be done through fillable forms to be printed and carried to the office or through a portal which inputs information directly into the Driver License System.

Ensure Efficiency of Our Facilities and Workspace

- Optimize office size and location based on population trends;
- Continue to work with counties and municipalities to use local government facilities for DL services;
- Ensure offices have adequate staff to make full use of the division's investments in facilities and equipment; and
- Provide additional training to Customer Service Representatives to maximize throughput.

Enhance customer service and experience

- Open new offices in areas where projected customer demand exceeds projected capacity;
- Ensure that customers' wait time is reasonable to receive in-office services and services provided by the Customer Service Center;
- Add additional FTE positions to field offices and Customer Service Center; and
- Secure funding for offices and FTEs.

Recruit, Train, Develop, and Retain Superior Employees

- Hire a sufficient number of employees to meet customer demand;
- Continue to develop and provide relevant training for all services;
- Enhance and promote the DLD Resource Guide as a single-source reference tool;
- Conduct DLD leadership academy each biennium; and
- Provide salary parity for customer service representatives (CSRs) with other state agencies.

Additional Initiatives

- Replace Driver License System to improve ability to update and maintain the system;
- Digitize microfilm and microfiche records to improve record accessibility;
- Expand Social Media engagement;
- Provide alternative methods for providing compliance related services;
- Offer Limited-Term transactions by appointment only;
- Offer cost incentive for customers who are eligible to renew or change address online to conduct those transactions online;
- Extend term of license to eight years;
- Establish online renewal services through installing self-service kiosks at private entities;
- Review administrative rules and policies to identify efficiencies that may be gained, i.e. eliminate vision exams; and
- Offer all services by appointment only.

Education, Training, and Research (ETR)

Subject to funding and staffing the following are the ETR Division's biggest opportunities.

1. Law Enforcement Training,

- Recruit Training.
 - Add intermediate TCOLE training courses to the Basic Peace Officers Training Curriculum (BPOC).

- Tactical Training Center.
 - Completion of the Texas Department of Public Safety Project Analysis for Training Academy and Fleet Operations
 - Dormitory
 - Classrooms
 - Simulations House (Reality Based Training Facility)
 - Range Improvements (Cover the firing range in order to be able to utilize more of the property)
 - Urban Training Center
 - Dining Facilities
 - Physical Training Facility
 - Motorcycle Training Ranges/Facilities

 - Emergency Vehicle Operations Center (EVOC)
 - Replacing training vehicles through an automatic replacement program
 - Vehicle testing
 - UTV/ATV law enforcement courses
 - Off road 4X4 course
 - Set the TCOLE BPOC driving curriculum

 - Firearms Training Unit (FTU)
 - Consolidated weapons testing
 - Consolidated ammunition testing

 - Reality Based Training Unit (RBT)
 - Large scale incident response training events statewide
 - Increase ALERRT Active Shooter training which will require a new state of the art Sim House, offices, equipment storage
 - 40 hour Tracking School
 - Challenge Course at the TTC

 - Firearms Discharge Review Board (FDRB)
 - Need a new reporting and retention system- Looking at using SPURS

 - Continuing Education

- The efforts of the Arrest and Control Tactics Unit will contribute to establishing a standardized use of force training and de-escalation training for all law enforcement within Texas.
- Develop a curriculum to provide intermediate training courses for Troopers. This curriculum would be considered “Part2” of a Trooper’s training. Since the training has been eliminated from the Basic Peace Officer Curriculum, there has been a massive effort to ensure our commissioned personnel have received the mandated certifications.

2. Leadership and Professional Development Program

○ Motorcycle Safety

- The department provides numerous resources to its contracted training provider. Some of these items include training motorcycles, initial range layout and painting, and quality assistance. The intent of the resources is to defray the cost of administering the program and keep student tuition at a minimum. This situation may need to be reengineered.
- Gather data on trends on what we should add.
 - The demand of the unit has increased to include a new salvage policy which requires numerous added man hours and increased management of assets in the field. Fleet program coordination is required.
- Modern education delivery methods include internet courses. Enhancing delivery methods should continue to be evaluated.

○ Fitness and Wellness

- Expand fitness and wellness programs for incumbent populations across the state internally and externally
- Expand webinars and Shield Resiliency training
- Provide additional classes/workouts/programming for commission incumbent populations in order to achieve the minimum standard of 70% on PRT testing formats and reinforce physical fitness standards and requirements of Texas Government Code TGC 614.172
- Expand export testing and educational programs at various regions
- Offer a 2nd Fitness Institute opportunity for federal, state, county and city agencies
- Continue to provide requested subject matter expertise for federal and state government committees

3. Recruiting

- Use social media to announce upcoming recruit schools and recruit candidates
- Have paperless application process
- Have a contract testing sites that can proctor trooper trainee tests throughout the United States and overseas for military candidates

- Create a ranking list of candidates that have already tested for future trooper trainee recruit school
- Recruiters using WebEx to conduct Virtual Job Fair on-line

Law Enforcement Support (LES)

- Automation and standardization are key factors in improving the Crime Laboratory operations. This will require more capital expenditures in order to replace outdated equipment and to procure more efficient instrumentation for future use.
- The creation of a public facing website to make the Breath Alcohol Laboratory's "high-value data" available to the public would significantly improve the transparency of the laboratory while reducing the number of open records requests, discovery orders and subpoenas for the following:
 1. Certified operator documentation
 2. Certified instrument documentation
 3. Certified technical supervisor documentation
 4. Intoxilyzer maintenance and repair information
 5. Certified reference material documentation
 6. Evidential breath alcohol test subject analytical reports
- The best opportunity for improvement would be the expansion of qualifying offenses/individuals required for DNA collection and testing. The collection of felony arrestees would be the next logical expansion.
- CHRIP Bureau: Opportunity for future improvement would be all agencies utilizing the available electronic reporting processes.
- FP Bureau: Integration of facial recognition as an enhancement to MBIS. Seek development of mobile LiveScan devices for field use by LE Officers during cite and release arrests.
- A&D Bureau: A&D's biggest opportunities for improvement in the future is to continue to narrow the gap on the number of entities there are and how many we have audited. We have made a huge impact in the past years, but are not at 100%. New entities come on each day and we only have 12 auditors for the whole state. We are using electronic audits, which is helping. We can still improve by adding additional personnel to complete audits and place them in the field. Placing them in the field will reduce travel costs and we will continue to get a quality audits.
- SOR Bureau: The Sex Offender Registration Bureau's greatest opportunity for improvement will be thru automation and expanding access to information the locals can update or modify in the database via the secure web site. We will continue to work with local agencies that have the potential and resources to send the registry updated registration information via 'web services". Web services eliminate "dual entry" of registration

information into a local registration database and then into the Texas Sex Offender Registry via the internet. Web services take the data from local registration database and exports changes to the Texas Registry in batches. In addition, the expansion of fields that the local registrars have direct access to in the database will enable them to enter initial registration information on the record or make modifications to existing information to eliminate the need to send paper documents to the Bureau to make those changes.

- CIB: By incorporating technology to assist us with training and auditing agencies across the State of Texas we can improve our level of service. We are currently utilizing vendor provided audit software and can see how a similar system geared towards training can assist us with ensuring our agencies have greater opportunity to attend trainings without placing a hardship to travel or limit an agencies staffing due to the need to attend training in person.
 - By updating the technological platform, the Department can take advantage of new opportunities to ingest and share data. This would also allow the Department to provide a better or clearer response to queries, allowing users to make faster decisions which also benefits the public, as they are not detained or held up any longer than necessary.
 - In an environment that heavily encourages data sharing the use of old technology is limiting and poses security risks/vulnerabilities to a restricted and confidential data set. The move to XML and web services will benefit TX and the nation.
- TDEX: The Department is seeking to consolidate the submission of incident data to the Department. By consolidating the agencies submissions of UCR and TDEX data, the program will be able to take a single submission and use it to submit data to both UCR and N-DEX. This will improve efficiencies for the local law enforcement agencies that are contributing data, as well as, improve reporting to these two voluntary programs.
- UCR: The move to IBR reporting will provide a clearer picture of crime in Texas. SRS reported on major index crimes and only one crime per incident (hierarchy rule). IBR allows for the reporting of multiple offenses for a single incident and captures a much larger data set. The biggest opportunity for improvement will be to encourage agencies to report more timely. It will be more reflective of the crime that is occurring but is not being reported under the SRS guidelines.
 - The Department has developed and will release a new Public Portal that will allow individuals that request crime incident statistics to run their own reports and to pull data from the UCR Repository that specifically meets their established criteria without having to initiate public information requests from the Department. This public facing portal will be user friendly and meet the growing demand of requests for information. The Public Portal was specified as part of the core functional requirements in the Department's 2016 solicitation for a new UCR System.

- Additionally, the reduction in manual processing and employing system edits at the local level and at the state's repository at the time of data submission will ensure that data is more accurate and complete. This will also free up state resources that were once mired in the paper submissions and error corrections to provide more support for the agencies, quality control on the data, and audits for the local agencies.
- CJIS Technical: A key area for improvement within the Technical audit process will be automation and information gathering to assist in the processes and effective monitoring of the security programs. Recent software additions will greatly enhance the agency's ability to track and maintain accountability as well as to assist in determining patterns of success or failure. The single largest contributor to success continues to be in the education and training of LE agencies and personnel as it relates to the safekeeping of CJI data.
- Radios: The biggest opportunities on the near horizon are the build-out of the Texas hybrid system-of-systems radio network in partnership with regional radio systems across Texas and deployment of the FirstNet nationwide public safety broadband network created by the Middle Class Tax Relief and Jobs Creation Act of 2012.
 - Several DPS Regions across the state already use Regional Radio Systems {Austin - (GATTRS); Houston – (TxWARN); Lower Rio Grande Valley (LRGVRRS); Odessa, Parker County, Randall County}. This is a result of DPS partnerships with local and regional radio systems to improve radio interoperability and enhance resource capabilities. TxDPS has a Master Core in San Antonio which will serve as a redundant point to connect more regional radio systems and build out the hybrid statewide radio system across Texas. This will also help link additional state radio systems for backup and redundant resources (TxDOT, Tx P&W which have their own radio systems) for the benefit of all.
 - FirstNet public safety broadband creates a mobile data network with priority and preemption for first responders and will change the way that data information is handled by first responder entities and boots-on-the-ground personnel.

Regulatory Services (RSD)

RSD's future technological initiatives for process improvement and modernization to increase efficiencies, streamline processes and procedures, and enhance customer support, include:

- Automated application processing, online payment portal, and online submission of documents;
- Paperless workflow;
- Web interactions to include chat ability for external customers;
- Mobile program applications for customers;

- Applications with dashboards for easier access to statistics;
- Technology to aggregate and mine data so it can be gathered quickly for legislative and open record requests;
- Customer relationship management software to track service delivery and provide date / reports on customer requests;
- Ability to provide virtual licenses viewable on cell phone;
- Ability to use the same background check review and interface with DPS Crime Records;
- Technology to provide Private Security Program manager exams in remote locations;
- Expand Texas Online Private Security (TOPS) to include an audit component for Compliance and Enforcement Service (CES);
- Provide online training for vehicle inspection station inspectors;
- Develop routing software for vehicle inspection auditors; and
- Leverage technology to create a system database for audit tracking and reporting functionality for Private Security, Precursor Chemical Laboratory Apparatus and Ignition Interlock Devices.

Emergency Management (TDEM)

TDEM is always researching ways to improve capabilities to enhance support for Texans and governments statewide.

The division will continue to focus on expansion of regionalization which, in a state as large as Texas, better supports jurisdictions across the state. This will continue with placement of staff across the state as opposed to all TDEM staff being located in Austin. This effort is being realized and or planned across the division in plans, training, exercises, Recovery and Mitigation.

- K. In the following chart, provide information regarding your agency's key performance measures included in your appropriations bill pattern, including outcome, input, efficiency, and explanatory measures. Please provide information regarding the methodology used to collect and report the data.**

**Texas Department of Public Safety
Exhibit 2: Key Performance Measures — Fiscal Year 2016**

Key Performance Measures	FY 2016 Target	FY 2016 Actual Performance	FY 2016 % of Annual Target
Outcome Measures			
A.3.A Annual Texas Index Crime Rate	3,880	3,233.3	83.33%
C.1.A Annual Texas Highway Traffic Death Rate	1.00	1.38	138.00%
D.1.D Number of Public Entities with Open Disaster Recovery Grants	200	742	371.00%

Key Performance Measures	FY 2016 Target	FY 2016 Actual Performance	FY 2016 % of Annual Target
E.2.D Percentage of Driver License/Identification Applications Completed Within 45 Minutes	80%	46.03	57.54%
E.2.G Percentage of Driver Responsibility Program Surcharges Collected	45%	44.4	98.67%
E.3.A Concealed Handguns: Percentage of Original Licenses Issued Within 60 days	100%	78.7	78.70%
E.3.B Concealed Handguns: Percentage of Renewal Licenses Issued Within 40 days	100%	93.40	93.40%
Output/Efficiency Measures			
A.1.1.1 Number of Arrests for Narcotics Violations	1,700	2,078.00	122.24%
A.1.1.2 Number of Arrests for Motor Vehicle Theft	300	236.00	78.67%
A.1.1.3 Number of Criminal Investigations Division Arrests- Not Narcotics/Vehicle Theft	3,000	3,082.00	102.73%
A.3.1.1 Number of arrests by Texas Rangers	1,845	1,495.00	81.03%
B.1.2.1 Total Number of Interagency Law Enforcement Ops Coordinated by the BSOC	8	0	0.00%
C.1.1.1 Number of Highway Patrol Service Hours on Routine Patrol	2,242,000	3,259,152	145.37%
C.1.1.2 Number of Traffic Law Violator Contacts	3,400,000	2,459,489	72.34%
C.1.2.1 Number of Commercial Vehicle Enforcement Hours on Routine Patrol	907,000	1,182,153	130.34%
C.1.2.1 Number of Commercial Vehicle Traffic Law Violator Contacts	1,500,000	1,132,794	75.52%
D.1.2.1 Number of Emergency Incidents Coordinated	3,530	5,275.00	149.43%
D.1.3.1 Percentage of the State Population Covered by Hazard Mitigation Plans	78%	87%	111.54%
E.1.1.1 Number of Breath Alcohol Tests Supervised	47,000	38,653	82.24%
E.1.1.2 Number of Drug Cases Completed.	42,000	44,168	105.16%
E.1.1.3 Number of Offender DNA Profiles Completed	70,000	43,175	61.68%
E.2.1.1 Number of Total Examinations Administered	4,900,000	4,646,339	94.82%
E.3.1.3 Concealed Handguns: Number of Original and Renewal Handgun Licenses Issued	199,443	270,061	135.41%
E.3.2.1 Regulatory Services Division: Number of RSD Criminal Investigations Resolved	75	132	176.00%
E.3.2.5 Controlled Substance: Number of Controlled Prescriptions Reported	45,750,000	38,856,643.00	84.93%

Table 2 Exhibit 2 Key Performance Measures

- L. **Please discuss any “high-value data” your agency possesses, as defined by Section 2054.1265 of the Government Code. In addition, please note whether your agency has posted those data sets on publically available websites as required by statute.**

The agency’s website contains links to identified high-value data. The main page to access this information is located [here](#).

OGC

Custodial Death Reports

Article 49.18 of the Code of Criminal Procedure imposes reporting requirements on the Department concerning custodial deaths. The Department submits reports as provided by the applicable law to the Texas Attorney General. The reports are posted online by the Office of the Attorney General at the following location: <https://oagtx.force.com/cdr/cdrreportdeaths>

Peace Officer Involved Shooting Reports and Reports of Injuries to or Death of a Peace Officer

The Department prepares reports as required by Article 2.139 of the Code of Criminal Procedure relating to peace officer shootings, and injuries and death of peace officers. The information is posted online at the following location: <http://www.dps.texas.gov/GeneralCounsel/OfficerInvolvedShootingRprt.htm>

Law Enforcement Support (LES)

Crime Laboratory Service

The Crime Laboratory has posted its Standard Operating Procedures (SOP) on the Public Facing Website as well as the Physical Evidence Handbook (PEH), Laboratory Virtual Tour, Non-Reported SA Kit Program, the monthly CODIS program metrics, and many more informational documents.

The Breath Alcohol Laboratory has the following “high-value data:”

1. Certified operator documentation
2. Certified instrument documentation
3. Certified technical supervisor documentation
4. Intoxilyzer maintenance and repair information
5. Certified reference material documentation
6. Evidential breath alcohol test subject analytical reports

All of this “high-value data” is routinely requested in open records requests and by the courts in the form of discovery orders and subpoenas. Efforts are underway to create a searchable Breath Alcohol Laboratory public facing website. This is the first step for the laboratory service. We foresee all of our non-case related records being accessible in a searchable public facing website in the future.

Crime Records Service

CHRIP Bureau:

The CHRIP bureau posts the following to the public facing DPS site: an annual compliance report, yearly criminal arrest and conviction statistics.

https://www.dps.texas.gov/administration/crime_records/pages/crimHistoryRptng.htm

A&D Bureau:

The A&D Bureau has a public website, which was created to provide conviction and deferred adjudication information to the general public. This demonstrated responsiveness by providing the public with information to make decisions potentially protecting themselves, others and even property.

<https://records.txdps.state.tx.us/DpsWebsite/index.aspx>

SOR Bureau:

Pursuant to Section 411.135, the Registration Bureau has established a means for Individuals to access registration information via the internet. A website was created to allow individuals to search for reported registered sex offenders either by name, area, or by Institution of Higher Education. All information classified as public information is made available for each registrant. The website also contains links to other resources and allows persons to download exports of the registration data. The link to this website is at the following:

<https://records.txdps.state.tx.us/SexOffender/>

UCR:

The *Crime in Texas* (CIT) Report is published annually and posted on the Department's website [here](#).

- Data from all participating LEAs:
 - Summary Index Crime Counts
 - NIBRS Violent Crime and Property Crime Counts
 - Adult and Juvenile Arrests
 - Hate Crime Data
 - Sexual Assault Data
 - Family Violence Data
 - Drug Seizure Data
 - Law Enforcement Officers Killed and Assaulted data
 - Arson Counts
 - Human Trafficking Counts
 - Cargo Theft Data

DPS is working on a public facing portal that provides the ability to run statistical reports related to crime records. It is anticipated to be launched in the fall of 2017.

Public Safety Communications

Interoperability-related documents are posted to the DPS [website](#):

- MSAT Talkgroup Authorization Process and Points of Contact
- Texas SCIP (version 2)
- Recommended Programming Instructions for Priority Channels
- 2012 SCIP Implementation Report
- 2011 SCIP Implementation Report
- 2010 SCIP Implementation Report (preview)
- 2009 SCIP Implementation Report
- 2008 SCIP Implementation Report
- Texas Communications Capabilities Assessment Instructions
- Texas Communications Capabilities Assessment Datasheet
- Communications Interoperability Committee
- Binational Hazmat Emergency Plan – El Paso, Sunland Park, Juarez
- Catalog of Border Incidents
- Sample City Ordinance Adopting NIMS
- RICP Template
- Implementation Timeline and Cost Workbook
- Project Manager Guide
- RICP Executive Summary Template
- Texas RICP Review Process

Regulatory Services Division (RSD)

High value data is posted on the RSD portion of the DPS website for Handgun Licensing, Private Security, and Texas Metals Program. A quarterly report to the Public Safety Commission is also a high value report. However, it is not currently posted on the website.

Intelligence and Counterterrorism Division

Texas Department of Public Safety Dashboards: posted on agency website

Border Security Dashboards: posted on agency website

Law Enforcement Surge Operations Metrics: available in Public Safety Commission Minutes on the agency website

III. History and Major Events

Provide a timeline of your agency's history and key events, including:

- the date your agency was established;
- the original purpose and responsibilities of your agency; and
- major changes in responsibilities or statutory authority.

Also consider including the following information if beneficial to understanding your agency:

- changes to your policymaking body's name or composition;
- significant changes in state/federal legislation, mandates, or funding;
- significant state/federal litigation that specifically affects your agency's operations; and
- key changes in your agency's organization (e.g., a major reorganization of the agency's divisions or program areas).

1821

Stephen F. Austin, known as the "Father of Texas," made a contract to bring 300 families to the Spanish province, which now is Texas. By 1823, probably more than 600 to 700 people were in Texas, hardy colonists from the various portions of the United States at that time, who settled not far from the Gulf of Mexico. There was no regular army to protect them, so Austin called the citizens together and organized a group to provide the needed protection. Austin first referred to this group as the Rangers in 1823, for their duties compelled them to range over the entire country, thus giving rise to the service known as the Texas Rangers. For more than 100 years, and through today, the Texas Rangers have fulfilled varied roles, from almost soldier to armed protector against native populations to the epitome of criminal investigators. The Texas Rangers carry the distinction of being the oldest state police force in the United States.

1930

The Texas State Highway Motor Patrol was first organized, including a few license and weight inspectors the state employed as early as 1927. The initial force was comprised of 50 men selected from more than 1,600 applicants. This group established the reputation of "Courtesy, Service, and Protection," the DPS motto that still lives today. The force was expanded to 120 offices in 1931.

1935

The 44th Texas Legislature passed Senate Bill 146 in 1935, creating the Texas Department of Public Safety. On August 10, 1935, the DPS combined the Texas Rangers and the State Highway Patrol into one entity with a new identification bureau, and a new central broadcasting network, with oversight by a Public Safety Commission. Louis Phares, a leader in the Highway Patrol, was appointed acting Director of this new organization. The first Director of the agency, Horace H. Carmichael, was named the following year. The creation of DPS ushered in a more

modern era of law enforcement in Texas – one that forms the basis for traffic and criminal investigations today.

1938

Following the untimely death of Colonel Carmichael, the Commission named Homer Garrison to lead DPS. Colonel Garrison would go on to serve almost 30 years in this role before his death on May 7, 1968.

1957

As a result of recommendations from the Texas Research League, a nonprofit organization created by Governor Alan Shivers to promote efficiency and economy in government, DPS was reorganized on September 1, 1957. Prior to this restructuring, the agency had been composed of 13 branches under the Directors and Commissioners, some of which performed the same function. DPS was reorganized into six geographic regions, each commanded by a Major. Each of these regional commanders were directly responsible for the activities of the Highway patrol, license and weight work, driver licensing, motor vehicle inspection supervision, and criminal investigations. Limited crime laboratories were also developed in each of the regional headquarters, supplementing the central crime laboratory in Austin. The Austin Headquarters activity was reorganized into four major divisions – Identification and Criminal Records; Personnel and Staff Services; Driver and Vehicle Records; and Inspection and Planning.

1963

The State Civil Defense Office was transferred from the Office of the Governor to DPS. It was statutorily renamed to the Division of Emergency Management in 1981.

1973

DPS took steps to begin attracting females to join the commissioned officer ranks. Two female Troopers graduated from the training academy that year.

2007

The 80th Texas Legislature expanded membership of the Commission from three to five members.

2008

The Commission contracted with the consulting firm Deloitte to assist the agency with organizational issues.

2009

The Commission reorganized DPS following the Sunset Advisory Commission review and Deloitte recommendations. The new structure identified 14 major divisions headed by Division Directors, with two Deputy Directors supervising the divisions and assisting the Director.

2015

HB 1690 from the 84th Texas Legislature created a Public Integrity Unit in Chapter 411 of the Texas Government Code which would be operated by the Texas Rangers for investigations related to offenses against public administration.

The 84th Texas Legislature created a Compassionate Use Program (SB 339) to permit the use of low-THC for medical purposes and directed DPS to develop, regulate, and operate the program.

IV. Policymaking Structure

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

**Texas Department of Public Safety
Exhibit 3: Policymaking Body**

Member Name	Term / Appointment Dates / Appointed by (e.g., Governor, Lt. Governor, Speaker)	Qualification (e.g., public member, industry representative)	City
Steven P. Mach	Appointed by Governor on March 8, 2017. Term expires January 1, 2022.	Chairman	Houston
Manny Flores	Appointed by Governor on December 19, 2013. Term expires December 31, 2017.	Member	Austin
A. Cynthia Leon	Appointed by Governor on March 8, 2017. Term expires January 1, 2020.	Member	Mission
Jason K. Pulliam	Appointed by Governor on March 8, 2017. Term expires January 1, 2022.	Member	San Antonio
Randy Watson	Appointed by Governor on December 28, 2012. Term expires January 1, 2018.	Member	Burleson

Table 3 Exhibit 3 Policymaking Body

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

- Formulate plans and policies for the enforcement of state, criminal, traffic, and safety laws; for the prevention of crime; for the detection and apprehension of persons who violate laws; and for the education of Texas citizens in the promotion of public safety and the observance of law;
- Organize the department and supervise its operations;
- Adopt rules for carrying out the department's work; and
- Maintain records of all proceedings and official orders.

The Commission also biennially submits a report of its work to the Governor and Legislature, including the Commission's and Director's recommendations.

In addition, per Vernon's Texas Civil Statutes Art. 179e Sec. 2.02, "the chairman of the Public Safety Commission or a member of the Public Safety Commission designated by the Chairman" serves as an ex officio member of the Texas Racing Commission.

C. How is the chair selected?

The Chair is designated by the Governor to serve in that capacity at the pleasure of the Governor.

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

- The Commission is required, upon application of a discharged officer, to hold a public hearing and decide, based on the evidence presented, whether to affirm or set aside the Director's decision to discharge.
- Under Government Code §411.0041, the Commission has an exception from the open meetings law to conduct discussions or deliberations regarding an ongoing criminal investigation, including a vote to issue a directive or take other action regarding the investigation.

E. In general, how often does your policymaking body meet? How many times did it meet in FY 2016? In FY 2017?

The Commission generally meets every other month. In FY 2016 and 2017 the Commission met six times each year.

F. What type of training do members of your agency's policymaking body receive?

Initial in-person individualized training with Division Directors and General Counsel cover topics required under Government Code 411.0031. Commissioners complete the video course in Open Meetings prepared by the Office of the Attorney General. Commissioners receive individualized briefings on department missions, functions and programs.

G. Does your agency have policies that describe the respective roles of the policymaking body and agency staff in running the agency? If so, describe these policies.

- Except for rulemaking under the Private Security Act, the Commission approves for public comment and adopts all Department rules published in the Texas Administrative Code that are not statutorily designated to be adopted by the Director. Department staff conducts any public hearings required in connection with these rules.
- Rules adopted under the Private Security Act are approved for final adoption by the Commission. The Commission has delegated to the Private Security Board the authority to publish proposed rules for public comment and to hold public hearings on proposed rules.
- The Commission has authorized the Director to enter into contracts for the Department that have a value exceeding \$1 million as provided under Government Code §2261.254.

- The Commission has adopted a policy that separates policymaking responsibilities of the Commission and the management responsibilities of the Director and the staff of the Department as provided under Government Code §411.0042.
- The Commission has adopted a policy governing the procedure for the presentation and consideration of discharge proceedings under Government Code §411.007.

H. What information is regularly presented to your policymaking body to keep them informed of your agency's performance?

- Information and updates are regularly presented at Commission meetings as provided under the scheduled agenda for each meeting.
- Division reports prepared by the major divisions and special sections are presented to the Commission at each public meeting. Commissioners may ask for specific items and updates to be presented at Commission meetings by requesting the presentation during an open meeting.
- In between the regular meetings, the Director, Deputy Directors and Division Directors will communicate with Commissioners on a case-by-case basis to update them on important matters.
- Audit information is provided by the Chief Auditor in regular reports to the Commission. The Chief Auditor may also provide reports and updates to a Commissioner designated as a liaison by the Commission.
- Inspector General reports are provided by the Inspector General in regular reports to the Commission. The Inspector General may also provide reports and updates to a Commissioner designated as a liaison by the Commission.
- Contracting information is provided to a member of the Commission who serves as a liaison to observe and monitor contracts that are under consideration by the Division Director of Administration, who serves as chair of the Department's Contract Review Board, an internal board that evaluates proposed contracts.

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

- The Commission offers the opportunity for public comment at every posted meeting. Staff follows up on comments and recommendations received and may report back to

the Commission on comments and recommendations received at future meetings and take actions based on guidance from the Commission.

- Written comments received by staff on rules that will be submitted to the Commission for adoption are presented to the Commission.
- Contact information including the address for each member of the Commission is posted on the Department website at https://www.dps.texas.gov/public_safety_commission/.

J. If your policymaking body uses subcommittees or advisory committees to carry out its duties, fill in the following chart. In addition, please attach a copy of any reports filed by your agency under Government Code Chapter 2110 regarding an assessment of your advisory committees.

**Texas Department of Public Safety
Exhibit 4: Subcommittees and Advisory Committees**

Name of Subcommittee or Advisory Committee	Size/Composition/ How are members appointed?	Purpose / Duties	Legal Basis for Committee
Advisory Oversight Community Outreach Committee	9 members appointed by Public Safety Commission.	(d) The committee shall: (1) document to the commission trade-related incidents involving department personnel; (2) develop recommendations and strategies to improve community relations, department personnel conduct, and the truck inspection process at this state's ports of entry; and (3) act as ombudsman between the department and the communities located and residents residing in the area of the border of this state and the United Mexican States and between the department and the department's personnel.	Government Code Section 411.0197
Metals Advisory Committee	15 members appointed by the Director of the Department		Occupations Code Section 1956.017

Name of Subcommittee or Advisory Committee	Size/Composition/ How are members appointed?	Purpose / Duties	Legal Basis for Committee
Vehicle Inspection Advisory Committee	9 members. Seven are appointed by the Public Safety Commission, and two members are appointed by the chairs of the Public Safety Commission and Conservation Commission.	Advise and make recommendations to vehicle inspection program.	Transportation Code Section 548.006

Table 4 Exhibit 4 Subcommittees and Advisory Committees

V. Funding

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

DPS appropriations for FY16 include the following funding sources and amounts.

General Revenue Fund		
001	General Revenue Fund	\$901,872,285
GR Dedicated		
501	GR Dedicated - Motorcycle Education Account	\$1,187,035
5010	GR Dedicated - Sexual Assault Program Account	\$2,131,782
5013	GR Dedicated - Breath Alcohol Testing Account	\$1,512,500
5153	Emergency Radio Infrastructure Account No. 51	\$8,189,174
Federal Funds		
555	Federal Funds	\$253,485,655
Other Funds		
444	Interagency Contracts - Criminal Justice Grants	\$547,768
666	Appropriated Receipts	\$50,085,811
777	Interagency Contracts	\$3,169,404
780	Bond Proceeds - General Obligation Bonds	\$2,473,823
8000	Governor's Emergency and Deficiency Grant	\$8,471,182
Grand Total		\$1,233,126,418

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

2018-19 Riders	
Rider #	Rider Name
1	Performance Measure Targets
2	Capital Budget
3	Marked Vehicles
4	Disposition of Seized Funds
5	Controlled Substances
6	Witness Fees
7	Purchase of Evidence
8	Seized Assets Report
9	Medical and Funeral Costs
10	Authorization of Funeral Travel Reimbursement
11	Moving Expenses
12	Travel for Security Personnel
13	Polygraph Examinations
14	Supply and Inventory Cost Allocation
15	Stranded Motorist Assistance
16	Parking Violation Revenues
17	Contingency Appropriation Reduction
18	Appropriation Transfers

- 19 Appropriation: Automobile Emission Inspections
- 20 Full-Time-Equivalents, Recruits
- 21 Reporting Procedure for Land Acquisition and Construction Projects
- 22 Hardship Stations
- 23 Contingency Personnel, DNA Analyses
- 24 Interagency Contract for Legal Services
- 25 Appropriations Limited to Revenue Collections
- 26 Driver Responsibility Program
- 27 Appropriation: Unexpended Balances Bond Proceeds
- 28 Databases and Clearinghouses Related to Missing Persons and Children
- 29 State Disaster Resource Support and Staging Sites
- 30 TexasOnline
- 31 Estimates of Future Appropriated Receipts
- 32 Border Auto Theft Information Center
- 33 Capital Budget Expenditures from Federal Awards
- 34 Cash Flow Contingency for Federal Funds
- 35 Unexpended Balances Within the Biennium
- 36 Contingency Appropriation for Handgun Licensing Program Applications
- 37 Clothing Provisions
- 38 Driver License Improvement Plan Reporting
- 39 Recruit Schools
- 40 Appropriation for Training on Incident Based Reporting
- 41 Enhance Driver Responsibility Program Outreach and Education
- 42 Hiring Officers with Previous Experience
- 43 Reserve Officer Corps
- 44 Headquarters Relocation Study
- 45 Differential Pay
- 46 Human Trafficking Enforcement
- 47 Border Security Cost Containment Efforts
- 48 Limitation on Appropriations: Recruit Schools
- 49 Transfer Prohibition - Goal B, Secure Texas
- 50 Oil and Natural Gas Analysts
- 51 Security Improvements in the Texas State Capitol and the Governor's Mansion
- 52 Transfer Prohibition - Goal F, Driver License Services and Driver Safet
- 53 Border Security: Additional funding
- 54 Sexual Assault Kit Testing
- 55 Funding for Recruit Schools
- 57 Crime Laboratory Cost Containment
- 58 Revenue Collected from Forensic Analysis of Physical Evidence Fees Applied to Law Enforcement Agencies
- 59 Transfer Prohibition - Strategy E.1.1, Crime Laboratory Services
- 60 Law Enforcement Operations Center
- 61 Limited Transfer Authority for Commissioned Law Enforcement Officers
- Texas Public Finance Authority (Bill Pattern)**
- 11 Information Listing: Master Lease Purchase Program Lease Payments
- Office of the Attorney General (Bill Pattern)**
- 8 Interagency Contracts for Legal Services

- 15 Interagency Contract with the Department of Public Safety
- 17 Sex Offender Apprehension
 - Trusted Programs within the Officer of the Governor**
- 18 Border Security Operations
- 19 Internet Crime Against Children Task Forces
- 21 Grants for Local Border Security
- 23 Enhanced Border Security
- 25 Child Sex Trafficking Prevention Unit
- 28 Bullet-Resistant Vests

Article IX Provisions

- Sec. 7.11. Border Security
- Sec. 9.01. Purchases of Information Resources Technologies
- Sec. 9.02. Quality Assurance Review of Major Information Resources Projects
- Sec. 9.03. Biennial Operating Plan and Information Resources Strategic Plan Approval
- Sec. 9.04. Information Technology Replacement
- Sec. 9.07. Payments to the Department of Information Resources
- Sec. 9.08. Computer Inventory Report
- Sec. 9.10. Prioritization of Cybersecurity and Legacy System Projects
- Sec. 9.12. Report of Information Technology (IT) Infrastructure
- Sec. 9.13. Cloud Computing Options
- Sec. 13.11. Definition, Appropriation, Reporting and Audit of Earned Federal Funds
- Sec. 14.03. Limitation on Expenditures - Capital Budget
- Sec. 17.07. Border Security - Informational Listing
- Sec. 17.10. Contract Cost Containment
- Sec. 17.13. Border Security Report
- Sec. 17.14. Identified State Agency Deferred Maintenance Needs
- Sec. 17.16. Informational Listing of Certain Appropriations
- Sec. 18.09. Contingency for HB 281

C. Show your agency's expenditures by strategy.

**Texas Department of Public Safety
Exhibit 5: Expenditures by Strategy — 2016 (Actual)**

Goal / Strategy	Amount Spent	Percent of Total	Contract Expenditures Included in Total Amount
1-1-1 Organized Crime	\$68,510,420	5.56%	\$6,459,733
1-1-2 Criminal Interdiction	\$15,024,187	1.22%	\$6,069,560
1-2-1 Intelligence	\$6,869,718	0.56%	\$275,717
1-2-2 Security Programs	\$23,326,814	1.89%	\$1,541,865
1-2-3 DELETED	\$1,748,859	0.14%	\$757,979
1-3-1 Special Investigations	\$32,055,060	2.60%	\$2,300,413
2-1-1 Networked Intelligence	\$3,227,340	0.26%	\$2,260,669
2-1-2 Routine Operations	\$33,919,757	2.75%	\$17,446,973

Goal / Strategy	Amount Spent	Percent of Total	Contract Expenditures Included in Total Amount
2-1-3 Extraordinary Operations	\$41,229,752	3.34%	\$159,599
2-1-4 Recruitment, Retention and Support	\$136,246,239	11.05%	\$41,072,068
2-1-5 DELETED	(\$840)	0.00%	-
3-1-1 Traffic Enforcement	\$186,419,106	15.12%	\$21,627,533
3-1-2 Commercial Vehicle Enforcement	\$64,082,838	5.20%	\$4,189,504
3-2-1 Public Safety Communications	\$17,870,837	1.45%	\$4,216,083
3-2-2 Interoperability	\$1,095,488	0.09%	\$504,016
4-1-1 Emergency Management Training and Preparedness	\$7,558,519	0.61%	\$2,843,140
4-1-2 Emergency and Disaster Response Coordination	\$1,729,695	0.14%	\$309,819
4-1-3 Disaster Recovery and Hazard Mitigation	\$222,370,159	18.03%	\$16,549,859
4-1-4 State Operations Center	\$11,335,537	0.92%	\$4,864,165
5-1-1 Crime Laboratory Services	\$31,091,924	2.52%	\$8,304,589
5-1-2 Crime Records Services	\$41,342,005	3.35%	\$29,432,896
5-1-3 Victim & Employee Support Services	\$1,345,804	0.11%	\$124,154
5-2-1 Regulatory Services Issuance and Modernization	\$11,640,358	0.94%	\$4,648,247
5-2-2 Regulatory Services Compliance	\$13,240,011	1.07%	\$899,467
6-1-1 Driver License Services	\$107,468,462	8.72%	\$34,584,266
6-1-2 Safety Education	\$3,764,421	0.31%	\$675,198
6-1-3 Enforcement and Compliance Services	\$25,272,194	2.05%	\$18,817,548
7-1-1 Headquarters Administration	\$27,138,224	2.20%	\$2,336,855
7-1-2 Regional Administration	\$15,133,648	1.23%	\$2,481,135
7-1-3 Information Technology	\$41,485,217	3.36%	\$21,766,376
7-1-4 Financial Management	\$6,469,035	0.52%	\$433,583
7-1-5 Training Academy and Development	\$15,713,619	1.27%	\$959,412
7-1-6 Facilities Management	\$17,402,012	1.41%	\$11,287,284
Totals	\$1,233,126,418	100.00%	\$270,199,704
<p>*Amounts shown include Fiscal Year 2016 expenditures allocated in the new 2018-19 budget structure. **Strategy was deleted for the 2018-19 budget structure. ***Strategy was deleted for the 2018-19 budget structure. The negative amount is a result of a reimbursement made by a grant recipient subsequent to the transfer of the program to the Governor's Office.</p>			

Table 5 Exhibit 5 Expenditures by Strategy

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

**Texas Department of Public Safety
Exhibit 6: Sources of Revenue — Fiscal Year 2016 (Actual)**

Source	Amount
Federal Funds	\$263,859,067
Driver License Fees	112,158,662
Driver Resp. Program - General Revenue	73,176,096
Driver Resp. Program - Trauma Fund	73,176,096
Driver Record & Interactive Record Fees	68,279,893
DL Texas.gov Fees	32,583,402
Concealed Handgun License Fees	24,505,083
Fingerprint Checks	14,766,937
RS - MVI - Texas.gov Fees - From DMV	14,091,662
FBI FEE Trust - Regular	13,074,174
Driver Responsibility Program - Vendor Fees - Amount set by Rider	11,433,587
ID Certificates	11,127,076
Court Costs - Emergency Radio Infrastructure (5153)	9,236,796
Crime Records - Vendor Fees	8,981,859
State Grant Pass thru	8,022,289
Driver Responsibility Program - Vendor Fees	7,025,018
Private Security Bureau License Fee	6,930,998
Motor Vehicle Safety Responsibility Fees (Reinstatement Fee)	6,794,759
Sales of Supplies/Equipment/Services-Fed	6,544,069
Reinstatement Fees	6,427,095
Criminal History Public Website	6,363,126
DL Reinstatement-Administrative License Revocation	6,129,955
Criminal History Secure Site	5,781,583
Administrative Fee - Failure to Appear	5,432,764
Federal Grant Pass thru	3,251,178
Controlled Substance Act Forfeited Money - State Seized - State Portion	3,159,517
DL Texas.gov Fees - Cash	2,830,651
Motor Carrier Act Penalties	2,674,613
Crime Record User Fee - FBI FEE - CR Portion	2,016,904

Source	Amount
Controlled Substance Act Forfeited Money - State Seized - DPS Portion 40%	1,991,190
Sale of Vehicles, Boats and Aircraft (99908)	1,639,315
RS Texas.gov Fee - Concealed Handgun	1,617,276
Sale of Prescription Pads	1,583,629
Reimbursement for Drug Cases Examined	1,541,343
Veterans Donation	1,452,937
Motorcycle License Fee	1,249,172
Hazmat Fees - TSA	1,222,781
Driver Resp. Program - Driver License Division - Amount set by Rider	932,028
Court Costs - Breath Alcohol Testing (5013)	920,224
Motor Vehicle Inspection Inspector License Fees - Tx Mobility Fund	883,600
Reimbursements - Third Party	637,465
Sale of Vehicles, Boats and Aircraft - DPS Portion - 25%	615,433
Driver Resp. Program - Driver License Division	546,277
History Check Non-school Employee - TEA	541,290
Government Contract Services	506,119
Voluntary Driver License Fee for Glenda Dawson Donate Life - Texas	501,532
RS Portion PSB FBI Fee	474,813
Private Security Subscription Fees	464,078
Insurance Recovery After Loss	415,290
Pocket Card	382,350
Private Security Bureau Fines and Penalties	372,426
FBI FEE Trust - Volunteer	371,116
Conference Registration Fee	368,995
Voluntary Driver License Fee for Blindness Screening and Treatment	362,461
Handgun Trainer Fee/CH Instructor Certificate	281,568
Court Costs - DNA Testing/Community Supervision (0001)	271,365
Occupational DL Fees	240,061
Copies of Documents	234,400
LES - Texas.gov Fees - Crime Records	210,659
Controlled Substances Registration	208,575
Sale of License Information (Complete and Weekly Update)	184,386
Document Sales	181,167

Source	Amount
Sale of Publications/Printed Material	179,750
Sale of Breath Test Supplies	164,004
Motor Vehicle Inspection Station Fees - Tx Mobility Fund	154,700
Ignition Interlock Service Center Inspection Fees	138,000
Metals Recycling Renewal Registration	118,503
State Parking Violations	112,209
Dormitory, Cafeteria Sales	96,451
Ignition Interlock DL Fees	66,299
Agency Paid Parking Fees	62,190
RS - MVI - Texas.gov Fees - License Renewal	53,138
Return Check Fee	47,632
Controlled Substance Registration Late Fee	38,850
Private Entity Expunction Notice	36,574
RS Texas.gov Fee - Controlled Substance Registration	33,891
Subpoenas	31,400
Metal Recycling Initial Registration	28,983
Limited Sales and Use Tax - State	24,041
Metals Fines and Penalties	22,750
Manager Re-Examination Fees	22,139
Sex Offender Registration Reimbursement	19,274
Criminal History Record Conviction Database	18,653
Other Miscellaneous Governmental Revenue	17,311
TNIS User Fees	10,688
RS - Sale of OD Merchandise	10,095
National Driver Registry	8,708
Rental - Other	8,277
Other Surplus or Salvage Property/Material Sales (99908)	7,065
RS Texas.gov Fee - Metals Recycling	4,066
Fingerprint Record Fees	3,229
Abandoned Motor Vehicles	3,130
Capitol Access Pass	3,021
Other Surplus or Salvage Property/Material Sales - DPS Portion - 25%	2,276
Sale of Operating Supplies	1,956

Source	Amount
RS Texas.gov Fee - Capitol Access Pass	405
Donations - Border Security	70
Rental - Vending Machine Commissions	36
Total	\$834,789,994

Table 6 Exhibit 6 Sources of Revenue

E. If you receive funds from multiple federal programs, show the types of federal funding sources.

**Texas Department of Public Safety
Exhibit 7: Federal Funds — Fiscal Year 2016 (Actual)**

Type of Fund	State / Federal Match Ratio	State Share	Federal Share	Total Funding
11.549 State and Local Implementation Grant Program	25%	\$215,303	\$645,909	\$861,212
16.575 Crime Victim Assistant Response Team	27.50%	110,544	290,969	401,513
16.579.008 Domestic Marijuana Eradication	-	-	2,363	2,363
16.710 Community Policing Development	-	-	30,847	\$30,847
16.741 Forensic DNA Backlog	-	-	1,548,755	1,548,755
16.742 P Coverdell Forensic Improvement	-	-	343,837	343,837
16.922 Equitable Sharing Program-DOJ	-	-	321,015	321,015
20.218 High Priority Motor Carrier Safety Assistance Program	-	-	366,520	366,520
20.218 Entrant Motor Carrier Safety Assistance Program	-	-	1,468,686	\$1,468,686
20.218 Main Motor Carrier Safety Assistance Program	20%	1,865,562	7,462,248	9,327,810
20.233 Border Enforcement Grant	-	-	16,121,798	16,121,798
20.600 State & Community Highway Safety	-	221,760	249,232	470,993
20.616 Evidential Breath & Blood Alcohol Testing	-	-	489,756	489,756
20.616 Impaired Driving Mobilization	-	-	15,525	15,525

Type of Fund	State / Federal Match Ratio	State Share	Federal Share	Total Funding
20.616 State Traffic Records System Citation Database	20%	28,378	\$513,510	641,888
20.703 Hazardous Material Emergency Preparedness	-	-	1,374,973	1,374,973
81.106 Transport of Transuranic	-	-	91,174	91,174
81.214 AIP - PANTEX PLANT	-	-	108,857	108,857
95.001 Houston HIDTA	-	-	127,788	127,788
97.032 Crisis Counseling 4223dr			414,683	414,683
97.036 Public Assistance Disaster Grants	~25% Match on Subrecipient Grants	97,282*	154,264,624	154,761,907
97.039 Hazard Mitigation Disaster Grants	~25% Match on Subrecipient Grants	61*	56,560,457	56,560,518
97.042 Emergency Management Planning Grants	50% Maintenance of Effort	17,033,522	17,033,522	34,067,044
97.046 Fire Management Assistance Grants	25%	21,882*	833,440	855,323
97.047 Pre Disaster Mitigation	25%	18,896*	1,135,652	1,154,547
97.067 Homeland Security Grant Program	-	-	4,341,605	4,341,605
97.092 Repetitive Flood Claims	25%	632	1,896	2,528
Subtotal		\$20,113,822	\$266,159,642	\$286,273,464
***20.600 State & Community Highway Safety	-	36,045,951	-	36,045,951
Grand Total		\$56,159,773	\$266,159,642	\$322,319,415

Table 7 Exhibit 7 Federal Funds

*CFDA's 97.036, 97.039, 97.046, 97.047 does not include sub recipient state match.

*** 20.600 - DPS provides TXDOT with State Match Cost. TXDOT uses these matching funds for the overall grant award for the state of Texas.

F. If applicable, provide detailed information on fees collected by your agency.

**Texas Department of Public Safety
Exhibit 8: Fee Revenue — Fiscal Year 2016**

Fee Description/ Program/ Statutory Citation	Current Fee/ Statutory Maximum	Number of Persons or Entities Paying Fee	Fee Revenue	Where Fee Revenue is Deposited (e.g., General Revenue Fund)
Concealed Handgun License Fees/Government Code, §§411.1711 - 411.1882	Varies up to \$140	386,397	\$24,505,083	General Revenue
Handgun Trainer Fee/CH Instructor Certificate/Government Code, §§411.190 - 411.1901	\$100	233	\$281,568	General Revenue
RS Texas.gov Fee - Concealed Handgun/Government Code, §403.023(2)	\$2	386,630	\$1,617,276	General Revenue
Controlled Substance Act Forfeited Money - State Seized - DPS Portion 40%/Code of Criminal Procedure, § 59.06	Varies	321	\$1,991,190	General Revenue
Controlled Substance Act Forfeited Money - State Seized - State Portion/Code of Criminal Procedure, Art. 59.06	Varies	321	\$3,159,517	General Revenue
Reimbursement for Drug Cases Examined/Code of Criminal Procedure, Art. 42A.301(18)	\$140	47,840	\$1,541,343	General Revenue
Crime Record User Fee - FBI FEE - CR Portion/Government Code, §411.087	\$2	1,008,452	\$2,016,904	General Revenue
Criminal History Public Website/Government Code, §§411.042(d), 411.087, 411.088, 411.145(a)(2)	\$3.15	2,020,040	\$6,363,126	General Revenue
Criminal History Record Conviction Database/Government Code, §§411.042(d), 411.087, 411.088, 411.145(a)(2)	\$15.00 or \$10.00 or \$1.00	112	\$18,653	General Revenue
Criminal History Secure Site/Government Code, §§411.042(d), 411.087, 411.088, 411.145(a)(2)	\$15.00 or \$10.00 or \$1.00	5,781,583	\$5,781,583	General Revenue
Document Sales/Government Code, §§411.042(d), 411.087, 411.088, 411.145(a)(2)	\$15.00 or \$10.00 or \$1.00	12,077	\$181,167	General Revenue
Hazmat Fees - TSA/Government Code, §§411.042(d), 411.087, 411.088, 411.145(a)(2)	\$4	305,695	\$1,222,781	General Revenue

Fee Description/ Program/ Statutory Citation	Current Fee/ Statutory Maximum	Number of Persons or Entities Paying Fee	Fee Revenue	Where Fee Revenue is Deposited (e.g., General Revenue Fund)
Fingerprint Checks/Government Code, §§411.042(d), 411.087, 411.088, 411.145(a)(2)	\$15	984,462	\$14,766,937	General Revenue
Private Entity Expunction Notice/Code of Criminal Procedure, §55.02 3(c-2)	Varies	12,191	\$36,574	General Revenue
Crime Records - Vendor Fees/Government Code, §411.042(j)	\$9.95	898,186	\$8,981,859	General Revenue
Sex Offender Registration Reimbursement/Code of Criminal Procedure, §62.005(d)	Cost recovery basis	708	\$19,274	General Revenue
FBI FEE Trust - Regular/Government Code, §411.087	\$14.50	901,667	\$13,074,174	General Revenue
FBI FEE Trust - Volunteer/Government Code, §411.087	\$13	28,547	\$371,116	General Revenue
Fingerprint Record Fees/Human Resources Code, §80.001(b)	\$10	323	\$3,229	General Revenue
History Check Non-school Employee - TEA/Human Resources Code, §80.001(b)	\$6	90,215	\$541,290	General Revenue
LES - Texas.gov Fees - Crime Records/Government Code, §403.023(2)	2.25% of fees	9,350,000	\$210,659	General Revenue
Driver Resp. Program - Driver License Division */Health & Safety Code, §708.002(b)	1% of fees that are \$100 - \$2,000	N/A	\$546,277	General Revenue
Driver Resp. Program - Driver License Division - Amount set by Rider/Health & Safety Code, §708.002(b)	1% of fees that are \$100 - \$2,000	N/A	\$932,028	General Revenue
Driver Responsibility Program - Vendor Fees/Transportation Code, §708.155	Varies	N/A	\$7,025,018	General Revenue
Driver Resp. Program - General Revenue/Health & Safety Code, §708.002(b)	49.5% of fees that are \$100 - \$2,000	1,253,801	\$73,176,096	General Revenue
Driver Resp. Program - Trauma Fund/Health & Safety Code, §708.002(b)	49.5% of fees that are \$100 - \$2,000	1,253,801	\$73,176,096	General Revenue Account - Designated Trauma Facility and EMS

Fee Description/ Program/ Statutory Citation	Current Fee/ Statutory Maximum	Number of Persons or Entities Paying Fee	Fee Revenue	Where Fee Revenue is Deposited (e.g., General Revenue Fund)
Voluntary Driver License Fee for Blindness Screening and Treatment/Transportation Code, §521.421(j)	\$1	362,461	\$362,461	General Revenue
National Driver Registry/Transportation Code, §521.056	\$4	2,177	\$8,708	General Revenue
Subpoenas/Government Code, §403.011, 403.012	Varies	N/A	\$31,400	General Revenue
Motor Vehicle Safety Responsibility Fees (Reinstatement Fee)*/Transportation Code, §601.376	\$100	68,176	\$6,794,759	General Revenue
Driver Responsibility Program - Vendor Fees - Amount set by Rider/Transportation Code, §708.155	Varies	N/A	\$11,433,587	General Revenue
DL Reinstatement-Administrative License Revocation*/Transportation Code, §524.051	\$125	50,247	\$6,129,955	Texas Mobility Fund
Driver License Fees/Transportation Code, §§521.421, 522.029	\$10-\$120		\$112,158,662	Texas Mobility Fund
ID Certificates/Transportation Code, §521.422	\$5-\$15		\$11,127,076	Texas Mobility Fund
Ignition Interlock DL Fees/Transportation Code, §521.2465	\$10	6,555	\$66,299	Texas Mobility Fund
Occupational DL Fees/Transportation Code, §521.421	\$10	20,655	\$240,061	Texas Mobility Fund
Reinstatement Fees/Transportation Code, §521.313	\$100	63,122	\$6,427,095	Texas Mobility Fund
Driver Record & Interactive Record Fees/Transportation Code, §§521.045-521.055	\$4-20		\$68,279,893	Texas Mobility Fund
Sale of License Information (Complete and Weekly Update)/Transportation Code, §521.050	\$75-2000		\$184,386	Texas Mobility Fund
Veterans Donation/Transportation Code, §411.1741	\$8-15	186,939	\$1,452,937	Fund for Veterans' Assistance
Motorcycle License Fee/Transportation Code, §§521.421, 522.029	\$8-15		\$1,249,172	Motorcycle Education Account No. 501

Fee Description/ Program/ Statutory Citation	Current Fee/ Statutory Maximum	Number of Persons or Entities Paying Fee	Fee Revenue	Where Fee Revenue is Deposited (e.g., General Revenue Fund)
Voluntary Driver License Fee for Glenda Dawson Donate Life - Texas/Transportation Code, §521.008	\$1	387,183	\$501,532	Glenda Dawson Donate Life-Texas Registry
DL Texas.gov Fees/Government Code, §403.023(2)	\$1-\$5.75		\$32,583,402	General Revenue
DL Texas.gov Fees - Cash/Government Code, §403.023(2)	\$1-\$5.75		\$2,830,651	General Revenue
Dormitory, Cafeteria Sales/GAA, H.B. 1, 82nd Leg., R.S. Art. V. Rider 10	Varies	N/A	\$96,451	General Revenue
Copies of Documents/Government Code, §552.261	Varies	N/A	\$234,400	General Revenue
Conference Registration Fee/GAA, H. B. 1, 84th Leg., R.S., Art. IX, Sec. 8.08	Varies	N/A	\$368,995	General Revenue
Donations - Border Security/Government Code, §§403.011, 403.012	Varies	1	\$70	General Revenue
Rental - Vending Machine Commissions/Government Code, §403.011	Varies	N/A	\$36	General Revenue
Rental - Other/Government Code, §403.011	Varies	N/A	\$8,277	General Revenue
Sale of Publications/Printed Material/Government Code, §2052.301	Varies	N/A	\$179,750	General Revenue
Other Surplus or Salvage Property/Material Sales - DPS Portion - 25%/Government Code, Ch. 2175	Varies	N/A	\$2,276	General Revenue
Sale of Operating Supplies/Government Code, §403.011	Varies	N/A	\$1,956	General Revenue
Sales of Supplies/Equipment/Services- Fed/Government Code, §771.003	Varies	N/A	\$6,544,069	General Revenue
Sale of Breath Test Supplies/Texas Constitution, Art. IV; Section 10	Varies	N/A	\$164,004	General Revenue
Government Contract Services/Texas Constitution, Art. IV; Section 10	Varies	N/A	\$506,119	General Revenue
Insurance Recovery After Loss/Government Code, §404.097	Varies	N/A	\$415,290	General Revenue

Fee Description/ Program/ Statutory Citation	Current Fee/ Statutory Maximum	Number of Persons or Entities Paying Fee	Fee Revenue	Where Fee Revenue is Deposited (e.g., General Revenue Fund)
TNIS User Fees/Government Code, §§403.011, 403.012	Varies	N/A	\$10,688	General Revenue
Reimbursements - Third Party/Government Code, §403.011, 403.012	Varies	N/A	\$637,465	General Revenue
Sale of Vehicles, Boats and Aircraft - DPS Portion - 25%/Government Code, Ch. 2175	Varies	N/A	\$615,433	General Revenue
Abandoned Motor Vehicles/Transportation Code, §§683.015, 683.031, 683.034, 683.052	Varies	N/A	\$3,130	General Revenue
Limited Sales and Use Tax - State/Tax Code, §151.051	6.25%	N/A	\$24,041	General Revenue
Capitol Access Pass/Government Code, §411.0625	\$100	N/A	\$3,021	General Revenue
State Parking Violations/Government Code, §411.067	\$25 plus \$5 after 10 days	N/A	\$112,209	General Revenue
Agency Paid Parking Fees/Government Code, §2165.2035	\$30 per quarter	N/A	\$62,190	General Revenue
Other Surplus or Salvage Property/Material Sales (99908)/Government Code, Ch. 2175	Varies	N/A	\$7,065	General Revenue
Return Check Fee/Business & Commerce Code, § 3.506	\$15-\$25	N/A	\$47,632	General Revenue
Administrative Fee - Failure to Appear/Transportation Code, §706.006	\$30	N/A	\$5,432,764	General Revenue
Other Miscellaneous Governmental Revenue/Government Code, §§403.011, 404.094	Varies	N/A	\$17,311	General Revenue
Sale of Vehicles, Boats and Aircraft (99908)/Government Code, Ch. 2175	Varies	N/A	\$1,639,315	General Revenue
Court Costs - DNA Testing/Community Supervision (0001)/Code of Criminal Procedure, §102.020	Varies	N/A	\$271,365	General Revenue
Court Costs - Breath Alcohol Testing (5013)/Local Government Code, §133.102 (e) (3)	Varies	N/A	\$920,224	Breath Alcohol Testing Account No. 5013

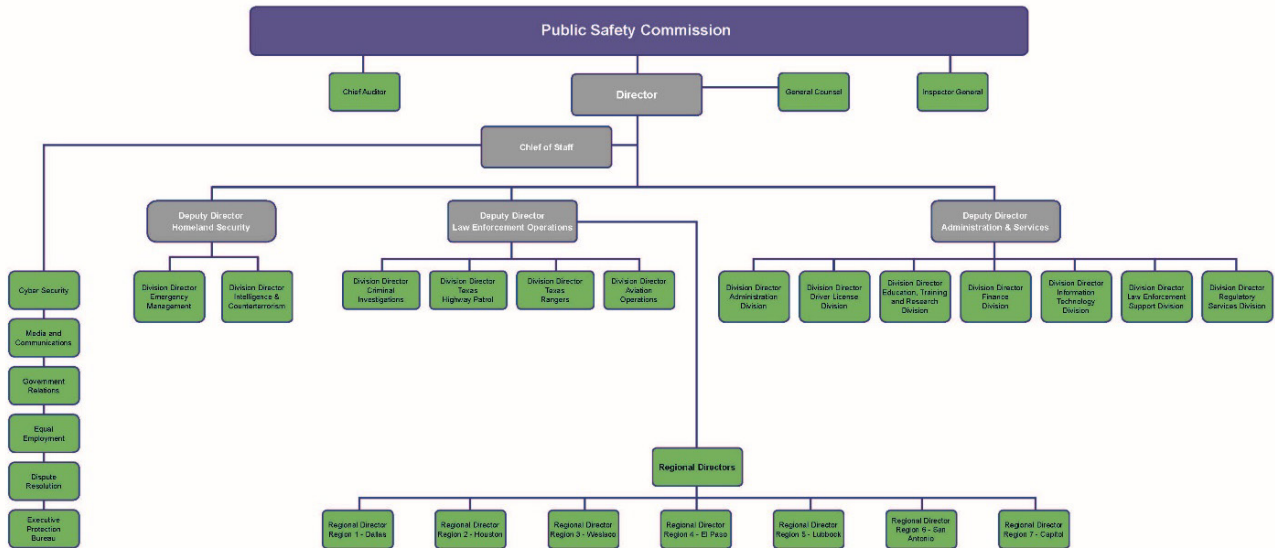
Fee Description/ Program/ Statutory Citation	Current Fee/ Statutory Maximum	Number of Persons or Entities Paying Fee	Fee Revenue	Where Fee Revenue is Deposited (e.g., General Revenue Fund)
Court Costs - Emergency Radio Infrastructure (5153)/Local Government Code, §133.102(e)(11)	Varies	N/A	\$9,236,796	Emergency Radio Infrastructure Account No. 5153
Motor Vehicle Inspection Inspector License Fees - Tx Mobility Fund/Transportation Code, §548.506	\$25	35,344	\$883,600	Texas Mobility Fund
Motor Vehicle Inspection Station Fees - Tx Mobility Fund/Transportation Code, §548.507	\$100	1,547	\$154,700	Texas Mobility Fund
RS - MVI - Texas.gov Fees - From DMV/Government Code, §403.023(2)	\$2	7,045,831	\$14,091,662	General Revenue
RS - MVI - Texas.gov Fees - License Renewal/Government Code, §403.023(2)	\$2	26,569	\$53,138	General Revenue
Private Security Subscription Fees/Government Code, §2054.353	\$2-16	92,816	\$464,078	General Revenue
RS Portion PSB FBI Fee/Occupations Code, §1702.062	\$5.75-8.5	40,116	\$474,813	General Revenue
Manager Re-Examination Fees/Occupations Code, §1702.114	\$100	216	\$22,139	General Revenue
RS - Sale of OD Merchandise/Government Code, §2052.301	Varies	1,357	\$10,095	General Revenue
Private Security Bureau License Fee/Occupations Code, §§1702.062, 1702.302, 1702.303	\$30-540	101,881	\$6,930,998	General Revenue
Pocket Card/Government Code, §2052.301	\$5	76,470	\$382,350	General Revenue
Private Security Bureau Fines and Penalties/Occupations Code, §1702.381	Varies	N/A	\$372,426	General Revenue
Controlled Substance Registration Late Fee/Health & Safety Code, §481.064(a)	\$25-\$50	777	\$38,850	General Revenue
Controlled Substances Registration/Health & Safety Code, §481.064(a)	\$25	11,585	\$208,575	General Revenue
Sale of Prescription Pads/Government Code, §2052.301	\$9	175,959	\$1,583,629	General Revenue

Fee Description/ Program/ Statutory Citation	Current Fee/ Statutory Maximum	Number of Persons or Entities Paying Fee	Fee Revenue	Where Fee Revenue is Deposited <i>(e.g., General Revenue Fund)</i>
Ignition Interlock Service Center Inspection Fees/Transportation Code, §521.2475	\$450	307	\$138,000	General Revenue
Metal Recycling Initial Registration/Occupations Code, §§1956.021-1956.024	\$500	58	\$28,983	General Revenue
Metals Recycling Renewal Registration/Occupations Code, §1956.024	\$500-\$1000	216	\$118,503	General Revenue
Metals Fines and Penalties/Occupations Code, §§1956.201-1956.202	Varies	74	\$22,750	General Revenue
RS Texas.gov Fee - Capitol Access Pass/Government Code, §403.023(2)	\$9.41	43	\$405	General Revenue
RS Texas.gov Fee - Controlled Substance Registration/Government Code, §403.023(2)	Varies	11,585	\$33,891	General Revenue
RS Texas.gov Fee - Metals Recycling/Government Code, §403.023(2)	\$11.51	353	\$4,066	General Revenue
Motor Carrier Act Penalties/Transportation Code, §644.153	Varies	4,876	\$2,674,613	Texas Mobility Fund
Total			\$559,657,460	

Table 8 Exhibit 8 Fee Revenue

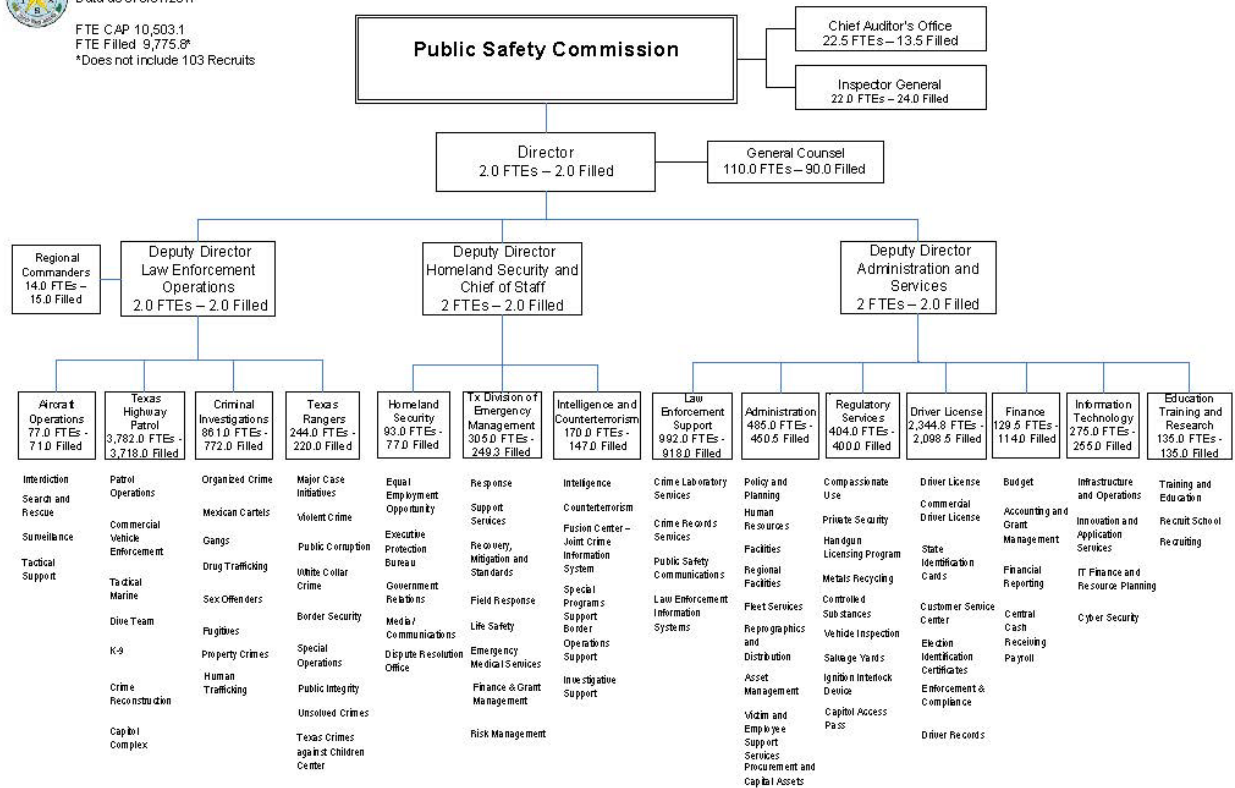
VI. Organization

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





Texas Department of Public Safety
Data as of 8/31/2017
FTE CAP 10,503.1
FTE Filled 9,775.8*
*Does not include 103 Recruits



Note: Additional PCNs not included above
EXO Reserve 29.3 unassigned support PCNs

Prepared by Position Control
Source: CAPPs

B. If applicable, fill in the chart below listing field or regional offices.

**Texas Department of Public Safety
Exhibit 9: FTEs by Location — Fiscal Year 2016**

Headquarters, Region, or Field Office	Location	County	Co-Location? Yes/No	Number of Budgeted FTEs FY 2016	Number of Actual FTEs as of September 1, 2016
Abernathy Area Office	Abernathy	Hale	No	2	2
Abilene District Office	Abilene	Taylor	Yes	55.5	53.5
Albany Area Office	Albany	Shackelford	No	2	2
Alice Area Office	Alice	Jim Wells	Yes	29.5	25
Alice Rangers Office	Alice	Jim Wells	No	1	1
Alpine Area Office	Alpine	Brewster	Yes	25	22
Alpine Hangar	Alpine	Brewster	No	0	0

Amarillo Commercial Driver License Office	Amarillo	Potter	No	0	0
Amarillo District Office	Amarillo	Randall	Yes	101.5	92
Amarillo Hangar	Amarillo	Randall	No	3	3
Anderson Area Office	Anderson	Grimes	No	7	7
Andrews Area Office	Andrews	Andrews	Yes	11	10
Angleton Area Office	Angleton	Brazoria	Yes	17.5	15.5
Anson Area Office	Anson	Jones	Yes	6	6
Aransas Pass Driver License Office	Aransas Pass	Aransas	No	6	5
Archer City Area Office	Archer City	Archer	No	4	4
Aspermont Area Office	Aspermont	Stonewall	No	2	2
Athens Area Office	Athens	Henderson	Yes	15.5	15
Austin - Executive Protection Bureau (Governor's Mansion)	Austin	Travis	No	77	65
Austin Capitol District	Austin	Travis	No	255	208
Austin Chevy Chase Law Enforcement Support Office	Austin	Travis	No	82	68
Austin Commercial Driver License Office	Austin	Travis	No	0	0
Austin District Office	Austin	Travis	Yes	82	75
Austin E O Thompson Building	Austin	Travis	No	0	0
Austin Hangar	Austin	Travis	No	15	15
Austin Headquarters	Austin	Travis	Yes	2748.3	2219.3
Austin Inspector General's Office	Austin	Travis	No	15	13
Austin John H Reagan Building	Austin	Travis	No	0	0
Austin La Posada Area Office	Austin	Travis	Yes	130.5	88.5
Austin Northwest Area Office	Austin	Travis	Yes	32.5	30
Austin Old American Legion Building	Austin	Travis	Yes	0	0
Austin Parking Garage N	Austin	Travis	No	0	0
Austin Price Daniel, Sr. Building	Austin	Travis	No	0	0
Austin Sam Houston Building	Austin	Travis	No	0	0

Austin South Brook Driver License Office	Austin	Travis	No	20.5	19
Austin Supreme Court Building	Austin	Travis	No	0	0
Austin Texas Department of Emergency Management Warehouse	Austin	Travis	No	0	0
Austin Thomas Jefferson Rusk Building	Austin	Travis	No	0	0
Baird Driver License and Area Office	Baird	Callahan	Yes	3	3
Ballinger Area Office	Ballinger	Runnels	Yes	2	2
Bandera Area Office	Bandera	Bandera	No	5	5
Bastrop Area Office	Bastrop	Bastrop	Yes	17	14
Bastrop Rangers Office	Bastrop	Bastrop	No	0	0
Bay City Area Office	Bay City	Matagorda	Yes	4.5	4.5
Baytown Area Office	Baytown	Harris	Yes	34.5	31.5
Beaumont District Office	Beaumont	Jefferson	Yes	53	49
Beeville Area Office	Beeville	Bee	Yes	13.5	11.5
Big Lake Area Office	Big Lake	Reagan	Yes	2.5	2.5
Big Spring Area Office	Big Spring	Howard	Yes	18	15
Boerne Area Office	Boerne	Kendall	No	3	3
Boerne Driver License Office	Boerne	Kendall	No	3	3
Bonham Area Office	Bonham	Fannin	Yes	5	4
Bonham Driver License Office	Bonham	Fannin	No	4.5	3
Borger Area Office	Borger	Hutchinson	Yes	10.5	9
Bowie Area Office	Bowie	Montague	Yes	9	8
Brackettville Area Office	Brackettville	Kinney	No	2	2
Brady Area Office	Brady	McCulloch	No	3	3
Brady Driver License Office	Brady	McCulloch	No	1	1
Brady Rangers Office	Brady	McCulloch	No	2	2
Breckenridge Area Office	Breckenridge	Stephens	Yes	2	2
Brenham Area Office	Brenham	Washington	Yes	11.5	11.5
Bridgeport Commercial Vehicle Enforcement Office	Bridgeport	Wise	Yes	3	3

Bronte Area Office	Bronte	Coke	No	0	0
Brookshire Commercial Vehicle Enforcement Office	Brookshire	Waller	No	0	0
Brownfield Area Office	Brownfield	Terry	Yes	8.5	8.5
Brownsville Area Office	Brownsville	Cameron	Yes	39.5	37.5
Brownsville Los Indios Port of Entry	Los Indios	Cameron	No	15	14
Brownsville Los Tomates Port of Entry	Brownsville	Cameron	No	22	22
Brownwood Area Office	Brownwood	Brown	Yes	14.5	13.5
Bryan District Office	Bryan	Brazos	Yes	57.5	52.5
Buffalo Area Office	Buffalo	Leon	Yes	4	4
Buna Area Office	Buna	Jasper	No	3	3
Burnet Area Office	Burnet	Burnet	Yes	13	12
Burnet Driver License Office	Burnet	Burnet	No	2	2
Caldwell Area Office	Caldwell	Burleson	No	11	11
Caldwell Driver License Office	Caldwell	Burleson	No	0	0
Cameron Area Office	Cameron	Milam	Yes	8	8
Canadian Driver License Office	Canadian	Hemphill	No	0	0
Canton Area Office	Canton	Van Zandt	Yes	17	16
Canton Commercial Driver License Office	Canton	Terrell	No	0	0
Canyon Area and Rangers Office	Canyon	Randall	Yes	24	24
Carrizo Springs Area Office	Carrizo Springs	Dimmit	Yes	6	5
Carrollton Area Office	Carrollton	Dallas	No	0	0
Carrollton Driver License Office	Carrollton	Dallas	No	18	16
Carthage Driver License Office	Carthage	Panola	Yes	7	6
Center Area Office	Center	Shelby	Yes	12.5	11
Centerville Area Office	Centerville	Leon	Yes	0	0
Centerville Rangers Office	Centerville	Leon	No	6	5
Childress Area Office	Childress	Childress	Yes	13	13
Childress Weigh Station	Childress	Childress	No	0	0

Clarendon Area Office	Clarendon	Donley	Yes	9.5	8.5
Clarksville Driver License Office	Clarksville	Red River	Yes	4	4
Claude Area Office	Claude	Armstrong	No	1	0
Cleburne Area Office	Cleburne	Johnson	Yes	28	25.5
Cleveland Area Office	Cleveland	Liberty	Yes	5	5
Coldspring Area Office	Coldspring	San Jacinto	No	11	11
Coleman Area Office	Coleman	Coleman	Yes	2	2
Coleman Driver License Office	Coleman	Coleman	No	0	0
Colorado City Area Office	Colorado City	Mitchell	Yes	7	7
Columbus Area Office	Columbus	Colorado	Yes	12	11.5
Comanche Area Office	Comanche	Comanche	Yes	4	4
Conroe Area Office	Conroe	Montgomery	Yes	24	24
Conroe District Office	Conroe	Montgomery	Yes	54.5	51.5
Conroe Rangers Office	Conroe	Montgomery	No	2	1
Cooper Area Office	Cooper	Delta	No	0	0
Copperas Cove Area Office	Copperas Cove	Coryell	Yes	2	2
Corpus Christi District Office	Corpus Christi	Nueces	Yes	110	97
Corpus Christi Driver License Center	Corpus Christi	Nueces	No	27	24.5
Corsicana Area Office	Corsicana	Navarro	Yes	15	14
Cotulla Area Office	Cotulla	La Salle	Yes	13	10
Cotulla Rangers Office	Cotulla	La Salle	No	1	1
Crane Area Office	Crane	Crane	Yes	2	1
Crockett Area Office	Crockett	Houston	Yes	7.5	7.5
Crosbyton Area Office	Crosbyton	Crosby	Yes	5	3
Cross Plains Area Office	Cross Plains	Callahan	No	1	1
Crystal City East Uvalde Area Office	Crystal City	Zavala	Yes	4.5	3.5
Crystal City North 1st Area Office	Crystal City	Zavala	No	2	2
Cuero Area Office	Cuero	Dewitt	Yes	12	11

Cuero Commercial Driver License Office	Cuero	Dewitt	No	0	0
Daingerfield Area Office	Daingerfield	Morris	No	2	2
Daingerfield Driver License Office	Daingerfield	Morris	No	1	1
Dalhart Area Office	Dalhart	Dallam	Yes	0	0
Dalhart Driver License Office	Dalhart	Dallam	No	2	0
Dallas Area Office	Dallas	Denton	No	33	32
Dallas Driver License Center	Dallas	Dallas	No	52.5	43.5
Dallas East Area Office	Dallas	Dallas	Yes	23	20.5
De Leon Area Office	De Leon	Comanche	No	0	0
Decatur Area Office	Decatur	Wise	Yes	41	39
Del Rio Hangar	Del Rio	Val Verde	No	0	0
Del Rio Port of Entry	Del Rio	Val Verde	No	2	1
Del Rio Sub-District Office	Del Rio	Val Verde	Yes	51	48
Denison Commercial Vehicle Enforcement Office	Denison	Grayson	No	0	0
Denton Area Office	Denton	Callahan	Yes	55	49
Denver City Driver License Office	Denver City	Yoakum	No	1	1
Devine Area Office	Devine	Medina	Yes	9	9
Devine Rangers Office	Devine	Medina	No	13	13
Devine Weigh Station	Devine	Medina	No	0	0
Deweyville Area Office	Deweyville	Newton	No	0	0
Dickens Area Office	Dickens	Dickens	No	2	2
Dimmitt Area Office	Dimmitt	Castro	No	1	1
Dimmitt Driver License Office	Dimmitt	Castro	No	1	1
Dripping Springs Area Office	Dripping Springs	Hays	No	1	1
Dumas Area Office	Dumas	Moore	Yes	15	14
Eagle Pass Area Office	Eagle Pass	Maverick	Yes	40.5	31.5
Eagle Pass Commercial Driver License Office	Eagle Pass	Maverick	No	0	0
Eagle Pass Port of Entry	Eagle Pass	Maverick	No	17	16

Eastland Area Office	Eastland	Eastland	Yes	15	14
Eden Area Office	Eden	Concho	No	5	4
Edinburg Area Office	Edinburg	Hidalgo	No	33	24
Edinburg Hangar	Edinburg	Hidalgo	No	0	0
Edinburg Temporary Commercial Driver License Office	Edinburg	Hidalgo	No	12	2
Edna Area Office	Edna	Jackson	Yes	5	5
El Paso Americas	El Paso	El Paso	Yes	20	17
El Paso Area and Criminal Investigations Division Office	El Paso	El Paso	Yes	24	22
El Paso Area and Criminal Investigations Division Office	El Paso	El Paso	No	24	22
El Paso DPS Land	El Paso	El Paso	No	0	0
El Paso Gateway Bridge of The Americas Port of Entry	El Paso	El Paso	No	35	34
El Paso Gateway Driver License Office	El Paso	El Paso	No	18.5	18.5
El Paso Hangar	El Paso	El Paso	No	8	5
El Paso Hondo Pass Driver License Office	El Paso	El Paso	No	9.5	9.5
El Paso Northwestern Driver License Office	El Paso	El Paso	No	14	13.5
El Paso Port of Entry	El Paso	El Paso	Yes	38	36
El Paso Regional Headquarters	El Paso	El Paso	Yes	143	119
Eldorado Area Office	Eldorado	Schleicher	No	1	1
Elgin Area Office	Elgin	Bastrop	No	1	1
Emory Area Office	Emory	Rains	No	1	1
Emory Driver License Office	Emory	Rains	No	0	0
Fairfield Area Office	Fairfield	Freestone	Yes	6	6
Falfurrias Border Safety Inspection Station	Falfurrias	Brooks	No	0	0
Falfurrias Driver License Office	Falfurrias	Brooks	No	16	13
Florence Tactical Training Center	Florence	Williamson	Yes	11	11
Floresville Area Office	Floresville	Wilson	Yes	10.5	10.5

Floydada Area Office	Floydada	Floyd	No	0	0
Floydada Driver License Office	Floydada	Floyd	No	3	2
Fort Davis Area Office	Fort Davis	Jeff Davis	Yes	2	2
Fort Hancock Area Office	Fort Hancock	Hudspeth	No	4	4
Fort Hood Driver License Office	Fort Hood	Bell	No	0	0
Fort Stockton Area Office	Fort Stockton	Pecos	Yes	22.5	19.5
Fort Worth Attorney General Office	Fort Worth	Tarrant	No	6	6
Fort Worth Commercial Driver License Office	Fort Worth	Dallas	No	0	0
Fort Worth Driver License Center	Fort Worth	Tarrant	No	74	61
Fort Worth East Driver License Office	Fort Worth	Tarrant	No	0	0
Fort Worth South Driver License Office	Fort Worth	Tarrant	No	19	18.5
Franklin Area Office	Franklin	Robertson	No	9	9
Fredericksburg East Main Area Office	Fredericksburg	Gillespie	Yes	4	4
Fredericksburg West Main Area Office	Fredericksburg	Gillespie	No	1	1
Freeport Area Office	Freeport	Brazoria	No	10	9
Freer Area Office	Freer	Duval	No	5	2
Friona Area Office	Friona	Parmer	No	1	1
Friona Driver License Office	Friona	Parmer	No	0	0
Gainesville Area Office	Gainesville	Cooke	Yes	12.5	11.5
Galveston Driver License Office	Galveston	Galveston	No	4.5	2.5
Galveston Driver License Office	Galveston	Galveston	No	4.5	2.5
Garland Driver License Center	Garland	Dallas	No	73	52
Garland Regional Headquarters	Garland	Dallas	Yes	209.5	177
Gatesville Area Office	Gatesville	Coryell	No	2	2
Gatesville Driver License Office	Gatesville	Coryell	No	2	2
George West Area Office	George West	Live Oak	No	10	9
George West Driver License Office	George West	Live Oak	No	1	1
Georgetown Pine Area Office	Georgetown	Williamson	Yes	29.5	28.5

Giddings Area Office	Giddings	Lee	No	7	6
Gilmer Area Office	Gilmer	Upshur	Yes	13	12
Glen Rose Area Office	Glen Rose	Somervell	No	0	0
Glidden Radio Tower Site	Glidden	Colorado	No	0	0
Goldthwaite Area Office	Goldthwaite	Mills	No	0	0
Goldthwaite Commercial Driver License Office	Goldthwaite	Travis	No	0	0
Goldthwaite Driver License Office	Goldthwaite	Mills	No	3	3
Goliad Area Office	Goliad	Goliad	Yes	3	3
Gonzales Area Office	Gonzales	Gonzales	Yes	17	15
Graham Area Office	Graham	Young	Yes	11.5	10.5
Granbury Area Office	Granbury	Hood	No	2	2
Granbury Driver License Office	Granbury	Hood	No	9	9
Grand Prairie Driver License Office	Grand Prairie	Dallas	No	0	0
Greenville Area Office	Greenville	Hunt	Yes	30	29
Groesbeck Area Office	Groesbeck	Limestone	Yes	7	7
Groom Area Office	Groom	Carson	No	2	2
Groveton Area Office	Groveton	Trinity	No	0	0
Hallettsville Area Office	Hallettsville	Lavaca	Yes	1	1
Hamilton Area Office	Hamilton	Hamilton	No	2	1
Hamilton Driver License Office	Hamilton	Hamilton	No	0	0
Harlingen North 77 Sunshine Strip Area Office	Harlingen	Cameron	Yes	52	49
Haskell Area Office	Haskell	Haskell	Yes	7	7
Hearne Commercial Driver License Office	Hearne	Robertson	No	5	4
Hebbronville Area Office	Hebbronville	Jim Hogg	No	17	14
Hebbronville Driver License Office	Hebbronville	Jim Hogg	No	0	0
Hempstead Area Office	Hempstead	Waller	Yes	17	15.5
Henderson Area Office	Henderson	Rusk	Yes	16	16
Henrietta Area Office	Henrietta	Clay	Yes	6	6

Hereford Area Office	Hereford	Deaf Smith	Yes	15.5	15.5
Hidalgo County Incineration Site	Edinburg	Hidalgo	No	0	0
Hillsboro Area Office	Hillsboro	Hill	Yes	12	12
Hondo Area Office	Hondo	Medina	No	2	2
Hondo Driver License Office	Hondo	Medina	No	4	4
Houston Dacoma Driver License Office	Houston	Harris	No	27.5	25.5
Houston East Driver License Office	Houston	Harris	No	8	8
Houston Elias Ramirez Building	Houston	Harris	Yes	17	13
Houston Gessner Driver License Center	Houston	Harris	No	91.5	82
Houston Grant Driver License Office	Houston	Harris	No	4.5	2.5
Houston North Driver License Center	Houston	Harris	No	57	53
Houston North Houston Rosslyn Area Office	Houston	Harris	No	23	23
Houston North Sam Houston Parkway East Criminal Investigations Division Office	Houston	Harris	No	0	0
Houston Regional Headquarters	Jersey Village	Harris	Yes	281.5	250.5
Houston Townhurst Driver License Office	Houston	Harris	No	6.5	4
Houston Travis Criminal Investigations Division Office	Houston	Harris	No	0	0
Houston Vantage Parkway West Criminal Investigations Division Office	Houston	Harris	No	3.5	1
Houston West Loop Criminal Investigations Division Office	Houston	Harris	No	0	0
Houston Winkler Driver License Office	Houston	Harris	No	18.5	18.5
Houston, TAG	Houston	Harris	No	0	0
Hubbard Area Office	Hubbard	Hill	No	0	0
Humble Area Office	Humble	Harris	Yes	33.5	32.5
Huntsville South Highway 75 North Area Office	Huntsville	Walker	Yes	14.5	14.5
Huntsville University Area Office	Huntsville	Walker	Yes	10	10
Hurst District Office	Hurst	Tarrant	Yes	88	79

Iraan Area Office	Iraan	Pecos	No	2	2
Irving Area Office	Irving	Dallas	No	14	14
Irving Driver License Office	Irving	Dallas	No	16.5	8.5
Jacksonville East Pine Area Office	Jacksonville	Cherokee	Yes	2.5	2.5
Jacksonville Southwest Loop 456 Area Office	Jacksonville	Cherokee	No	10	10
Jasper Area Office	Jasper	Jasper	Yes	11	10
Jefferson Area Office	Jefferson	Marion	No	0	0
Johnson City Area Office	Johnson City	Blanco	No	1	0
Jourdanton Area Office	Jourdanton	Atascosa	No	13	12
Jourdanton Commercial Vehicle Enforcement Office	Jourdanton	Atascosa	No	0	0
Jourdanton Driver License Office	Jourdanton	Atascosa	No	3	3
Jourdanton Rangers Office	Jourdanton	Atascosa	No	1	1
Junction Area Office	Junction	Kimble	No	5	5
Junction Commercial Driver License Office	Junction	Bexar	No	0	0
Junction Driver License Office	Junction	Kimble	No	0	0
Karnes City Area Office	Karnes City	Karnes	No	5	5
Katy Area Office	Katy	Harris	Yes	11	10
Kermit Area Office	Kermit	Winkler	Yes	1.5	1.5
Kerrville Area Office	Kerrville	Kerr	Yes	20	20
Kilgore Commercial Driver License Office	Kilgore	Gregg	No	7	7
Killeen Area Office	Killeen	Bell	No	28.5	26
Kingsville Area Office	Kingsville	Kleberg	No	9	9
Kingsville Driver License Office	Kingsville	Kleberg	No	2.5	2.5
Kingsville Rangers Office	Kingsville	Kleberg	No	2	1
Kirbyville Area Office	Kirbyville	Jasper	No	2	2
Kountze Driver License Office	Kountze	Hardin	No	5	5
La Grange Area Office	La Grange	Fayette	No	5	5
Lake Jackson Area Office	Lake Jackson	Brazoria	No	0	0

Lake Worth Driver License Office	Lake Worth	Tarrant	No	23.5	21.5
Lamesa Area Office	Lamesa	Dawson	Yes	8	8
Lampasas Area Office	Lampasas	Lampasas	Yes	6	6
Lampasas Rangers Office	Lampasas	Lampasas	No	1	1
Laredo Area Office	Laredo	Webb	Yes	0	0
Laredo Colombia Border Safety Inspection Station	Laredo	Webb	No	0	0
Laredo Commercial Driver License Office	Laredo	Webb	No	0	0
Laredo District Office	Laredo	Webb	Yes	192.5	175
Laredo Hangar	Laredo	Webb	No	0	0
Laredo World Trade Port of Entry	Laredo	Webb	No	0	0
Leakey Area Office	Leakey	Real	No	1	1
Leon Valley Driver License Center	Leon Valley	Bexar	No	63	56
Levelland Area Office	Levelland	Hockley	No	3	3
Levelland Driver License Office	Levelland	Hockley	No	2.5	2.5
Lewisville Driver License Office	Lewisville	Denton	No	32	25.5
Liberty Area Office	Liberty	Liberty	Yes	9	7
Liberty Driver License Office	Liberty	Liberty	No	3.5	3.5
Liberty Rangers Office	Liberty	Liberty	No	0	0
Linden Area Office	Linden	Cass	No	10	7
Littlefield Area Office	Littlefield	Lamb	No	5	4
Littlefield Driver License Office	Littlefield	Lamb	No	1	1
Livingston Area Office	Livingston	Polk	No	16.5	16
Livingston Commercial Driver License Office	Livingston	Polk	No	0	0
Livingston Rangers Office	Livingston	Polk	Yes	1	1
Llano Area Office	Llano	Llano	Yes	4	3
Llano Driver License Office	Llano	Llano	No	0	0
Lockhart Area Office	Lockhart	Caldwell	No	2	2
Longview Area Office	Longview	Gregg	Yes	33.5	31

Longview Hangar	Longview	Gregg	No	1	1
Los Fresnos Area Office	Los Fresnos	Cameron	No	0	0
Lubbock Hangar	Lubbock	Lubbock	No	0	0
Lubbock Regional Headquarters	Lubbock	Lubbock	Yes	176.5	167
Lufkin Criminal Investigations Division Annex	Lufkin	Angelina	No	0	0
Lufkin Radio Tower Site	Lufkin	Angelina	No	0	0
Lufkin Sub-District Office	Lufkin	Angelina	Yes	57	50.5
Lufkin Texas Department of Emergency Management State Highway 103 East Warehouse	Lufkin	Angelina	No	0	0
Luling Area Office	Luling	Caldwell	No	2	2
Madisonville Area Office	Madisonville	Madison	No	5	5
Magnolia Area Office	Magnolia	Montgomery	No	0	0
Manvel Area Office	Manvel	Brazoria	No	12	9
Marble Falls Area Office	Marble Falls	Burnet	No	0	0
Marble Falls Driver License Office	Marble Falls	Burnet	No	2	2
Marfa Area Office	Marfa	Presidio	No	0	0
Marfa US Border Patrol Station	Marfa	Presidio	No	10	10
Marion County Cabin	Jefferson	Marion	No	0	0
Marlin Area Office	Marlin	Falls	No	4	4
Marshall Area Office	Marshall	Harrison	Yes	25	25
Mason Area Office	Mason	Mason	No	1	1
Mathis Area Office	Mathis	San Patricio	No	6	3
McAllen Bicentennial Area Office	McAllen	Hidalgo	Yes	100	76
McAllen North Commerce Area Office	McAllen	Hidalgo	Yes	6	5
McKinney Area Office	McKinney	Collin	Yes	46.5	40.5
McLean Area Office	McLean	Gray	No	2	1
Memphis Area Office	Memphis	Hall	No	1	1
Menard Area Office	Menard	Menard	No	2	2

Meridian Area Office	Meridian	Bosque	Yes	2	2
Mesquite Hangar	Mesquite	Borden	No	0	0
Mexia Area Office	Mexia	Limestone	No	0	0
Midland Hangar	Midland	Midland	No	0	0
Midland Radio Tower Site	Midland	Midland	No	0	0
Midland Sub-District Office	Midland	Midland	Yes	116.5	100
Mineola Area Office	Mineola	Wood	No	0	0
Mineral Wells Sub-District Office	Mineral Wells	Palo Pinto	Yes	28.5	25
Mission Area Office	Mission	Hidalgo	Yes	46	43
Mission Driver License Office	Mission	Hidalgo	No	4	3
Monahans Area Office	Monahans	Ward	Yes	7	7
Monahans Commercial Vehicle Enforcement Office	Monahans	Ward	No	1	1
Mount Pleasant District Office	Mount Pleasant	Titus	Yes	36	33
Mount Vernon Area Office	Mount Vernon	Franklin	No	0	0
Muleshoe Area Office	Muleshoe	Bailey	Yes	4	2
Muleshoe Driver License Office	Muleshoe	Bailey	No	1	1
Munday Driver License Office	Munday	Knox	No	0	0
Nacogdoches Area Office	Nacogdoches	Nacogdoches	Yes	25	24
Nederland Area Office	Nederland	Jefferson	No	2	2
New Boston Driver License Office	New Boston	Bowie	Yes	2	2
New Braunfels Area Office	New Braunfels	Comal	Yes	36.5	25.5
New Caney Area Office	New Caney	Montgomery	No	12	11
New Waverly Waiver Station	New Waverly	Walker	No	10	10
Newton Area Office	Newton	Jasper	No	2	2
Nocona Area Office	Nocona	Montague	No	0	0
Odessa Area Office	Odessa	Ector	Yes	50.5	45.5
Odessa Commercial Driver License Office	Odessa	Ector	No	0	0
Odessa Weigh Station	Odessa	Ector	No	0	0

Orange Area Office	Orange	Orange	Yes	16.5	15.5
Ozona Area Office	Ozona	Crockett	Yes	14.5	14.5
Palestine Sub-District Office	Palestine	Anderson	Yes	20.5	20
Pampa Area Office	Pampa	Gray	Yes	15.5	13.5
Panhandle Area Office	Panhandle	Carson	No	2	1
Panhandle Driver License Office	Panhandle	Carson	No	0	0
Paris Bonham Area Office	Paris	Lamar	Yes	5	5
Paris North Main Area Office	Paris	Lamar	Yes	12.5	10.5
Pasadena Driver License Office	Pasadena	Harris	No	13	11.5
Pattison Area Office	Pattison	Waller	No	1	1
Pearland Regulatory Services Division Office	Pearland	Brazoria	No	8	8
Pearsall Area Office	Pearsall	Frio	Yes	14	13
Pearsall Driver License Office	Pearsall	Frio	No	0	0
Pecos Area Office	Pecos	Reeves	Yes	16	12
Pecos Radio Tower Site	Pecos	Reeves	No	0	0
Perryton Area Office	Perryton	Ochiltree	No	2	2
Perryton Driver License Office	Perryton	Ochiltree	No	2	2
Pflugerville Driver License Center	Pflugerville	Travis	No	52.5	45.5
Pharr Port of Entry	Pharr	Hidalgo	No	40	35
Pierce Sub-District Office	El Campo	Wharton	Yes	33	29
Pine Springs Area Office	Salt Flat	Culberson	No	0	0
Pineland Area Office	Pineland	Sabine	No	1	1
Pittsburg Area Office	Pittsburg	Camp	No	0	0
Plains Area Office	Plains	Yoakum	No	1	1
Plainview Area Office	Plainview	Hale	Yes	12.5	12.5
Plano Driver License Office	Plano	Collin	No	24	20
Plano Sub-District Office	Plano	Dallas	No	0	0
Plano Waiver Station	Plano	Collin	No	8	8

Port Arthur Area Office	Port Arthur	Jefferson	Yes	8	6
Port Lavaca Area Office	Port Lavaca	Calhoun	No	7	7
Port Lavaca Boathouse	Port Lavaca	Calhoun	No	0	0
Port Lavaca Driver License Office	Port Lavaca	Calhoun	No	1	1
Portland Area Office	Portland	San Patricio	No	3	3
Post Area Office	Post	Garza	No	5	5
Presidio Area Office	Presidio	Presidio	No	2	2
Presidio Driver License Office	Presidio	Presidio	No	1	1
Quanah Area Office	Quanah	Hardeman	No	1	1
Quanah Driver License Office	Quanah	Hardeman	No	0	0
Queen City Area Office	Queen City	Cass	No	7	7
Quitman Area Office	Quitman	Wood	No	1	1
Quitman Driver License Office	Quitman	Wood	No	2	1
Rankin Area Office	Rankin	Upton	Yes	2	0
Raymondville Area Office	Raymondville	Willacy	No	13	12
Refugio Area Office	Refugio	Refugio	No	7	5
Refugio Commercial Vehicle Enforcement Office	Refugio	Refugio	No	2	2
Richmond Rangers Office	Richmond	Fort Bend	No	2	1
Rio Grande City 253 North FM 3167 Area Office	Rio Grande City	Starr	No	0	0
Rio Grande City 515 North FM 3167 Area Office	Rio Grande City	Starr	Yes	65.5	60.5
Rio Grande City Boathouse	Rio Grande City	Starr	No	0	0
Riviera Area Office	Riviera	Kleberg	No	15	12
Roby Area Office	Roby	Fisher	No	0	0
Roby Driver License Office	Roby	Fisher	No	3	3
Rockport Area Office	Rockport	Aransas	No	3	3
Rockport Boathouse	Rockport	Aransas	No	10	7
Rockwall Area Office	Rockwall	Rockwall	Yes	7.5	6.5
Rosenberg Area Office	Rosenberg	Fort Bend	Yes	30	29

Rosenberg Driver License Center	Rosenberg	Fort Bend	No	76	67
Rusk Area Office	Rusk	Cherokee	No	0	0
San Angelo Commercial Driver License Office	San Angelo	Tom Green	No	0	0
San Angelo Sub-District Office	San Angelo	Tom Green	Yes	56.5	49.5
San Antonio Babcock Area Office	San Antonio	Bexar	No	3	1
San Antonio Broadway Regulatory Services Division Office	San Antonio	Bexar	No	16	16
San Antonio Commercial Vehicle Enforcement Office	San Antonio	Bexar	Yes	15	15
San Antonio Hangar	San Antonio	Bexar	No	9	8
San Antonio HIDTA Criminal Investigations Division Office	San Antonio	Bexar	No	0	0
San Antonio Inspector General's Office	San Antonio	Bexar	No	0	0
San Antonio Morris Witt Warehouse	San Antonio	Bexar	No	0	0
San Antonio Regional Headquarters	San Antonio	Bexar	Yes	157	138.5
San Antonio South General McMullen Driver License Office	San Antonio	Bexar	No	22	21.5
San Antonio Texas Department of Emergency Management Warehouse	San Antonio	Bexar	No	0	0
San Augustine Area Office	San Augustine	San Augustine	No	0	0
San Marcos Area Office	San Marcos	Hays	Yes	30	28.5
San Marcos Weigh Station	San Marcos	Hays	No	0	0
San Saba Area Office	San Saba	San Saba	No	1	1
Sanger Area Office	Sanger	Denton	No	0	0
Schulenburg Area Office	Schulenburg	Fayette	No	5	5
Sealy Area Office	Sealy	Austin	Yes	5	5
Seguin Area Office	Seguin	Guadalupe	Yes	21	20.5
Seguin East Bound Weigh Station	Seguin	Guadalupe	No	0	0
Seguin West Bound Weigh Station	Seguin	Guadalupe	No	0	0
Seminole Area Office	Seminole	Gaines	Yes	2	2

Seminole Driver License Office	Seminole	Gaines	No	3.5	3.5
Shamrock Area Office	Shamrock	Wheeler	No	3	3
Shamrock Commercial Vehicle Enforcement Office	Shamrock	Wheeler	No	1	1
Sherman Sub-District Office	Sherman	Grayson	Yes	29	28
Sierra Blanca Area Office	Sierra Blanca	Hudspeth	No	7	7
Silsbee Area Office	Silsbee	Hardin	No	0	0
Silverton Area Office	Silverton	Briscoe	No	0	0
Sinton Area Office	Sinton	San Patricio	Yes	0	0
Snyder Area Office	Snyder	Scurry	Yes	9	8
Sonora Area Office	Sonora	Sutton	Yes	6	6
Sonora Driver License Office	Sonora	Sutton	No	0	0
Spearman Area Office	Spearman	Hansford	No	1	1
Spring Driver License Center	Spring	Harris	No	74	66
Spring Hangar	Spring	Harris	No	0	0
Stanton Driver License Office	Stanton	Martin	Yes	2	2
Stephenville Area Office	Stephenville	Erath	Yes	12.5	12.5
Sterling City Area Office	Sterling City	Sterling	No	1	1
Stratford Area Office	Stratford	Sherman	No	0	0
Sulphur Springs Area Office	Sulphur Springs	Hopkins	Yes	13.5	11.5
Sweetwater Area Office	Sweetwater	Nolan	Yes	13	13
Tahoka Area Office	Tahoka	Lynn	No	1	1
Taylor Driver License Office	Taylor	Williamson	No	2	2
Teague Area Office	Teague	Freestone	No	0	0
Temple Area Office	Temple	Bell	Yes	38	36.5
Terrell Area Office	Terrell	Kaufman	Yes	35.5	34
Texarkana Area Office	Texarkana	Bowie	Yes	38	36
Texas Capitol Building	Austin	Travis	No	0	0
Texas City Area Office	Texas City	Galveston	Yes	43.5	43.5

The Woodlands Area Office	The Woodlands	Montgomery	No	12	11
Tilden Temporary Commercial Driver License Office	Tilden	McMullen	No	1	1
Trinity Driver License Office	Trinity	Trinity	No	0	0
Tulia Area Office	Tulia	Swisher	Yes	2	2
Tuscola Area Office	Tuscola	Taylor	No	1	1
Tyler District Office	Tyler	Smith	Yes	118.5	113
Universal City Driver License Office	Universal City	Bexar	No	23	23
Uvalde Area Office	Uvalde	Uvalde	Yes	16	14
Van Horn Area Office	Van Horn	Culberson	Yes	11	9
Vega Area Office	Vega	Oldham	No	3	2
Vernon Main Area Office	Vernon	Wilbarger	Yes	11	10
Vernon Radio Tower Site	Vernon	Wilbarger	No	0	0
Vernon Wilbarger Area Office	Vernon	Wilbarger	No	2	2
Victoria Sub-District Office	Victoria	Victoria	Yes	49.5	41.5
Waco District Office	Waco	McLennan	Yes	127.5	117
Waco Driver License Office	Waco	McLennan	No	0	0
Waco Hangar	Waco	McLennan	No	0	0
Waco Texas Rangers Headquarters and Education Center	Waco	McLennan	No	8	8
Wallisville Area Office	Wallisville	Chambers	Yes	18.5	17.5
Waxahachie Area Office	Waxahachie	Ellis	Yes	40.5	39.5
Weatherford Fort Worth Area Office	Weatherford	Parker	Yes	13	13
Weatherford South Bowie Area Office	Weatherford	Parker	Yes	23	22
Webster Area Office	Webster	Harris	Yes	16	12.5
Wellington Area Office	Wellington	Collingsworth	No	2	2
Weslaco Regional Headquarters	Weslaco	Hidalgo	Yes	273.5	227
West Columbia Area Office	West Columbia	Brazoria	No	0	0
Whitney Area Office	Whitney	Hill	No	1	1

Wichita Falls Sub-District Office	Wichita Falls	Wichita	Yes	59	58
Winnsboro Area Office	Winnsboro	Wood	No	7	7
Woodson Area Office	Woodson	Throckmorton	No	1	1
Woodville Area Office	Woodville	Tyler	No	6	6
Woodville Driver License Office	Woodville	Tyler	No	0	0
Yoakum Area Office	Yoakum	Dewitt	No	0	0
Zapata Area Office	Zapata	Zapata	Yes	8	8
Zapata Rangers Office	Zapata	Zapata	No	0	0
Totals:				10,453.3	9,081.3

Table 9 Exhibit 9 FTEs by Location

C. What are your agency's FTE caps for fiscal years 2016–2019?

Fiscal Year	FTE Cap
2016	10,306.1
2017	10,503.1
2018	10,412.2
2019	10,596.8

D. How many temporary or contract employees did your agency have as of August 31, 2016? Please provide a short summary of the purpose of each position, the amount of expenditures per contract employee, and the procurement method of each position.

Purchase Order	Award Date	PO Amount	Division	# of Temps/ Contractors	Contract Type	Purpose
405-16-P003973	8/21/2015	\$114,930.40	Driver License	1	DIR	Conduct business process improvement projects, resource allocation, performance measure assessments, future planning and executive decision-making, business demand and capacity forecasting, resource allocation modeling and analytics, various business analysis projects and tasks, technical data mart implementation and data maintenance.
405-16-P004065	8/6/2015	\$248,099.49	Regulatory Service	21	TIBH	Handle license application processing and customer service duties because of the continuing growth (and spikes) in the concealed handgun program and depending on current, pending

						legislation other Regulatory Services.
405-16-P004071	9/1/2015	\$754,603.20	Law Enforcement Support	15	TIBH	Perform data entry and administrative work for Crime Records Services.
405-16-P004081	8/6/2015	\$39,334.79	Tx Division of Emergency Mgmt	1	TIBH	Collect, calculate, and report daily costs associated with Operation Strong Safety II.
<u>405-16-P004089</u>	8/6/2015	\$22,072.05	Education Training & Research	1	TIBH	Performs entry-level food service work. Work involves preparing and serving food, cleaning equipment and work areas, maintaining inventories, and receiving and issuing food and supplies.
405-16-P004167	8/11/2015	\$34,886.40	Tx Division of Emergency Mgmt	1	TIBH	Scan all risk management documents, plans, and files into an electronic filing system.
405-16-P004183	8/11/2015	\$297,135.00	Tx Division of Emergency Mgmt	8	TIBH	Contracted staff will assist Recovery Section staff in administering Public Assistance grants from FEMA.
405-16-P004357	8/26/2015	\$46,500.00	State Administrative Agency	1	TIBH	Provide customer service assistance to jurisdictions that receive Homeland Security grant funds, records management, basic bookkeeping, compile and enter data into databases, prepare, edit and distribute correspondence, respond to inquiries.
405-16-P004359	8/18/2015	\$37,418.30	Tx Division of Emergency Mgmt	2	TIBH	Perform complex printed graphics and multimedia design, production, and consultation work. Work will assist the Operations Section and the State Management Team with the development and update of graphics and formatting of operating guidelines and procedures, forms, and documents used in daily operations and during emergency management incident response. Individual will design and produce graphics and interactive media materials using computer-based and non-computer based methods. Assist with developing creative solutions for making the documents and graphics user-friendly using media such as network computers software products and internet software solutions.
405-16-P004375	8/19/2015	\$55,375.12	Tx Division of Emergency Mgmt	1	TIBH	Develop documentation and written processes to support Training, Technological Hazards and Exercise Unit within Preparedness. With customized documentation in place for each unit, this enhances our productivity, customer service and helps implement our long term goals.

405-16-P004395	8/19/2015	\$76,053.76	Tx Division of Emergency Mgmt	8	TIBH	Support long term disaster recovery, Voluntary Agency Liaison, and Individual Assistance Programs.
405-16-P004398	8/21/2015	\$21,019.85	Administration Division	2	TIBH	Support procurement and contracts by aiding in file close out, retention/purging of eligible files, and updates to the contracts library.
405-16-P004408	8/20/2015	\$7,998.00	Finance Division	1	TIBH	Data entry, scanning, copying, filing and customer service.
405-16-P004418	8/20/2015	\$87,132.48	Tx Division of Emergency Mgmt	1	TIBH	Develop and identify emergency management plans for continuity decision making and communications, continuity of critical departmental processes, or temporary shut-down of non-critical departments to ensure continuity of operations and governance principles. Develop, implement or evaluate business continuity and crisis and emergency management strategies, plans, and procedures. Develop mitigation strategies and create scenarios to re-establish operations in the event of business operations interruption. Advise agency leadership on planning problems and technical phases of comprehensive planning projects. Monitor participation in business continuity plans and programs, and provides assistance to agency leadership in matters related to the plans and programs. Research and prepare technical material for reports on continuity projects. Review and evaluate risk assessment and business impact analysis documents.
405-16-P004477	8/19/2015	\$153,609.44	Tx Division of Emergency Mgmt	2	TIBH	Oversee the developing of processes, procedures, job aids, and technical assistance manuals for the video technician position. Oversees the installation, adjustment, and operation of audiovisual equipment such as cameras, lights, and microphones to film and record multimedia productions. Oversees the editing and review of video files for production using computer-assisted and other special effects audiovisual equipment.

						<p>Oversees or performs computer-assisted editing and programming for television productions.</p> <p>Conceptualizes, analyzes, designs, composes, and directs creative audiovisual productions, including planning for the use of talent, visualization of scripts, and the use of graphics.</p> <p>Coordinates with and advises agency staff and video users regarding creative and technical aspects of production. Plans and organizes production structure and all aspects of video production.</p> <p>Establishes production quality standards, operating procedures, and production procedures for audiovisual studio.</p> <p>Produces and directs audiovisual training, public presentations, and broadcast-quality television productions for statewide distribution. Advises staff on the capabilities and applications of the audiovisual facility. Evaluates equipment specifications and requests, makes recommendations for the purchase of equipment, and coordinates equipment purchases and maintenance.</p> <p>Designs electronic audiovisual installations and constructs new and modifies existing circuitry and equipment.</p> <p>May assign and/or supervise the work of others.</p> <p>Performs related work as assigned.</p>
405-16-P004483	10/22/2015	\$16,400.00	Information Technology	1	DIR	<p>Perform programming, design, administration, architecture, and other implementation tasks for approved Enterprise Roadmap Projects. In addition, this resource will be utilized for production maintenance, support, and operational enhancement of critical systems.</p>
405-16-P004491	10/30/2015	\$208,000.00	Information Technology	1	DIR	<p>Perform programming, design, administration, architecture, and other implementation tasks for approved Enterprise Roadmap Projects. In addition, this resource will be utilized for production maintenance, support, and operational enhancement of</p>

						critical systems.
405-16-P004493	10/27/2015	\$170,000.00	Information Technology	1	DIR	Perform programming, design, and implementation tasks for approved Enterprise Roadmap Projects. In addition, this resource will be utilized for production maintenance, support, and operational enhancement of critical systems.
405-16-P004498	12/9/2015	\$150,000.00	Information Technology	1	DIR	Perform quality assurance testing tasks for approved Enterprise Roadmap Projects. In addition, this resource will be utilized for production maintenance, support, and operational enhancement of critical systems.
405-16-P004520	10/21/2015	\$219,096.00	Information Technology	1	DIR	Perform programming, design, and implementation tasks for approved Enterprise Roadmap Projects. In addition, these resources will be utilized for production maintenance, support, and operational enhancement of critical systems.
405-16-P004529	10/27/2015	\$128,400.00	Information Technology	1	DIR	Four (4) enterprise architects (2 full-time, 2 part-time) will perform data and systems analysis and design, administer solutions architecture, project technical coordination and other strategic and implementation tasks for approved Enterprise Roadmap Projects. In addition, these resources will be utilized for production maintenance, support, and operational enhancement of critical systems.
405-16-P004531	10/21/2015	\$200,000.00	Information Technology	1	DIR	Perform programming, design, administration, architecture, and other implementation tasks for approved Enterprise Roadmap Projects. In addition, this resource will be utilized for production maintenance, support, and operational enhancement of critical systems.
405-16-P004650	8/27/2015	\$225,796.00	Finance Division	5	TIBH	Perform Accounts Payable, Travel Vouchers, Voyager and Payment Card processing.
405-16-P004797	11/9/2015	\$217,980.00	Information Technology	1	DIR	Perform quality assurance testing tasks for approved Enterprise Roadmap Projects. In addition, these resources will be utilized for production maintenance, support, and operational enhancement of critical systems.
405-16-P004798	10/27/2015	\$110,760.00	Information Technology	1	DIR	Perform programming, design, and implementation tasks for approved Enterprise Roadmap Projects. In

						addition, these resources will be utilized for production maintenance, support, and operational enhancement of critical systems.
405-16-P005438	11/5/2015	\$241,920.00	Information Technology	1	DIR	Four (4) development / analysts will perform programming, design, and implementation tasks for approved Enterprise Roadmap Projects. In addition, these resources will be utilized for production maintenance, support, and operational enhancement of critical systems.
405-16-P005444	11/17/2015	\$200,752.50	Information Technology	1	DIR	Perform programming, design, and implementation tasks for approved Enterprise Roadmap Projects. In addition, these resources will be utilized for production maintenance, support, and operational enhancement of critical systems.
405-16-P005503	11/9/2015	\$180,000.00	Information Technology	1	DIR	Perform quality assurance testing tasks for approved Enterprise Roadmap Projects. In addition, these resources will be utilized for production maintenance, support, and operational enhancement of critical systems.
405-16-P005640	11/19/2015	\$78,120.00	Information Technology	1	DIR	Perform data and systems analysis and design, administer solutions architecture, project technical coordination and other strategic and implementation tasks for approved Enterprise Roadmap Projects. In addition, these resources will be utilized for production maintenance, support, and operational enhancement of critical systems.
405-16-P005842	12/14/2015	\$3,666.00	Driver License	1	DIR	Analyze business requirements related to Driver License System (DLS) software updates. Analyze functional requirements related to DLS. Analyze system requirement specifications. Create business requirement documentation relating to business, functional, and system requirements. Create new and update existing use case documents describing system behavior. Liaise and coordinate communication and collaboration between the business division, the IT division, and any outside entities related to the system development, to include but not limited to gaining approval of all created documents.

						Analyze and understand legislative and regulatory rules and policy updates to determine business and system needs. Analyze and understand technical specifications related to system design.
405-16-P005843	12/14/2015	\$26,334.00	Driver License	1	DIR	Analyze business requirements related to Driver License System (DLS) software updates. Analyze functional requirements related to DLS. Analyze system requirement specifications. Create business requirement documentation relating to business, functional, and system requirements. Create new and update existing use case documents describing system behavior. Liaise and coordinate communication and collaboration between the business division, the IT division, and any outside entities related to the system development, to include but not limited to gaining approval of all created documents. Analyze and understand legislative and regulatory rules and policy updates to determine business and system needs. Analyze and understand technical specifications related to system design.
405-16-P005846	12/14/2015	\$162,000.00	Driver License	1	DIR	Analyze business requirements related to Driver License System (DLS) software updates. Analyze functional requirements related to DLS. Analyze system requirement specifications. Create business requirement documentation relating to business, functional, and system requirements. Create new and update existing use case documents describing system behavior. Liaise and coordinate communication and collaboration between the business division, the IT division, and any outside entities related to the system development, to include but not limited to gaining approval of all created documents. Analyze and understand legislative and regulatory rules and policy updates to

						determine business and system needs. Analyze and understand technical specifications related to system design.
405-16-P006815	3/7/2016	\$147,989.24	Tx Division of Emergency Mgmt	10	TIBH	Serve as Liaisons to assist with long term disaster recovery. They will start and then manage long term recovery groups to assist communities in affected disaster areas: two in Central Texas, one in North Texas, and one in the Rio Grande Valley.
405-16-P007543	4/21/2016	\$12,710.44	Regulatory Services	10	TIBH	Handle license application processing and customer service duties because of the continuing growth (and spikes) in the concealed handgun program and depending on current, pending legislation other Regulatory Services.
405-16-P007883	5/17/2016	\$3,300.00	Administration Division		TIBH	General Cleaning of all Interior Space. Rest Room Cleaning and Sanitation. Floor maintenance and trash removal.
405-16-P008119	6/3/2016	\$21,204.00	Finance	2	TIBH	Perform Data entry; scanning; copying; filing; customer service.
405-16-P008703	7/5/2016	\$66,540.00	Administration	5	TIBH	Assist with the FY 2016-2017 fiscal year-end process. Purchasers will send renewal letters, obtain estimates/quotes, check vendor compliance, research items in TXSmartbuy, create POs for only payment purposes, etc.
405-17-P009237	8/8/2016	\$38,265.59	Tx Division of Emergency Mgmt	1	TIBH	Develops documentation and written processes to support Training, Technological Hazards and Exercise Unit within Preparedness. With customized documentation in place for each unit this enhances our productivity, customer service and helps implement our long term goals.

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

**Texas Department of Public Safety
Exhibit 10: List of Program FTEs and Expenditures — Fiscal Year 2016**

Program	Number of Budgeted FTEs FY 2016	Actual FTEs as of August 31, 2016	Actual Expenditures
Aviation Public Safety	77.0	68.0	\$20,676,595
Commercial Vehicle Enforcement	820.0	764.0	\$41,951,812
Criminal and Traffic Enforcement	2,802.0	2,509.0	\$285,038,490

Program	Number of Budgeted FTEs FY 2016	Actual FTEs as of August 31, 2016	Actual Expenditures
Major Criminal Investigations and Operations*	228.0	212.0	\$24,032,154
Organized Crime	802.0	701.0	\$86,604,915
Polygraph	50.0	45.0	\$6,148,509
Security	9.0	8.0	\$87,329
Counter Terrorism	21.0	15.0	\$1,025,852
Emergency Preparedness	52.0	38.0	\$5,496,736
Intelligence	143.0	110.0	\$8,725,935
Recovery, Mitigation, and Standards	110.0	76.0	\$213,867,647
Response Coordination	140.0	121.8	\$14,330,275
Agency Administration	485.0	422.0	\$31,369,815
Crime Laboratory Services	423.5	398.0	\$29,951,785
Crime Records Service	294.5	249.0	\$21,663,822
Driver License & Identification Services	2,344.8	2,045.5	\$131,941,884
Education, Training and Research	135.0	126.0	\$18,955,608
Employee Administrative Investigations/ Services	24.0	24.0	\$3,150,997
Executive Protection	72.0	61.0	\$6,343,975
Executive Support Services	181.5	153.5	\$8,894,426
Financial Management	116.5	107.5	\$6,476,096
IT/Cyber Security	278.0	249.0	\$41,703,392
Public Safety Communications	259.0	227.0	\$12,283,941
Regulatory Compliance	84.0	76.0	\$4,887,047
Regulatory Licensing	52.0	47.0	\$6,289,908
Regulatory Modernization	268.0	258.0	\$13,205,137
TOTAL	10,271.8	9,111.3	\$1,045,104,079

Table 10 Exhibit 10 List of Program FTEs and Expenditures

*Funding and expenditures for the *Major Criminal Investigations and Operations* item include the individual programs identified as *Corruption Investigations, Major Criminal Investigations, Major Operations, and Special Operations/Capabilities* in Section VII. Guide to Agency Programs.

VII. Guide to Agency Programs

Summary of Contracted Expenditures by Program

Program	FY16 Contracted Expenditures	Number of Contracts
Agency Administration	\$51,336,598.40	3,248
Aviation	\$18,717,088.57	311
Commercial Vehicle Enforcement	\$1,199,886.98	287
Counter Terrorism	\$3,600.00	2
Crime Laboratory Services	\$9,015,656.87	1,462
Crime Records Service	\$29,679,902.76	342
Criminal and Traffic Enforcement	\$7,881,684.91	1,127
Driver License and Identification Services	\$53,010,245.30	1,337
Education, Training and Research	\$5,700,778.34	514
Emergency Preparedness	\$2,869,412.42	107
Employee Administrative Investigations/Services	\$179,159.96	62
Executive Protection	\$34,664.24	36
Executive Support Services	\$1,232,617.97	419
Financial Management	\$648,464.47	51
Intelligence	\$1,494,942.09	63
IT/Cyber Security	\$25,942,444.43	2,037
Major Criminal Investigations and Operations	\$24,942,387.47	559
Organized Crime	\$2,488,461.10	531
Polygraph	\$295,702.00	115
Public Safety Communications	\$7,870,404.04	25
Recovery, Mitigation, and Standards	\$17,536,430.95	259
Regulatory Compliance	\$313,822.37	317
Regulatory Licensing	\$2,691,370.16	86
Regulatory Modernization	\$909,059.77	140
Response Coordination	\$4,204,918.42	530
Grand Total	\$270,199,704.03	13,967

*Funding and expenditures for the *Major Criminal Investigations and Operations* item include the individual programs identified as *Corruption Investigations*, *Major Criminal Investigations*, *Major Operations*, and *Special Operations/Capabilities*.

Note: Included in the numbers above are multiple releases against a single purchase order.

Guide to Agency Programs

Law Enforcement

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

Name of Program or Function: Aviation Public Safety
Location/Division: Aviation Operations Division
Contact Name: Division Director/Chief Pilot Bill Nabors
Actual Expenditures, FY 2016: \$20,676,595
Number of Actual FTEs as of June 1, 2017: 73
Statutory Citation for Program: Texas Government Code 2205

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

Search and Rescue, Disaster Response, Surveillance, Tactical Support, Criminal Interdiction, Border Security

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.

Effectiveness:

In 2016 AOD flew 10,877 hours and assist local agencies 6,089 times, of which US Customs and Border Patrol was assisted 1,483. AOD assisted in arresting 4,298 persons and logged 108 drug seizure flights which included 17,374 lbs of marijuana, 362 lbs of cocaine, and 4,516 ounces of methamphetamine. AOD assisted in recovering 82 stolen vehicles and rescuing 40 persons.

Efficiency:

The 74 crewmembers are augmented by 6 additional full time employees that are loaned to DPS by other public safety agencies through zero dollar MOUs. Since nearly 80 crewmembers are unable to adequately cover the 24 aircraft anywhere near 24/7, a majority of Aircraft crewmembers are on-call a large portion of the time. The voluntary, non-compensated, "on-call" status requires the crewmember to remain close to the aircraft, and not consume medications that effect mental alertness or alcohol 8 hours prior to a possible mission.

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

This program activity has been performed by an internal aircraft operations unit since 1949. The first plane that DPS owned was a small single engine 4 seat low wing airplane. The Aircraft Operations has consistently matured to fit the needs of the state and is currently operating 24 aircraft (15 helicopters and 9 airplanes) across the state in 14 locations.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

This program provides well trained crew and effectively equipped aircraft when the need for assistance is required. In the past 12 months (from July 1, 2016, to June 30, 2017), the Aircraft Operations Division has flown 6,314 flight for 11,011 total hours and assisted other agencies than DPS, 6,609 times.

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

The 24 DPS aircraft are located in 14 duty stations around the state. Please see attached personnel map for locations. The man power at each duty station varies according to number and type of aircraft. Population of assigned area and other special planning activities play a role in what and where the aircraft are assigned.

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

AY 2016

Aviation Public Safety	0001 General Revenue	\$20,663,839
	0666 Approp Receipts	\$12,756
	Total	\$20,676,595

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

Yes. There are other agencies within state government that have aircraft. Several operate passenger planes for the express use of executive transportation; TXDOT Flight Services, UT Systems, TAMU Systems, and TDCJ. The Texas Parks and Wildlife operates one helicopter primarily for game surveys and a limited amount of police/public safety. There are a few city agencies that operate helicopters (Austin, San Antonio, Houston, Dallas, and Fort Worth) but they operate within the tight confines of their respective jurisdictions.

In disaster response, there is a duplication of function, however the need is usually so great that the added support is required and greatly appreciated. When a disaster is very significant, then the National Guard is called to assist with heavier aircraft. The Guard activation takes at

least 6 to 24 hours. The need for a response is usually more immediate than the National Guard can supply and the limited response of the city aircraft does very little to effectively respond to the majority of the state.

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

The air operations listed above prevent duplication by mostly assisting departments within their respective agencies. The only other law enforcement helicopter is operated by Texas Parks and Wildlife and therefore primarily assists those TPWD members with wildlife game issues.

TXDOT operates 4 twin engine airplanes and moves state officials around the state when requested. Texas DPS AOD have an MOU in place for the maintenance of aircraft owned by DPS and does include the limited response by AOD to requests from TXDOT to transport state officials that require a helicopter to perform the mission.

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

Each duty station in the state covers 15 to 20 counties. If the need arises for a public safety agency in the response area to need an aircraft (helicopter or airplane) then a request is made through DPS communications and the responding pilot is notified. This can be from a lost or missing person, to an escapee, or a disaster response.

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

- **a short summary of the general purpose of those contracts overall;**

The contracts are for purchase, maintenance, and training of aircraft.

- **the amount of those expenditures in fiscal year 2016;**
- **the number of contracts accounting for those expenditures ;**
- **the method used to procure contracts;**

DPS follows the procurement method requirements as defined in Texas Gov't Code Chapters 2155, 2156, 2157, 2158, and 2161 and 34 Texas Administrative Code (TAC) Chapter 20. DPS also follows the state's Contract Management Guide and Procurement Manual that are published by the Comptroller of Public Accounts.

In FY16, DPS procured goods and services using Council on Competitive Government, Texas Correctional Institute, Texas Institute for the Blind and Handicapped, Term,

Managed, and TXMAS contracts available through TX SmartBuy. These contracts are managed by the Comptroller of Public Accounts, and state agencies issue purchase orders against those contracts.

DPS also procured goods and services using DIR contracts for certain technology related procurements in FY16. These contracts are managed by the DIR, but agencies can issue purchase orders and agreements against these contracts.

DPS also procured goods and services on the open market in those instances where there was no state contract in place or where the dollar amount associated with the procurement exceeded the limits of use for the state contract. For example, in FY16 SB 20 required that any technology procurements that were over 1 million be solicited on the open market. For non-technology goods that were over 25K and services that were over 100k, DPS would be required to seek delegation from the Comptroller's office before being authorized to solicit on the open market. In some cases the Comptroller would decide to perform the solicitation on behalf of the Department.

- **top five contracts by dollar amount, including contractor and purpose;**

- **PO-405-16-P006526** valued at \$8,122,983.97 with PILATUS BUSINESS AIRCRAFT, LTD for Pilatus Aircraft
- **PO-40516-P005229** valued at \$6,812,001.70 with TXDOT for TXDOT Aircraft Maintenance Contract
- **PO-405-15-P000002** valued at \$628,400.78 with AIRBUS HELICOPTERS, INC. for Simulator Training for TXDPS Helicopters
- **PO-405-16-P003595** valued at \$425,862.89 with RAMS AVIATION CO., INC. for Helicopter Maintenance
- **PO-405-15-P000361** valued at \$350,000.00 with LONGHORN HELICOPTERS, INC. for Aircraft Training

- **the methods used to ensure accountability for funding and performance; and**

Each contract has an assigned contract monitor from the division that has been provided with internal training and procedures for monitoring the deliverables and performance of the contract and supplying vendor performance reports. The official contract manager in Procurement & Contract Services works with the division contract monitor, OGC, and Finance to administer and manage contract and vendor performance, ensure compliance with applicable statutes, rules, and policies, and officially address any needed corrective action. Finance is responsible for maintaining compliance with payment rules based on validation from the division that goods and services were received and performance criteria were met.

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

The largest issue with contracting at DPS is the lack of delegated authority for many purchases from the Comptroller's office. Please see the Major Issue regarding delegated authority.

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

None.

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

The main challenge is the replacement of major components on aircraft as the airframes age to maturity. Each helicopter and airplane engine requires a rebuild to remain in operation. Depending on the make and model the rebuild is required from 2,000 flight hours to 3,600 flight hours. Other major components like the transmission, tail rotor gear boxes and blades require the same replacement as those components are used. AOD anticipates an expense of 1.8 million in FY2018. In addition to this expense the single engine helicopters require a 12 year inspection as imposed by the manufacturer in order to maintain airworthiness. Five of the 14 singles engine helicopters were purchased in 2007, therefore those five will require the 12 year in 2019. The past few inspections have cost approximately \$300,000 each and the downtime is nearly three months.

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

None.

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

Name of Program or Function: *Commercial Vehicle Enforcement*

Location/Division: *Texas Highway Patrol Division*

Contact Name: *Division Director Ron Joy*

Actual Expenditures, FY 2016: *\$41,951,812*

Number of Actual FTEs as of June 1, 2017: *832*

Statutory Citation for Program: *Texas Government Code §411.031*

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

The objective of the Commercial Vehicle Enforcement Service is to reduce commercial motor vehicle crashes through the enforcement of Motor Carrier Safety Regulations; to protect the state highways from unnecessary damage by securing compliance with state laws regulating weight of commercial vehicles; to ensure equitable payment of commercial vehicle registration fees by enforcement of registration laws; to protect the rights, privileges, and safety of the general public in the use of the public highway system by securing compliance with traffic laws and regulations applicable to the operation of all vehicles. Activities performed by Commercial Vehicle Enforcement Service personnel include the following:

- Enforcement of Motor Carrier Safety Regulations
- Enforcement of Weight and Size Laws
- Enforcement of Hazardous Material Regulations
- Enforcement of Registration Laws Applicable to Commercial Vehicles
- Enforcement of all Traffic Laws
- Enforcement of all Criminal Laws

Securing voluntary compliance with the motor carrier industry is a primary goal of the Commercial Vehicle Enforcement Service in relation to the Federal Motor Carrier Safety Regulations. Enforcement efforts give motor carriers official notice of commercial vehicle equipment/driver defects and/or negligence. The inspection report of the commercial motor vehicle and driver enables the agency to compile statistical information in order to determine the magnitude of the problem in the areas of equipment defects and driver negligence. Educational material and public awareness contacts with motor carriers and drivers remains a safety tool for compliance. Enforcement of weight and size laws continues to protect the state highways from unnecessary damage by securing compliance with state laws on gross weight allowances, bridge and axle limitations, tire ratings and aid and abet violations. Size laws are enforced on commercial vehicles by checking statutory limitations on unit length, combination length, overhang to front and rear of vehicle, width and height requirements.

Enforcement of the Hazardous Material Regulations ensures compliance by motor carriers when transporting hazardous material by requiring compliance with the hazardous material

transportation regulations concerning shipping papers, packaging, marking, labeling, placarding, load securement and hazardous material registration.

Enforcement of the registration laws ensures commercial vehicles are properly licensed and registered for the proper amount of weight relating to the load being transported and to determine if the vehicle is displaying license plates assigned for that vehicle. The inspection of temporary registration permits determine if vehicles are operating in accordance with the agreements between Texas and other states. The enforcement of all traffic and criminal laws is taken on both commercial and non-commercial motor vehicles. Detecting and apprehending wanted persons and persons involved in illegal activity, such as transporting illegal drugs and contraband, detecting and stopping human smuggling, and recovering stolen vehicles and other property remains a priority for the CVE Service.

- C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.**

Vehicles Checked	366,939
Vehicles Weighed	1,533,623
CMV Inspections	375,832
Vehicles Placed Out of Service	66,103
Drivers Placed Out of Service	10,597

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

With the discovery of oil in Texas and the movement of baled cotton from North and Central Texas to the Houston area in the early 1920's, the versatility of the motor truck became increasingly apparent to the transportation industry. It was during this time period that civic-minded officials in Texas began advocating to the Texas Legislature the need for regulations governing motor truck traffic and for some method of statewide enforcement of these proposed regulations. This was the principal reason for the enactment of legislation in 1927 that authorized the Texas Highway Department to employ 18 License and Weight inspectors.

In 1935, the Texas Legislature created the Texas Department of Public Safety and the License and Weight inspectors were transferred from the Texas Highway Department to the DPS. The primary duties of the License and Weight inspectors were to check and weigh commercial motor vehicles for size and weight limitations and registration requirements. In 1951, the DPS License and Weight Division was given the additional duty of enforcement of the Motor Carrier Act which created both economic and financial responsibility regulations for commercial motor carriers. Additionally, in the 1950's, the License and Weight Division was charged with the

responsibility for enforcing the lease requirements for commercial vehicles, including the requirement that all leases of commercial vehicles be filed with the DPS. In 1957, the DPS was reorganized and the License and Weight Division became known as the License and Weight Service. The License and Weight Service was placed under the Traffic Law Enforcement Division in 1968. Throughout the 1960's and 1970's, the manpower assigned to the License and Weight Service continued to grow in order to effectively police the increasing numbers of commercial motor vehicles being operated in the State of Texas. The 1980's saw the License and Weight Service also become responsible for the enforcement of the hazardous material transportation regulations and the Federal Motor Carrier Safety Regulations. The License and Weight Service became responsible for administering the Motor Carrier Compliance Review Program in the 1990's. In the summer of 2002, the License and Weight Service was given the responsibility of staffing eight permanent border inspection facilities and five other border crossings from Mexico. The border enforcement program was implemented over the next three years. In September 2003, the Traffic Law Enforcement Division was renamed the Texas Highway Patrol Division. At the same time, the License and Weight Service was renamed the Commercial Vehicle Enforcement (CVE) Service to more accurately reflect the duties of the service. CVE Service personnel remain primarily responsible for enforcing the Motor Carrier Safety Regulations, Hazardous Material Transportation Regulations, commercial driver licensing, financial responsibility, size, weight, vehicle registration, and operating authority as they pertain to the operation of commercial motor vehicles in the State of Texas.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The DPS Commercial Vehicle Enforcement Program primarily affects private and for-hire motor carriers of property and passengers in both interstate and intrastate commerce. Intrastate Commercial Motor Vehicles Registered to Operate in Texas (FY05): 344,638 Interstate Commercial Motor Vehicles Registered to Operate in Texas (FY05): 478,617.

To operate a commercial vehicle in the State of Texas, a motor carrier must be in compliance with the following requirements as applicable:

1. Commercial Driver Licensing
2. Vehicle Registration
3. Financial Responsibility/Operating Authority
4. Motor Carrier Safety Regulations
5. Hazardous Material Transportation Regulations (includes Hazardous Waste)
6. Size and Weight Regulations
7. Vehicle Equipment
8. Vehicle Inspection Requirement
9. Fuel Permit Requirements

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

The Commercial Vehicle Enforcement Service maintains statewide responsibilities in regulating the motor carrier industry. A THP Service Commander (captain) assigned to each region is responsible to the regional field major for the administration and operations of the service in achieving the objectives in the most effective and efficient manner.

CVE lieutenants are assigned to assist the Service Commander in the oversight of service operations and act as training officers. The Motor Carrier Bureau, Regions 1, 2, and 6 are assigned two lieutenants to assist in oversight responsibilities. Region 3 has three CVE districts, each with two lieutenants assigned. Region 4 has three lieutenants, two assigned to 4A and one assigned to 4B. Sergeants are assigned to each region to direct and coordinate daily enforcement activities, explain procedures, policies, and interpretations of law for all commissioned and non-commissioned personnel to ensure service programs and objectives are being met.

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

AY 2016

Commercial Vehicle Enforcement	0001 General Revenue	\$41,904,243
	0666 Approp Receipts	\$47,569
	Total	\$41,951,812

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

The Federal Motor Carrier Safety Administration (FMCSA), certain municipal police departments, and sheriff's offices, carry out similar functions. The DPS works in partnership with these entities to improve the safety of the nation's commercial vehicle transportation system with the goal of saving lives and reducing transportation related injuries. The CVE training unit conducts over 30 classes each year to train and certify local agency officers in commercial vehicle enforcement. As of June 1, 2017, there were 73 local agencies participating in the CVE program with 271 officers certified to conduct inspections.

Municipal police and sheriff's deputies from jurisdictions that maintain a certain population threshold according to Texas Transportation Code (TRC) 644.101 are eligible to apply to the DPS for certification to perform commercial vehicle inspections.

Weight enforcement officers, as defined in TRC 621.401 include sheriff's deputies, and certain municipal officers and constables. Weight enforcement officers conduct weight enforcement within their jurisdictions and are certified by the Department.

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

The DPS shares responsibility with the Federal Motor Carrier Safety Administration (FMCSA) for enforcement of the Federal Motor Carrier Safety Regulations and the Hazardous Materials Transportation Regulations on motor carriers operating in interstate commerce. The only locations in the State of Texas where the FMCSA conducts roadside vehicle inspections is at the ports-of-entry on the Texas – Mexico border where commercial vehicles are allowed to enter the United States from Mexico. The points of inspection utilized by FMCSA are located inside the U.S. Customs and Border Protection (CBP) import lots at the border. The DPS border commercial vehicle inspection facilities are located adjacent to the CBP import lots so there is a high degree of coordination between the two agencies to inspect the highest number of commercial vehicles possible without overlapping. The only exception to this general policy is weight enforcement. FMCSA has no authority to enforce the State of Texas weight statutes, so it is possible for a commercial vehicle that has just received a safety inspection by FMCSA to be again stopped by DPS to check the vehicle for compliance with the weight laws. Should this situation occur, it is policy for the DPS CVE personnel to not conduct a second safety inspection on this same vehicle that was just inspected by FMCSA.

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

Texas Transportation Code (TRC), Section 644.101, allows certain municipal police officers and sheriff offices based on geographical location and/or population thresholds, to apply to the DPS for certification to conduct commercial motor vehicle roadside inspections and/or weight enforcement. Agencies requesting certification make application through the Department's Motor Carrier Bureau and complete a Memorandum of Understanding with the DPS to enforce the commercial vehicle regulations in accordance with DPS rules and regulations and also agree to submit, in a timely manner, all data collected on motor carriers via roadside inspections in an electronic format to the DPS for subsequent transmission to the Motor Carrier Management Information System as maintained by the Federal Motor Carrier Safety Administration. Weight enforcement data is compiled and sent to the Motor Carrier Bureau by each weight enforcement agency for each calendar year.

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

- **a short summary of the general purpose of those contracts overall;**

The contracted expenditures were primarily used for equipment, maintenance, and fuel for the Commercial Vehicle Enforcement program. Equipment includes pursuit vehicles, specialized accessories for those vehicles, and scales and weighing apparatus.

- **the amount of those expenditures in fiscal year 2016;**
- **the number of contracts accounting for those expenditures;**
- **the method used to procure contracts;**

DPS follows the procurement method requirements as defined in Texas Gov't Code Chapters 2155, 2156, 2157, 2158, and 2161 and 34 Texas Administrative Code (TAC) Chapter 20. DPS also follows the state's Contract Management Guide and Procurement Manual that are published by the Comptroller of Public Accounts.

In FY16, DPS procured goods and services using Council on Competitive Government, Texas Correctional Institute, Texas Institute for the Blind and Handicapped, Term, Managed, and TXMAS contracts available through TX SmartBuy. These contracts are managed by the Comptroller of Public Accounts, and state agencies issue purchase orders against those contracts.

DPS also procured goods and services using DIR contracts for certain technology related procurements in FY16. These contracts are managed by the DIR, but agencies can issue purchase orders and agreements against these contracts.

DPS also procured goods and services on the open market in those instances where there was no state contract in place or where the dollar amount associated with the procurement exceeded the limits of use for the state contract. For example, in FY16 SB 20 required that any technology procurements that were over 1 million be solicited on the open market. For non-technology goods that were over 25K and services that were over 100k, DPS would be required to seek delegation from the Comptroller's office before being authorized to solicit on the open market. In some cases the Comptroller would decide to perform the solicitation on behalf of the Department.

- **top five contracts by dollar amount, including contractor and purpose;**
 - **PO-405-16-P005260** valued at \$256,274.00 with INTELLIGENT IMAGING SYSTEMS, INC. for additional cost for installation of motor carrier license plate readers
 - **PO-405-16-P008125** valued at \$156,704.00 with LOADOMETER CORPORATION for Haenni Portable Hydraulic Mechanical Wheel Scales

- **PO-405-16-P007748** valued at \$83,470.75 with ICAUGHT, Inc. for FI-7160 Fujitsu Scanners
 - **PO-405-16-P005689** valued at \$80,466.56 with GTS TECHNOLOGY SOLUTIONS, INC. for laptops
 - **PO-405-16-P004591** valued at \$52,725.00 with REGSCAN, Inc. for REGSCAN FY16 Renewal HazMat Trucking Enforcer Service
- **the methods used to ensure accountability for funding and performance; and**

To ensure accountability for federal funding, all purchases must receive approval through the chain of command within the division. The Commercial Vehicle Enforcement program has budget oversight at the Chief's office through captain level up through the major, and further approval by the Assistant Division Director and the Division Director. The budget analyst is also involved to help monitor funding levels to ensure funding is available for purchases. Each contract has an assigned contract monitor from the division that has been provided with internal training and procedures for monitoring the deliverables and performance of the contract and supplying vendor performance reports. The official contract manager in Procurement & Contract Services works with the division contract monitor, OGC, and Finance to administer and manage contract and vendor performance, ensure compliance with applicable statutes, rules, and policies, and officially address any needed corrective action. Finance is responsible for maintaining compliance with payment rules based on validation from the division that goods and services were received and performance criteria were met.

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

The largest issue with contracting at DPS is the lack of delegated authority for many purchases from the Comptroller's office. Please see the Major Issue regarding delegated authority.

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

No grants are awarded by the CVE program.

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

At present, no statutory changes are recommended.

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

None

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

The regulation of commercial motor vehicle activity is the primary responsibility of the Commercial Vehicle Enforcement (CVE) Service. The CVE Service is charged with ensuring that motor carriers and operators of commercial motor vehicles comply with all applicable state and federal regulations in order to protect the rights, privileges, and safety of the public. In accordance with Title 49, Code of Federal Regulations, Parts 350 and 355, the Director of the Department of Public Safety has certified that Texas law is compatible with the Federal Motor Carrier Safety Regulations (FMCSR) and the Federal Hazardous Material Transportation Regulations (HMR). The State of Texas, through the DPS, as provided in Texas Transportation Code, Chapter 644, has adopted Parts 40, 382, 385, 386, 387, 390, 391, 392, 393, 395, 396, and 397 of the FMCSR and Parts 107 (Subpart G), 171, 172, 173, 177, 178, and 180 of the HMR, without exception for interstate motor carriers. The Texas Legislature in Texas Transportation Code, Chapter 644, and the Director of DPS in Title 37, Texas Administrative Code, Chapter 4, has adopted certain exemptions and exceptions for intrastate motor carriers. The Texas Legislature enacted Texas Transportation Code, Chapter 522, for commercial driver license requirements. The scope of these regulations encompass all commercial motor vehicles, as defined in Texas Transportation Code, Section 644.001, operating on any street or highway in the State of Texas. Upon identifying noncompliance with the FMCSR and/or HMR, the motor carrier profile, maintained by the Department's Motor Carrier Bureau and the U.S. Department of Transportation's Federal Motor Carrier Safety Administration, is updated to reflect such noncompliance. The areas of noncompliance for that particular motor carrier is then collated into a compliance review investigative packet by the Motor Carrier Bureau and is then forwarded to CVE Service compliance review personnel who then conduct a compliance review on the motor carrier to determine the level of compliance with the motor carrier safety fitness standards. Upon identifying and documenting all areas of noncompliance, the CVE Service compliance review investigator forwards the investigative report to the Motor Carrier Bureau for evaluation and action. Subsequent action includes the issuance of a safety rating to the motor carrier and possible administrative penalties being assessed for areas of noncompliance in accordance with the Federal Motor Carrier Safety Administration's Unified Fine Assessment algorithm. In extreme cases of noncompliance, a motor carrier is issued an order to cease all transportation operations until a subsequent compliance review is conducted and indicates that adequate management controls are in place to ensure compliance with the FMCSR and/or HMR. The DPS will conduct a compliance review on a motor carrier based on the following criteria:

- Noncompliance with FMCSR and/or HMR;
- Involvement in a fatality crash;
- A driver being placed out-of-service for noncompliance with the alcohol and/or controlled substances regulations;
- Documented written complaints alleging unsafe operation of a commercial motor vehicle;
- Follow-up investigations of motor carriers that have been the subject of a previous enforcement action, an administrative penalty, or the issuance of an unsatisfactory safety rating from the immediately previous compliance review;
- Requests from other governmental agencies;
- A request from a motor carrier for a safety rating or to change a previously issued safety rating; or
- A HMR spill or incident where a hazardous material is exposed to the environment.
- The Motor Carrier Bureau (MCB) is charged with overseeing the Motor Carrier Compliance Audit (MCCA) Program. The Manager of the MCB is responsible for the development and oversight of the Compliance Audit Program.

The MCCA Program was authorized by the 74th Texas Legislature (Senate Bill 3, Section 14), under VCS Article 6675d, now codified in the Texas Transportation Code as Section 644.155 and is administered under Title 37, Texas Administrative Code, Chapter 4, Subchapter B, Rules 4.15, 4.16, and 4.17.

The Motor Carrier Compliance & Audit (MCCA) section of the Motor Carrier Bureau contributes to highway safety by helping to ensure that motor carriers comply with the Federal Motor Carrier Safety (FMCSR) and Hazardous Materials Regulations (HMR) as adopted by the State of Texas. Non-commissioned investigators are certified to conduct compliance review investigations and new entrant safety audits. Their assigned duties include the inspection of commercial vehicles and records at the motor carrier's principal place of business to determine the carrier's level of compliance with all federal safety regulations. The compliance review investigation determines the motor carrier's overall safety rating by assessing compliance with the commercial driver license requirements, alcohol and controlled substance testing regulations, driver qualifications, hours of service and vehicle maintenance requirements stipulated by the FMCSR and the HMR requirements for hazardous materials.

In Federal Fiscal Year (FFY) 2016, the DPS conducted 2,001 compliance review investigations out of the more than 82,808 interstate and intrastate motor carriers authorized to operate in the State of Texas. Approximately 2.42 % of the total motor carriers authorized to operate in the State of Texas were investigated for safety compliance in FFY 2016. Motor carriers that receive an "Unsatisfactory" safety rating as a result of a compliance review investigation, or a penalty assessment for noncompliance are subject to a "follow-up" compliance review investigation to determine if the carrier has improved their safety management practices. A motor carrier found in violation of the FMCSR and/or HMR can be assessed administrative penalties for noncompliance with the applicable regulations.

Of the 2,001 compliance review investigations conducted in FFY 2016, 934 resulted in an enforcement action being initiated against the motor carrier and over \$ 2.2 million in administrative penalties being assessed and collected from motor carriers for their noncompliance with the applicable safety regulations. Each administrative penalty collected is deposited to the credit of the Texas Mobility Fund. Motor carriers assessed administrative penalties are afforded the opportunity to challenge the assessment via the Department's Informal Hearing Process or the motor carrier may elect to have a hearing through the State Office of Administrative Hearings (SOAH). Motor carriers who refuse to pay administrative penalties are subject to being placed on the Department's Motor Carrier Impound List per Texas Transportation Code, Section 644.154. These motor carriers are referred to the Attorney General's Office for collection and are also referred to the Texas Department of Motor Vehicles to have their intrastate operating authority revoked.

- P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices. Please include a brief description of the methodology supporting each measure.**

Texas Department of Public Safety Commercial Vehicle Enforcement		
Exhibit 12: Information on Complaints Against Regulated Persons or Entities Motor Carrier Compliance FFYs 2015 and 2016		
	FFY 2015	FFY 2016
Number of Compliance Review Audits Conducted	1,482	2,001
Number of Compliance Review Enforcement Cases	771	934
Administrative Penalties Collected	\$2,643,239.92	\$2,981,410.74
Number of Informal Hearings Conducted	85	179
Number of Administrative Penalty Cases Heard at the State Office of Administrative Hearings (SOAH)	0	0
Number of Cease Operation Orders Issued	40	43
Number of Motor Carriers Placed on Carrier Impound List	153	296
Number of Commercial Motor Vehicles Impounded for Non – Payment of Administrative Penalties	4	2
Number of Motor Carriers Referred to the Texas Department of Transportation for Revocation of Operating Authority	100	100
Number of New Entrant Safety Audits Conducted	3,170	2,760

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

Name of Program or Function: *Corruption Investigations*

Location/Division: *Texas Ranger Division*

Contact Name: *Division Director Randy Prince*

Actual Expenditures, FY 2016: *Funding and expenditures for this program are included in the Major Criminal Investigations program.*

Number of Actual FTEs as of June 1, 2017: *5*

Statutory Citation for Program: *Texas Government Code Section 411.0207 (Public Corruption Unit); Texas Government Code, Subchapter B-1, Sections 411.0251, 411.0252, 411.0253, 411.0254, 411.0255, 411.0256, 411.0257, 411.0258, and 411.0259 (Public Integrity Unit).*

Section 411.0207 establishes the Texas Ranger Public Corruption Unit. This section describes the assistance the Public Corruption Unit must provide to the United States Department of Justice or any other appropriate federal department or agency in the investigation and prosecution of allegations of engaging in organized criminal activity: "A public corruption unit is created within the department to investigate and assist in the management of allegations of participation in organized criminal activity by an individual elected, appointed, or employed to serve as a peace officer for a governmental entity of this state or a federal law enforcement officer while performing duties in this state... The unit shall report to the highest-ranking officer of the Texas Rangers division of the department."

Section 411.0253 establishes the Texas Ranger Public Integrity Unit: "The Texas Rangers division of the department shall establish and support a public integrity unit. On receiving a formal or informal complaint regarding an offense against public administration or on request of a prosecuting attorney or law enforcement agency, the public integrity unit may perform an initial investigation into whether a person has committed an offense against public administration. The Texas Rangers have authority to investigate an offense against public administration, any lesser included offense, and any other offense arising from conduct that constitutes an offense against public administration."

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

The Texas Rangers have historically been enlisted to investigate allegations of corruption by elected officials and other public servants holding positions of public trust. The objective of the Corruption Investigations Program is to instill public trust by providing highly trained, impartial, and independent investigators to conduct investigations of alleged violations of the law based on reasonable suspicion that a crime has been committed and with a sufficient number of available facts to establish criminal activity.

Major activities under this program include the following: special criminal investigations, the Public Corruption Unit, the Public Integrity Unit, and employee criminal investigations.

Due to their entrusted confidence, independent investigative approach, and state-wide jurisdiction and authority, the Texas Rangers have historically been enlisted, whenever allegations of criminal misconduct have been raised, to conduct Special Criminal Investigations of elected officials, department heads, and other public servants holding positions of public trust. The independent role of the Texas Rangers is vital in maintaining public trust when elected officials and department heads are accused of wrongdoing, because the operational and administrative authority of the accused over a local investigator can undermine public trust that an impartial investigation will be conducted.

In 2009, the 81st Legislature funded a Public Corruption Unit within the Department to investigate allegations of law enforcements participation in organized criminal activity, acting either in combination or in profits of combination to violate state law. Six rangers, stationed throughout the state, were assigned to conduct these investigations.

In 2015, the 84th Legislature created the Texas Ranger Public Integrity Unit to conduct investigations and pursue prosecution of crimes committed by state officers and state employees in connection with their duties, including ethics offenses. These offenses include Penal Code Title 8 offenses, Government Code offenses (chapters 301, 302, 571, 572, 2004, and 573), and Election Code Title 15 offenses. The Public Integrity Unit is commanded by a Texas Ranger Major and has assigned to it two full-time rangers, an attorney from the DPS Office of General Counsel, and a financial crime analyst. The six field rangers assigned to the Public Corruption Unit supplement the Public Integrity Unit as necessary.

The Texas Rangers are also responsible for conducting employee criminal investigations when criminal misconduct by Department employees is alleged. Depending on the alleged offense, an employee criminal investigation can qualify as a public integrity investigation and be subject to the corresponding Public Integrity Unit statute.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.

The change in reporting systems and the manner in which statistical information is gathered and tracked under new reporting definitions have presented challenges for establishing consistency from the statistical data collected prior to the SPURS reporting system. Therefore, although statistical data is available prior to 2015, the provided data have been drawn only from calendar years 2015, 2016, and the first five months of 2017. Also, please note that employee criminal investigations might not fall within the listed numbers, depending on the offense being investigated. For instance, a DPS Trooper accused of using excessive force after

December, 2015 results in a Public Integrity Unit investigation, while a DPS Trooper accused of assault family violence while off duty does not result in a corruption investigation, although he or she could still be investigated by the Texas Rangers.

In calendar year 2015, the Texas Rangers conducted 191 corruption investigations. Of these investigations, 60 investigations resulted in 38 arrests and 38 indictments; 46 convictions fell into the category Public Corruption; 80 investigations targeted law enforcement personnel and resulted in 33 arrests, 40 indictments, and 22 convictions; and 51 investigations were considered Special Criminal Investigations of elected public officials and department heads and resulted in 28 arrests, 37 indictments, and six convictions. The Texas Ranger Public Integrity Unit became effective for operations on December 1, 2015. During December, the Texas Ranger Public Integrity Unit conducted two preliminary investigations and two full investigations.

2015	PUBLIC CORRUPTION	LAW ENFORCEMENT OFFICERS	SPECIAL CRIMINAL	PUBLIC INTEGRITY UNIT
INVESTIGATIONS	60	80	51	2 PRELIMINARY / 2 FULL
ARREST	38	33	28	0
INDICTMENTS	38	40	37	0
CONVICTIONS	46	22	6	0
ADJUDICATION	6	16	9	0

In calendar year 2016, the Texas Rangers conducted 135 corruption investigations, while the Public Integrity Unit conducted 82 preliminary investigations and 20 full investigations. Of these investigations, 32 investigations resulting in 14 arrests and 17 indictments; and 15 convictions fell into the category Public Corruption; 71 investigations of Law Enforcement Officers resulted in 37 arrest, 66 indictments, and 23 convictions; and 32 investigations of elected officials and department heads were classified as Special Criminal Investigations and resulted in 11 arrests, 5 indictments, and 12 convictions.

2016	PUBLIC CORRUPTION	LAW ENFORCEMENT OFFICERS	SPECIAL CRIMINAL	PUBLIC INTEGRITY UNIT
INVESTIGATIONS	32	71	32	82 PRELIMINARY / 20 FULL
ARREST	14	37	11	0
INDICTMENTS	17	66	5	0
CONVICTIONS	15	23	12	0
ADJUDICATION	3	6	2	0

In the first five months of calendar year 2017, the Texas Rangers conducted 76 total corruption investigations, while the Public Integrity Unit conducted 23 preliminary investigations and five full investigations. Of these investigations, 18 investigations resulting in six arrests and five indictments, and five convictions fell into the category Public Corruption; 33 investigations of Law Enforcement Officers resulted in nine arrests, four indictments, and 40 convictions; and 25 investigations of elected officials and department heads were classified as Special Criminal Investigations and resulted in 10 arrests, nine indictments, and three convictions. Of the five full investigations conducted by the Public Integrity Unit, three arrests were made and 17 indictments were issued. None of these cases have been adjudicated, so there are no convictions to report.

2017 (Jan - May)	PUBLIC CORRUPTION	LAW ENFORCEMENT OFFICERS	SPECIAL CRIMINAL	PUBLIC INTEGRITY UNIT
INVESTIGATIONS	18	33	25	23 PRELIMINARY / 5 FULL
ARREST	6	9	10	3
INDICTMENTS	5	4	9	17
CONVICTIONS	5	40	3	0
ADJUDICATION	2	1	2	0

The total number of corruption investigations through May, 2017 suggests that the Texas Rangers will conduct approximately 182 corruption investigations during the calendar year 2017. Using this number as an estimate, the average number of corruption investigations conducted by the Texas Rangers over a three year period will be approximately 170 investigations per year. Because the Public Integrity Unit only has one full calendar year (with only one month in 2015 and five months in 2017), an average for that unit is more difficult to estimate.

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

Since its inception in December, 2015, the Texas Rangers Public Integrity Unit has received hundreds of complaints and has developed reasonable suspicion of criminal conduct by a District Attorney, a State Representative, the Commissioner of the Texas Department of Agriculture, the Texas Attorney General, and dozens of state employees. Most of these investigations are complex and ongoing.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

Special Criminal Investigations are conducted when allegations of criminal conduct by elected officials and department heads demonstrate a reasonable suspicion that an offense has been committed.

Public Corruption Investigations are conducted when there are allegations of organized criminal activity constituting an offense under Section 71.02 of the Penal Code either by an individual elected, appointed, or employed to serve as a peace officer for a governmental entity of this state under Article 2.12 of the Texas Code of Criminal Procedure or by a federal law enforcement officer while performing duties in this state.

Public Integrity Investigations can be conducted when a formal or informal complaint regarding an offense against public administration exists or on the request of a prosecuting attorney or law enforcement agency. An offense against public administration is defined as one of the following:

- An offense under Title 8 of the Penal Code, committed by a state officer or a state employee in connection with the powers and duties of the state office or state employment
- An offense under Chapter 301, 302, 571, 572, or 2004 of the Government Code committed by a state officer or a state employee in connection with the powers and duties of the state office or state employment or by a candidate for state office
- An offense under Chapter 573 of the Government Code committed by a state officer in connection with the powers and duties of the state office
- An offense under Title 15, Election Code, committed in connection with either a campaign for or the holding of state office, or an election on a proposed constitutional amendment.

A *state employee* means an individual, other than a state officer, who is employed by one of the following:

- A state agency
- The Supreme Court of Texas, the Court of Criminal Appeals of Texas, a court of appeals, or the Texas Judicial Council
- Either house of the legislature or legislative agency, council, or committee, including the Legislative Budget Board, the Texas Legislative Council, the State Auditor's Office, and the Legislative Reference Library.

A *state officer* means an elected officer, and appointed officer, a salaried appointed officer, an appointed officer of a major state agency, or the executive head of a state agency.

An Employee Criminal Investigation can be conducted when an allegation of criminal conduct is made against any employee of the Texas Department of Public Safety.

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

A Special Criminal Investigation is requested by a local District Attorney who has jurisdiction and venue over the offense. When a request is made by the District Attorney to the local Ranger, an inquiry is conducted to determine if reasonable suspicion exists that an offense occurred. If the inquiry provides reasonable suspicion of an offense, the Ranger submits an interoffice memorandum through his or her chain of command to the Chief of the Texas Rangers. If the chain of command concurs with the Ranger's assessment that an investigation needs to be conducted, the Special Criminal Investigation is conducted by a field Ranger. The Ranger assigned to conduct the investigation might be sent either from another area within the Ranger Company or from another Ranger Company.

Investigations by the Public Corruption Unit are conducted upon written approval of the Director of the Department of Public Safety or the Chair of the Public Safety Commission, based on cause. An investigation by the Public Corruption Unit or assistance from the Public Corruption Unit with an investigation can be requested by a District or County Attorney, a state or local law enforcement agency, or the United States Department of Justice.

Upon receiving a formal or informal complaint regarding an offense against public administration or upon the request of a prosecuting attorney or law enforcement agency, the Public Integrity Unit can perform an initial investigation into whether someone has committed an offense against public administration. The Texas Rangers have authority to investigate an offense against public administration, any lesser included offense, and any other offense arising from conduct that constitutes an offense against public administration. If an initial investigation by the public integrity unit demonstrates a reasonable suspicion that an offense against public administration has occurred, the matter is referred to the prosecuting attorney of the county with the proper venue, based on Section 4111.0256 of the Government Code or Chapter 13 of the Code of Criminal Procedure, whichever is applicable.

Employee criminal investigations are approved by the Director of the Department of Public Safety and assigned by the Chief of the Texas Rangers. Employee Criminal Investigations are assigned a tracking number by the Department Office of Inspector General and tracked to final disposition.

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

AY 2016

Major Criminal Investigations and Operations*	0001 General Revenue	\$24,007,921
	0666 Approp Receipts	\$24,234
	Total	\$24,032,154

*Funding and expenditures for the *Major Criminal Investigations and Operations* item include the individual programs identified as *Corruption Investigations, Major Criminal Investigations, Major Operations, and Special Operations/Capabilities*.

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

There are no programs, internal or external to the Texas Department of Public Safety, that provide services or functions to the target population identical to the corruption investigations provided by the Texas Rangers. There are programs, both internal and external to the Texas Department of Public Safety, which perform similar, but separate, services or functions. For example, the Texas Department of Public Safety Office of Inspector General conducts

administrative investigations of Department employees. The Office of Inspector General does not conduct criminal investigations of Department employees and it relies on the Texas Rangers to conduct investigations when criminal conduct is suspected. This separation is necessary because of laws designed to protect employers. If an employer believes an employee has committed a violation of the law that can harm the employer, the employer can compel the employee to answer questions but the answers cannot be used against the employee, because of the employee's constitutional rights against self-incrimination. Separating administrative and criminal investigations helps to protect the Department against *Garrity* issues.

The Texas Rangers Public Integrity Unit was created to remove the perception of political bias from the investigative process. In 1978, the Public Integrity Unit was created and funded within the Travis County District Attorney's Office. That system was viewed as giving one person – the Travis County District Attorney – the power to investigate and prosecute any elected state official across the state. In 2015, statute transferred the investigative authority to the Texas Rangers for Penal Code, Title 8 Offenses; numerous Government Code violations; and violations of the Election Code, Title 15. The Texas Rangers Public Integrity Unit now works with District Attorneys across the state to prosecute violations.

The State Ethics Commission conducts similar investigations, but it only levies administrative fines for ethics violations.

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

The Public Integrity Unit statute gives the Texas Rangers the authority to investigate certain offenses against public administration but it does not impede other law enforcement agencies from investigating similar crimes within their jurisdictions. For example, state police officers within the Texas Department of Criminal Justice exercise the responsibility to investigate allegations made against prison guards or other TDCJ state employees. Because the Texas Rangers are the primary criminal investigative branch of the Texas Department of Public Safety, Employee Criminal Investigations within the Department fall to the Rangers. This does not prevent the DPS Criminal Investigative Division of the Department from conducting criminal investigations of DPS employees if there offenses that fall within their areas of expertise (for example, drugs, gangs, or human trafficking) are reported. Because all Employee Criminal Investigations must be approved by the Director, who coordinates the investigative activities, duplication or conflict with another program does not occur.

The Texas Rangers also work with the Department Office of Inspector General to provide all information obtained during an employee criminal investigation, to ensure there is no duplication of effort on any administrative investigation being conducted. Any employee criminal investigation is issued a tracking number, so it can be followed by both the Texas Rangers and the Office of Inspector General. The Office of Inspector General coordinates its

investigative activity with the Texas Rangers when a criminal violation is alleged or suspected. The Office of Inspector General allows the Texas Rangers to conduct the criminal investigation prior to or in concert with conducting the administrative investigation, to ensure efficiency and transparency.

By law, the Texas Ethics Commission cannot share any information that has not been made public; consequently, investigative efforts have the potential to be duplicated.

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

The Texas Rangers assist local, regional, state, and federal units in all types of investigations, including corruption investigations, when requested by those agencies. The Public Integrity Unit works with local prosecutors and state agencies such as the Ethics Commission and the State Auditor's Office.

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

- **A short summary of the general purpose of those contracts overall;**
- **The amount of those expenditures in fiscal year 2016;**
- **The number of contracts accounting for those expenditures;**
- **The method used to procure contracts;**
- **Top five contracts by dollar amount, including contractor and purpose;**
- **The methods used to ensure accountability for funding and performance; and**
- **A short description of any current contracting problems.**

Not applicable. Funding and expenditures for this program are included in the *Major Criminal Investigations* program.

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

Not applicable

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

Since the inception of the Public Integrity Unit, a number of complaints have been submitted alleging violations by sitting District Attorneys. The Government Code requires recusal of the prosecuting attorney before the presiding judge of an administrative judicial region can appoint another prosecuting attorney. The Government Code does not provide a remedy if the local district attorney has a conflict of interest but does not offer a recusal. This barrier defeats the original purpose of the law creating the Public Integrity Unit.

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

None

A. Provide the following information at the beginning of each program description.***Name of Program or Function: Criminal and Traffic Enforcement******Location/Division: Texas Highway Patrol Division******Contact Name: Division Director Ron Joy******Actual Expenditures, FY 2016: \$285,038,490******Number of Actual FTEs as of June 1, 2017: 3,141 Commissioned/661 Non-commissioned***
Statutory Citation for Program:**B. What is the objective of this program or function? Describe the major activities performed under this program.**

The Texas Highway Patrol Division is responsible for enhancing highway and public safety on the rural roadways of Texas and it does so through the enforcement of state traffic and criminal laws and providing assistance to the public. The Texas Highway Patrol Division is also responsible for protecting the public from criminal and terrorist threats, conducting crash investigations and enforcing state commercial vehicle and federal motor carrier laws.

The Commercial Vehicle Enforcement Service, within the Highway Patrol Division, has the primary responsibility for enforcing state commercial vehicle and Federal Motor Carrier laws and oversees the federal motor carrier training and audits on carriers through the Motor Carrier Bureau. It is also charged with overseeing the commercial vehicle enforcement programs for other law enforcement agencies in the state.

The Texas Highway Patrol Division achieves its mission by conducting proactive patrols along roadways and the use of specialized capabilities such as the drug and bomb detection canine program, state and district crash reconstruction teams, tactical marine unit, dive team, horse mounted patrol, motorcycle patrol, bicycle patrol, safety education program and the media and public communication program.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.

A summary of Highway Patrol troopers' activities for Calendar Year 2016 follows:

DWI Arrests	15,882
Speeding Arrests	317,093
Safety Restraint Arrests (All categories, adult and child)	43,284
No Liability Insurance Arrests	56,349
Criminal Arrests (Include Fugitive Arrests)	45,823
Fatal Accident Investigations	1,421

Non-Fatal Accident Investigations	66,427
Safety Programs Presented	22,201
Pounds of Marijuana	18,297.18
Pounds of Cocaine Seized	498.14
Child Rescues	76

The Governor and Legislature directed the Department to address the increasing threat to our state and nation caused by an unsecure border. We began full time operations in June of 2014, consisting of surging additional troopers into the area to provide additional crime suppression and traffic patrol along the border highways and in the marine environment along the border. Working in coordination and cooperation with other local, state, and federal law enforcement agencies, these efforts addressed the threats using resources on the ground, in the air, and on the waterways. The Department has provided sustained operations for over three years in the Rio Grande Valley. The THP division has averaged sending an additional 168 troopers per day to support this initiative. This equates to an additional 735,840 hours of coverage on average per year.

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

The Texas Highway Motor Patrol, along with the Texas Rangers, were the original law enforcement entities placed under the Texas Department of Public Safety when it was created by the 44th Legislature in 1935. The Texas Highway Motor Patrol was moved from the Highway Department and renamed the Texas Highway Patrol with an authorized strength of 147 officers.

Originally, the Highway Patrol Division was commanded by a Chief, who reported to the Director, and was divided into 12 (later 16) districts. A Captain, who reported to the Chief, commanded each district.

In 1957, the DPS reorganized into six regions, each commanded by a Major who reported to the Director. Each region was subdivided into two Highway Patrol Districts, each commanded by a Captain who reported to the Major (Regional Commander). The Highway Patrol Chief's position was eliminated.

The Traffic Law Enforcement (TLE) Division was created in 1968. The six regions, with headquarter offices in Garland, Houston, Corpus Christi, Midland, Lubbock and Waco, were placed under the TLE Division and a Chief was appointed to command the Division. Each Regional Commander, holding the rank of Major, reported to the Chief of TLE, and the Chief reported to the Director. The activities of the TLE Division were carried out by six field services, which included the Highway Patrol Service, License and Weight Service, Safety Education Service, Vehicle Inspection Service, Driver License Service and Communications Service.

In 2003, the TLE Division was reorganized and renamed the Texas Highway Patrol (THP) Division. Highway Patrol, Safety Education, Vehicle Inspection and Capitol services were combined and renamed the Highway Patrol Service. The growing License and Weight Service was renamed Commercial Vehicle Enforcement Service. In addition, two new regions were created and headquartered in McAllen and at the Capitol, and a new Highway Patrol District was headquartered in Bryan.

In 2009, the THP Division and the Department went through reorganization. Regional Commanders were promoted and took over command of field operations. The Chief and his staff are responsible for personnel and managing the various programs in the THP Division. The regions were re-aligned to coincide with the Council of Governments (COG) boundary lines and Region 8 was done away with, being consolidated back into Region 3. All of the regulatory functions that were located in the THP Division were moved to the newly created Regulatory Service Division, i.e. breath test and Motor Vehicle Inspection.

The THP Division, the largest division in DPS, consists of 3,802 members, including 3141 commissioned officers and 661 civilian support personnel.

The Chief of THP is directly responsible to the Director. The Assistant Chief assists the Division Chief and assumes command of the Division in the Chief's absence.

In response to the nation's war on terrorism, THP personnel have been significantly involved in the infrastructure security component of the Department's Counter-Terrorism Mission Action Plan. The Division has worked with the Chief of the Emergency Management Division in coordinating the Department's Infrastructure Target Identification Project. In addition, Field Commanders (Captains) have coordinated with the Emergency Management Division and have developed response plans for potential terrorist targets. Troopers have received counter-terrorism training and have been placed on a heightened alert for the identification and apprehension of suspected terrorists. The troopers have been trained in the use of and equipped with Personal Protection Equipment Kits, which include 2 tourniquets, gauze, scissors, quick clot and gloves.

Currently, each District Highway Patrol Captain and sub-District Lieutenant is a Chair of a Disaster District Committee (DDC). The 80th Legislative Session realigned and increased the number of DDCs. The DDC receives requests for state assistance from local governments during times of emergency. The DDC Chair validates the request for assistance from the local agencies and coordinates the arrangements for getting the requested resources to the required place.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

Motorists on Texas' roadways are affected by the function of the criminal and traffic program. All users of Texas' highways are required to comply with the appropriate statutes contained in the Texas Transportation Code.

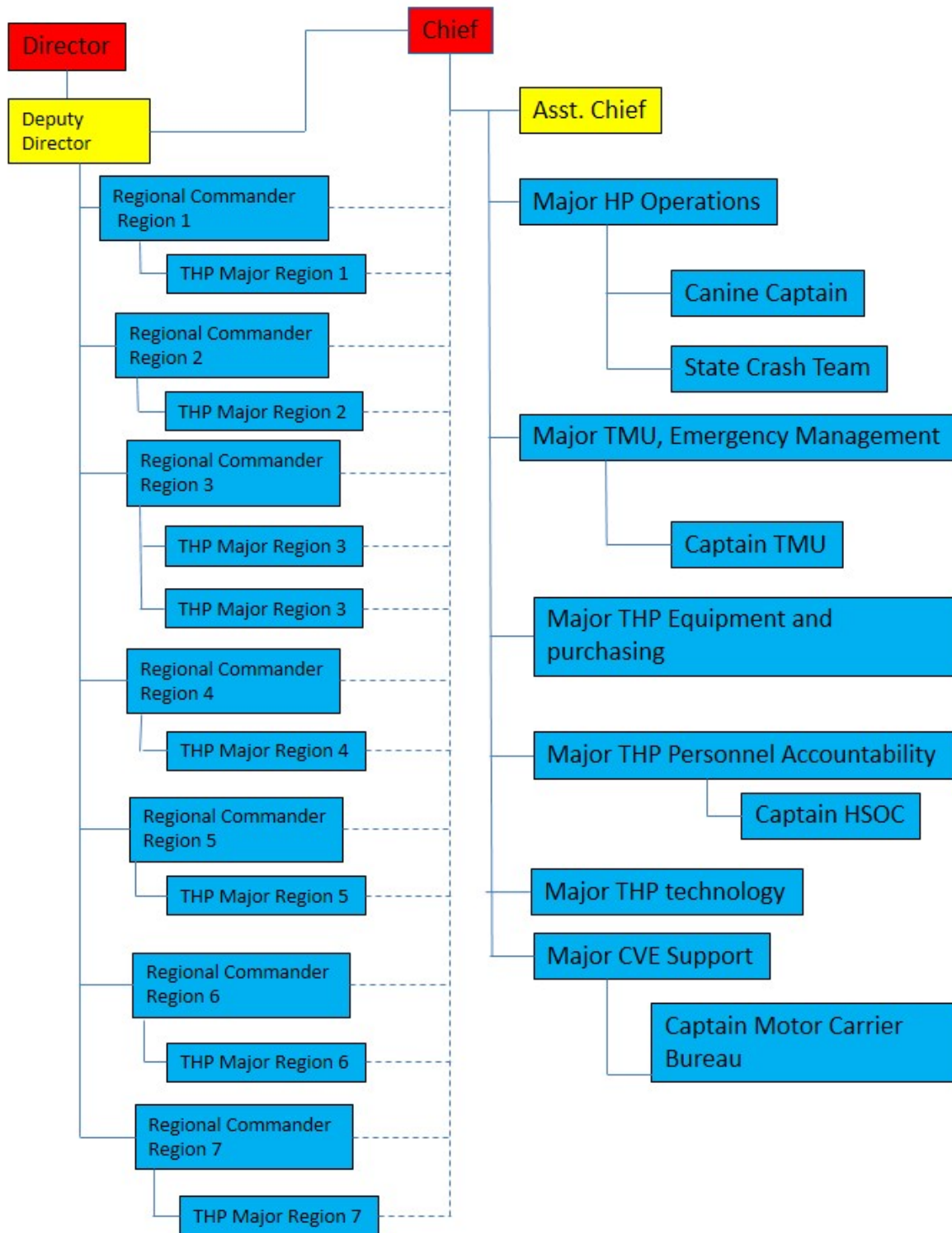
Our programs affect all motorists on public roadways of Texas, including those affected by a disaster, all visitors to the Capitol Complex, those using our public roadways to transport illegal narcotics, weapons or trafficking of persons. This program also patrols the intercostal water ways and Rio Grande River. There are currently 19 million licensed drivers in Texas and 22 million registered motor vehicles in Texas according to the Department of Motor Vehicles,.

The population in Texas during our last Sunset evaluation (2007) was 23.8 million, since that time the population has increased to 28.4 million. This increase in population increases the number vehicles on our roadways and the potential number of crashes. Over the last two years for example we have seen a 7.9 percent increase from 2014 to 2015 and a 5.3 percent increase from 2015 and 2016. In 2016 there were 630,926 crashes in the state of Texas. Of those the Department investigated 67,848, which accounts for 10 percent of the total crashes.

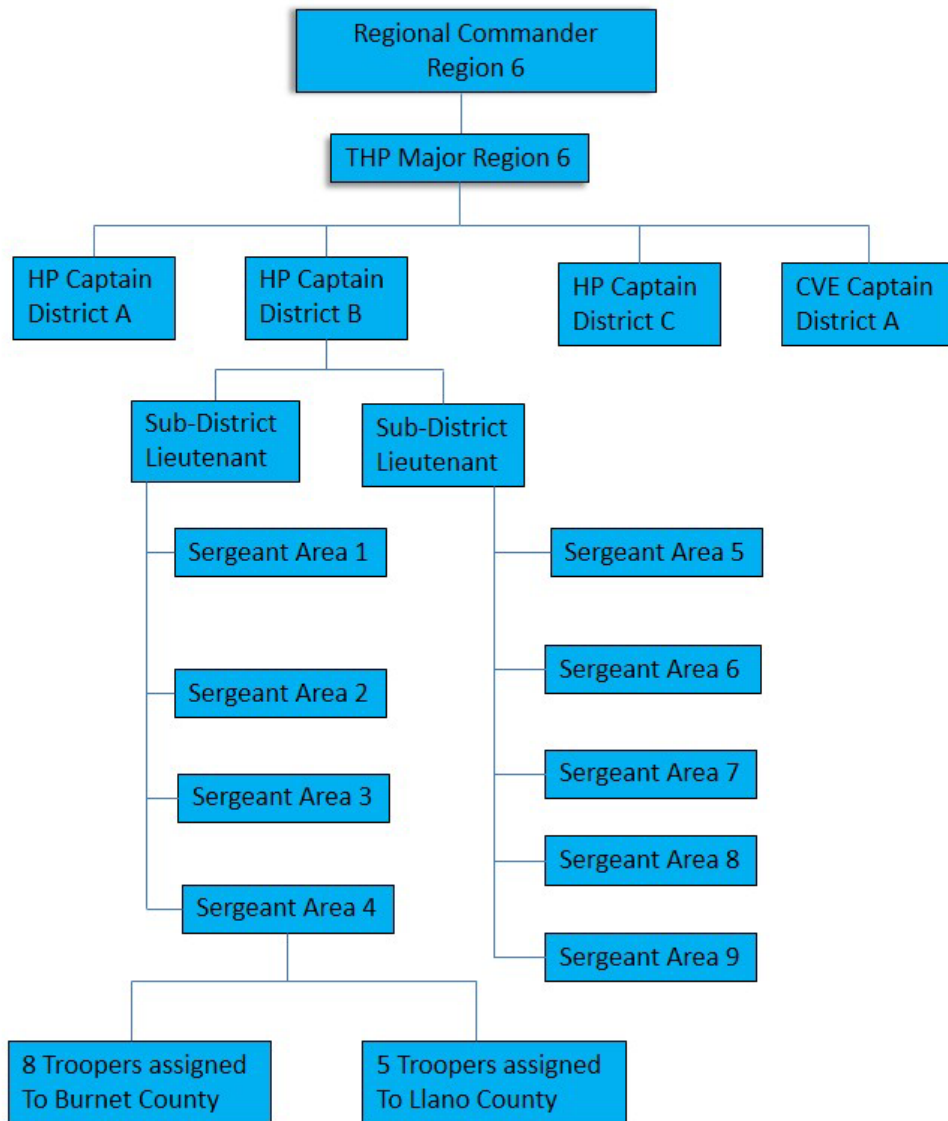
F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The Criminal and Traffic Enforcement program has the responsibility for police traffic supervision, crash investigations and conducting general law enforcement activities on Texas' rural highways. To achieve the successful administration of this function, the State is divided into seven geographical regions (Regional Commands). Each region is staffed by a Major. Two regions are divided into two Highway Patrol Districts. Five regions are divided into three or more Highway Patrol Districts. Each Highway Patrol District is commanded by a Captain. The Captain reports directly to the Major.

Each Highway Patrol District is made up of a number of Sergeant Areas. The number of Sergeant Areas per District range from eight to fourteen, depending upon the District. Each region has members assigned to canine activities, district crash reconstruction team, safety education, special response teams and one region is devoted to securing the Capitol complex. In the border and coastal areas our tactical marine unit patrols the Rio Grande River and the intercostal water ways. The following shows the structure of the Highway Patrol Division:



The following flowchart shows the structure for a common region.



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

AY 2016

Criminal and Traffic Enforcement	0001 General Revenue	\$283,377,819
	0666 Approp Receipts	\$148,170
	5013 Breath Alcohol Testing Fund	\$1,512,500
	Total	\$285,038,490

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

There are 2,163 law enforcement entities throughout the State of Texas that provide police services to the citizens and visitors of this State. These law enforcement agencies provide police services within their jurisdictions (e.g., city or county). The Highway Patrol Service has the responsibility for police traffic supervision, crash investigations and conducting general law enforcement activities on Texas' rural highways. No other agency is equipped, prepared, trained, staffed, or capable of responding to the emerging threats across the entire state in the manner provided by the Texas Highway Patrol. Our personnel are able to provide law enforcement and emergency response capabilities that no other agency can provide, because of our strategic locations around the state, the number of resources available, the high level of training provided to our troopers and the specialized equipment issued. In 2016 there were 630,926 crashes in the state of Texas. Of those the Department investigated 67,848, which accounts for 10 percent of the total crashes.

Within the numerous jurisdictions in which department officers are stationed, a myriad of events specific to those areas can occur which may prompt local governmental agencies to call on the department for assistance. Some examples are: law enforcement augmentation, advanced crash reconstruction, crime scene mapping, disaster response assistance, civil disturbance management, safety education, crowd supervision at community events, and assisting the Texas Department of Criminal Justice in the movement of inmates. The Highway Patrol Service will assist other law enforcement entities or political subdivisions with such events or such situations when a reasonable request is made by an appropriate authority and resources permit.

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

Local law enforcement agencies provide police services within their own jurisdictions or areas of responsibilities. There is little or no duplication because the other agencies provide these services within these jurisdictions, and the Highway Patrol provides police services on the rural highways of Texas. Local sheriff's departments and police departments primarily respond to calls for service which can range from serious crimes such as thefts, domestic violence, assaults, and homicides to minor violations like loud music or barking dogs. Most local law enforcement does very little proactive law enforcement. The traffic and criminal programs of the Texas Highway Patrol proactively patrol, protect, deter, and apprehend those individuals involved in crime that are preying on the communities. This proactive patrol focus on the enforcement of criminal and traffic laws increases voluntary compliance with highway safety. These efforts

serve to reduce the number of tragic deaths occurring as a result of traffic crashes each year and remove the criminal elements exploiting our highway systems. Reactively we respond to rural crashes, motorists assists, disasters, and requests to assist other law enforcement agencies. Because of the demographics of most law enforcement agencies in Texas, the Texas Department of Public Safety is asked often to assist. Currently in Texas, **79%** of the law enforcement agencies have 50 officers or less, and **75%** have 20 officers or less. These smaller agencies rely on the Texas Department of Public Safety due to their lack of resources, expertise, and equipment.

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

There are more than 2,163 law enforcement entities (city, county and federal) in the State of Texas.

Highway Patrol troopers work with these agencies when called upon to provide the most effective and efficient police services to the citizens and visitors of Texas.

Within the numerous jurisdictions in which department officers are stationed, a myriad of events specific to those areas can occur which may prompt local governmental agencies to call on the department for assistance. Some examples are: law enforcement augmentation, advanced crash reconstruction, crime scene mapping, disaster response assistance, civil disturbance management, safety education, crowd supervision at community events, and assisting the Texas Department of Criminal Justice in the movement of inmates. The Highway Patrol Service will assist other law enforcement entities or political subdivisions with such events or such situations when a reasonable request is made by an appropriate authority and resources permit.

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

- **a short summary of the general purpose of those contracts overall;**

Significant expenditures for this program provided needed capital equipment, vehicle maintenance, and fuel. Capital equipment includes pursuit vehicles and technology hardware.

- **the amount of those expenditures in fiscal year 2016;**
- **the number of contracts accounting for those expenditures;**
- **the method used to procure contracts;**

DPS follows the procurement method requirements as defined in Texas Gov't Code Chapters 2155, 2156, 2157, 2158, and 2161 and 34 Texas Administrative Code (TAC)

Chapter 20. DPS also follows the state's Contract Management Guide and Procurement Manual that are published by the Comptroller of Public Accounts.

In FY16, DPS procured goods and services using Council on Competitive Government, Texas Correctional Institute, Texas Institute for the Blind and Handicapped, Term, Managed, and TXMAS contracts available through TX SmartBuy. These contracts are managed by the Comptroller of Public Accounts, and state agencies issue purchase orders against those contracts.

DPS also procured goods and services using DIR contracts for certain technology related procurements in FY16. These contracts are managed by the DIR, but agencies can issue purchase orders and agreements against these contracts.

DPS also procured goods and services on the open market in those instances where there was no state contract in place or where the dollar amount associated with the procurement exceeded the limits of use for the state contract. For example, in FY16 SB 20 required that any technology procurements that were over 1 million be solicited on the open market. For non-technology goods that were over 25K and services that were over 100k, DPS would be required to seek delegation from the Comptroller's office before being authorized to solicit on the open market. In some cases the Comptroller would decide to perform the solicitation on behalf of the Department.

- **top five contracts by dollar amount, including contractor and purpose;**
 - **PO-405-16-P009676** valued at \$1,911,424.00 with ENFORCEMENT VIDEO, L.P. for InCar Video Systems
 - **PO-405-16-P007656** valued at \$1,462,991.10 with GTS Technology Solutions, Inc. for Hardware and Peripherals for InCar systems
 - **PO-405-16-P007160** valued at \$475,000.00 with STATE PRESERVATION BOARD for ICC between State Preservation Board and DPS regarding Capitol Security
 - **PO-405-16-P003886** valued at \$ 307,100.00 with GT DISTRIBUTORS INC for rifles
 - **PO-405-16-P008804** valued at \$312,700.00 with APPLIED CONCEPTS, INC. for THP Radar

- **the methods used to ensure accountability for funding and performance; and**

To ensure accountability for funding, all purchases receive approval through the chain of command within the division. The traffic and criminal program has budget oversight at the captain level up through the field major, and then approval in the Chief's office by the Assistant Division Director and the Division Director. The budget analyst is involved to help monitor funding levels to ensure funding is available for purchases. Each contract has an assigned contract monitor from the division that has been provided with internal training and procedures for monitoring the deliverables

and performance of the contract and supplying vendor performance reports. The official contract manager in Procurement & Contract Services works with the division contract monitor, OGC, and Finance to administer and manage contract and vendor performance, ensure compliance with applicable statutes, rules, and policies, and officially address any needed corrective action. Finance is responsible for maintaining compliance with payment rules based on validation from the division that goods and services were received and performance criteria were met.

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

- The largest issue with contracting at DPS is the lack of delegated authority for many purchases from the Comptroller's office. Please see the Major Issue regarding delegated authority.
- Current specific contract problems include Voyager Fleet Systems and TDCJ.
- The Voyager Fleet System contract provides a Voyager card that is not set as a Visa or Master Card. The current card issued is not accepted everywhere across the state of Texas. This requires the employee to carry two cards (Voyager card and a Payment Card (Citi Bank Master Card)) to ensure that they can purchase fuel or pay for vehicle maintenance/repairs under the \$2,000 limit. This has created confusion in the field because of the rules/policies attached to the Voyager and Payment card.
- The TDCJ contract is problematic for two different reasons. The first is the cost of furniture. As the agency receives budget cuts and is told to be fiscally responsible, the agency is required to purchase furniture at a higher cost through TDCJ rather than going through another vendor to save money. Another problem with the contract is the quality of service received. TDCJ is aware that they are the required vendor for state agencies and their customer service reflects this awareness. The lack of communication, timeliness of deliver, quality of product, and other issues have led the agency to file negative vendor performance reports. Even with these reports filed, the agency does not see corrective action taken by TDCJ to ensure they are meeting deliver dates or providing communication on delayed orders or if and when they will show up for delivery.

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

None

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

Rider #4 of the Appropriations Act states that none of the funds appropriated hereinabove may be expended for the salaries of personnel operating motor vehicles used to stop and arrest

offenders of highway speed laws unless such vehicles are black, white, or a combination thereof and plainly marked with the department's insignia.

Aggressive driving is becoming an increasingly prevalent traffic safety issue, especially on the Interstate Highway Systems in and around major metropolitan population centers. Frustration over traffic congestion fueled by a discourteous, antagonistic, and competitive attitude is often manifested in aggressive driving behavior. This type of behavior can lead to assaultive conduct commonly referred to as "road rage." Many episodes of road rage have led to actual assaults and even homicides. It is generally agreed that encountering an aggressive driver generates a greater perception of fear on the part of the general motoring public than any other violation. Although hard to specifically define, aggressive driving is very recognizable when one sees it happening. It generally consists of violations such as speeding, cutting in after passing, following too closely, failing to signal, horn sounding, flashing lights, etc. committed at or about the same time or in a close proximity to one another. It is also often accompanied by threatening, intimidating, or other provocative gestures.

By removing the rider from our Appropriations Act, THP Division personnel could utilize unmarked vehicles during task force operations to target speeding violations and possibly reduce the number of aggressive driving or "road rage" incidents.

Arizona DPS has used this method very successfully. They utilize plain colored vehicles for the enforcement of aggressive driving. The vehicles are rotated around the state so motorists do not come to recognize them. The use of unmarked vehicles for traffic and criminal patrol efforts enhances voluntary compliance with state laws.

Changes were recommended to Transportation Code Section 546.003. This language revision would allow law enforcement vehicles to use the discretion provided by statute in Transportation Code 546.003 to use their audible or visual signals when operating in an emergency. Current statute does not require other drivers to yield the right of way unless the police vehicle is using either audible and visual signals or only audible signals. The language revision would also allow law enforcement vehicles to legally park in the center median to monitor traffic conditions, detect violators, and create a deterrent to bad driving behavior. Currently, law enforcement must park on the improved shoulder to monitor traffic. These changes did not pass. We recommended these changes in the 83rd Session as well.

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

None.

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

Name of Program or Function: *Major Criminal Investigations*

Location/Division: *Texas Ranger Division*

Contact Name: *Division Director Randy Prince*

Actual Expenditures, FY 2016: *\$24,032,154*

Number of Actual FTEs as of June 1, 2017: *244 (172 Commissioned Rangers)*

Statutory Citation for Program: *The Department of Public Safety's enabling law, The Texas Government Code, Section 411 provides as follows:*

Section 411.021 defines the Texas Rangers: "The Texas Rangers are a major division of the department consisting of the number of rangers authorized by the legislature. The highest-ranking officer of the Texas Rangers is responsible to and reports directly to the director. Officers are entitled to compensation as provided by the legislature."

Section 411.022 defines the authority of Texas Rangers: "An officer of the Texas Rangers is governed by the law regulating and defining the powers and duties of sheriffs performing similar duties, except that the officer may make arrests, execute process in a criminal case in any county and, if specially directed by the judge of a court of record, execute process in a civil case...An officer of the Texas Rangers has the authority to investigate offenses against public administration prosecuted..."

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

Since the very beginning of the Texas Department of Public Safety, The Texas Ranger Division has remained the major criminal investigative branch of the Department for major crime, public integrity, and public corruption cases, working in close coordination with the Criminal Investigations Division, the Intelligence and Counter Terrorism Division, and other law enforcement partners at the federal, state, and local levels in fulfilling this responsibility. Texas Rangers are highly trained, versatile officers who perform a variety of key functions in leading major case, cold case, officer-involved shooting, public corruption, and public integrity investigations. The Texas Rangers provide investigative expertise and assistance to local law enforcement agencies in the identification, arrest, and conviction of subjects responsible for major and/or violent crimes. Some examples of some of the major, complex criminal investigations and operations conducted by the Texas Rangers in recent years are as follows:

- FLDS church investigation (2008)
- Fort Hood Mass Shooting (2009)
- Twilight Rapist Investigation (2009)
- Super Bowl 45 (2010)
- East Texas Church Burnings (2010)

- Kaufman County DA Shootings (2013)
 - West Fertilizer Explosion (2013)
 - Fort Hood Mass Shooting (2014)
 - Raymondville Prison Riot (2015)
 - Twin Peaks Restaurant Shooting (2015)
 - Pope Francis' Visit to El Paso (2016)
 - Dallas Police Ambush (2016)
 - Super Bowl 51 (2017)
- *Texas Ranger Major Crime Scene Team* – The Texas Ranger Major Crime Scene Team (MCST) consists of Texas Rangers working with personnel of the DPS Crime Laboratory. Members of the MCST are selected based upon demonstrated exceptional skill in the area of crime scene investigation and specialized training in one or multiple disciplines associated with the investigation of major crime scenes acquired at an advanced, approved forensic academy. MCST responds to significant, high-profile criminal events that involve the activation of multiple Texas Rangers or other advanced criminal investigative assets required by the demands of the situation. An example of a scenario requiring MCST response is an incident of multiple shootings, homicidal violence, or significant violent attack on a high profile person or group of people.
 - *Unsolved Criminal Investigation Program* – The primary objective of the unsolved criminal investigation program is to provide Texas law enforcement agencies with a process for investigating unsolved murders or what appear to be serial or linked criminal transactions. Because there is no statute of limitations on the offense of murder, Texas has the moral and statutory obligation to pursue these cases either to a successful resolution or until no viable leads remain. The Texas Rangers who participate in the Unsolved Criminal Investigation Program devote every possible effort to investigate these crimes to achieve a positive resolution for the victims, the surviving families, and the surrounding communities.



An excellent example of the effectiveness of the UCIP function involves the high profile, unsolved murder of Irene Garza of McAllen. Irene Garza was last seen alive on April 16, 1960, when she went to confession at the Sacred Heart Church in McAllen, Texas. Irene was reported missing by her family the following morning. Volunteer searchers discovered



Irene's body five days later. A visiting Catholic priest was identified as the cleric who heard Irene Garza's last confession. Despite initial investigative efforts by local police investigators, Irene's murder went unsolved for the next 55 years. The investigation into Irene's murder was reopened by a Texas Ranger assigned to the newly created UCIP Program in 2002 and again in 2014. Working in tandem with local investigators and the Hidalgo County District Attorney's Office, a positive link was established between evidence found at the original crime scene and former priest John Feit.

In February, 2016, the now 83-year-old Feit was arrested and charged with Irene's murder. John Feit is currently being held in the Hidalgo County Jail awaiting trial.

- *Forensic Art* – Forensic artists assist investigators by developing evidentiary artwork for criminal investigations in the form of composite drawings of persons of interest or suspects. These drawings are developed using a combination of techniques: interviewing victims or witnesses, performing post-mortem image enhancements of deceased persons, constructing 2-D and 3-D facial reconstructions based on skeletal remains of unidentified persons, performing image enhancements, and clarifying assorted images. These artists often operate within a multi-agency network: they assist city, county, state, federal, and military law enforcement agencies across the state, often traveling in the course of their duties. Forensic art has proven to be, in numerous investigations, the single investigative lead that results in the capture and ultimate prosecution of violent criminal offenders. Examples of forensic art include the following:

- Composite drawings
- Comparative image analysis
- Age-progressed images
- Facial reconstruction
- Associated-articles drawings
- Photo array image enhancement



In April, 2010, a 14-year-old girl was kidnapped while walking home in Nacogdoches County. She was taken to a remote location at knifepoint and sexually assaulted. The victim met with a Texas Ranger forensic artist who was able to develop a forensic sketch of the suspect, which was released to the public. A parole officer recognized the image and identified the suspect. The identification was later confirmed through DNA matching. The subject was arrested, convicted, and sentenced to 20 years confinement, after additional victims came forward.



Composite drawing
taken 14 years prior



Suspect's work
identification photo

- *Investigative Hypnosis* – The Texas Ranger Headquarters serves as the primary coordinator for the Department's hypnosis function. Similar to the Texas Ranger forensic art function, the Investigative Hypnosis serves to support and assist criminal investigations by providing additional information or investigative leads that can be substantiated.

An example of the effectiveness of the investigative hypnosis function is a case that involved a female victim who was found in a plowed crop field; partly clothed, unconscious,

and with multiple stab wounds on her body. The victim had no recollection of events leading up to her assault, including the cause of her injuries, and she did not realize she had been sexually assaulted. While under hypnosis, she was able to recall the events leading up to her violent assault, the details of her attack, the persons who allegedly attacked her, including the vehicle used to transport her to the crime scene location. With the corroboration of the information obtained through the hypnotic interview, the vehicle was located and a search warrant was executed on that vehicle. On 12-02-2016, two suspects were arrested for aggravated sexual assault.

- *Officer-Involved Shooting Investigations* – One of the greatest assets the Texas Ranger Division offers to local, state, and federal law enforcement agencies is to conduct an independent, thorough, and unbiased criminal investigation for an agency involved in an officer-involved shooting. Texas Rangers are specifically trained to conduct officer-involved shooting investigations that involve the processing of highly complex crime scenes including digital forensic mapping, scene reconstruction, and the coordination of specialized interviewing techniques of involved persons.



In 2016, the Waco Police Department and the McLennan County District Attorney's Office requested the Texas Rangers to review their officer-involved shooting investigation at the Twin Peaks Restaurant. In that incident, rival motorcycle clubs assaulted each other, resulting in nine individuals dead and 22 injured. In September, 2016, after conducting an in-depth review of the Twin Peaks incident, the OISWG presented the review of the officer-involved shooting investigation to a McLennan County Grand Jury.

- *White Collar Crimes* – Texas Rangers are routinely called upon to investigate financially motivated, non-violent crimes, including embezzlement, investment scams, bribery, and other monetary frauds committed by business or governmental professionals. Commissioned members assigned to the Public Integrity and Public Corruption Units are dedicated to these types of crimes, which cost Texas taxpayers millions of dollars annually.

These irreplaceable functions are essential in providing a safe, secure, and transparent environment for the people of Texas.

- C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.**

The Texas Ranger Division is tasked with conducting major, complex criminal investigations in support of various partner law enforcement agencies in the State. Many different areas contribute to the measure of performance used to evaluate the effectiveness of the programs and functions of the Texas Ranger Division, to ensure as accurate an assessment as possible in gauging the effectiveness of the division. One method of assessing major criminal investigations is to tally the numbers of high threat criminal offenses investigated, charges filed, and arrests made by Texas Rangers during each calendar or fiscal year. *High threat crimes* are crimes involving homicide, sexual assault, aggravated assault, robbery, burglary, kidnapping, arson, escape, and weapons offenses. In FY2015 and F 2016, Texas Rangers conducted 2734 high threat criminal investigations and 1551 of those investigations resulted in arrests.

Texas Rangers routinely respond to major criminal investigations that involve officer-involved shootings and, on occasion, require a response by the Major Crime Scene Team. Officer-involved shootings are emotionally charged events that have a significant impact on the community and the agency involved. In light of the importance of the investigation methodology and outcome, one of the greatest assets the Texas Ranger Division offers to the public and the law enforcement community is to conduct an independent, thorough, and unbiased criminal investigation. In 2015, Texas Rangers were called to conduct 73 officer-involved shooting investigations for various law enforcement agencies in Texas. In 2016, the Rangers conducted 105 officer-involved shootings, a 43% increase from the year before. The increase in the number of law enforcement agencies that call upon the Rangers to conduct such investigations is, in itself, a measure of success.

Multiple functions are often employed to work together to support major criminal investigations. Given the unique investigative characteristics of such functions such as unsolved criminal investigations, forensic art, and hypnosis, performance is measured by the level of supportive activity and results. Since 2001, the unsolved crimes investigation function has cleared or solved approximately 62 cases. In 2016, UCIP Rangers actively managed and investigated approximately 75 unsolved crimes, predominantly homicides and missing person cases. Between FY2015 and FY2017, UCIP Rangers successfully solved 23 cold case investigations.

The Forensic Art and Hypnosis sections, which often work in combination to achieve impressive investigative results, have shown a steady increase in activity year after year. As a result, the forensic artists who work in combination with the hypnosis function complete an average of 75 to 100 cases annually, including unsolved investigations.

Forensic & Hypnosis Casework

FORENSIC ARTIST	FY 2015	FY 2016	FY 2017 ^{EST}	FY 2018 ^{PRD}	FY 2019 ^{PRD}
RANGER ASSIST	64	36	50	50	50
OTHER DPS ASSIST	14	33	15	15	15
OUTSIDE AGENCY ASSIST	22	26	33	33	33
TOTAL CASES WORKED	100	95	98	98	98

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

Early History

In 1821, Stephen F. Austin, known as the "Father of Texas," made a contract to bring 300 families to the Spanish province that today is Texas. By 1823, approximately 600 to 700 people had settled in Texas not far from the Gulf of Mexico, hardy colonists from the various parts of the existing United States. There was no regular army to protect them, so Austin called the citizens together and organized a group to provide the needed protection. Austin first referred to this group as the "Rangers" in 1823, because their duties compelled them to range over the entire country. This gave rise to the service known as the Texas Rangers.

In December, 1836, the Congress of the Texas Republic (1836-1845) passed a law that enabled then-President Sam Houston to raise a battalion of 280 mounted riflemen to protect the frontier. The term of service was to be six months. It was during this period that the Texas Rangers began to make for themselves a name that spread far beyond the borders of the state. After the Revolution and up to 1840, the Rangers were used principally for protection against the Indians, and history shows how active they were in this service.

Texas seceded from the Union and joined the Confederacy by action of a convention on January 28, 1861, ratified February 23, 1861. While not much of the War Between the States (1861-1865) was fought on Texas soil, Texans contributed much to the strength of the Confederacy. Texas was readmitted to the Union on March 30, 1870.

The Rangers were organized into companies, but not regiments or brigades. The company was in the charge of a captain or a lieutenant and sometimes a sergeant. The company was headquartered in Austin, where the captains reported to the headquarters officer. Under the Republic of Texas, this officer was the Secretary of War; under the state, until 1935, he was the Adjutant General; since then, the officer has been the Director of the Texas Department of Public Safety.

From Frontier Battalion to Police Force

The Frontier Battalion was abolished in 1901 and Ranger activities were redirected towards law enforcement among the citizens. The Ranger Service was reorganized under a new law. Each Ranger was considered an officer and was given the right to perform all duties exercised by any other peace officer. Rangers were stationed either in far West Texas or along the Mexican border. The later years of the 19th Century saw the Rangers involved in work better described as "detective" work.

On August 10, 1935, when the Texas Legislature created the Texas Department of Public Safety, the Texas Rangers and the Texas Highway Patrol became members of this agency, with statewide law enforcement jurisdiction.

Modern-Day Rangers

The true modern-day Ranger came into being on September 1, 1935, when the Legislature created the Texas Department of Public Safety. Since that time, the Texas Ranger Division has remained the major criminal investigative branch of the Department for major crime, public integrity, and public corruption cases, working in close coordination with the Criminal Investigations Division, the Intelligence and Counter Terrorism Division, and other law enforcement partners at the federal, state, and local levels in fulfilling this responsibility. The Texas Rangers are the oldest law enforcement organization on the North American continent with statewide jurisdiction. They are virtually unlimited in the scope of service they dedicate to the service and protection of the State. There are over 77,000 peace officers commissioned as local and state police officer in this state and, of those, only 0.2% are Texas Rangers.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

As the major criminal investigative unit of violent crimes against persons within the Department of Public Safety, the Texas Rangers are responsible for providing investigative assistance to federal, state, and local law enforcement agencies within and outside the State of Texas.

According to the Texas Commission on Law Enforcement, there are 2,660 law enforcement agencies that employ a total of 77,183 peace officers within the state.

The Texas Rangers, in support of various levels of law enforcement and government officials, become involved in major criminal and special criminal investigations through requests from the officials having jurisdiction. Rangers receive a myriad of different types of criminal investigative requests that typically come from the heads of police departments, sheriffs' offices, or state and federal prosecutors that have jurisdiction.

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

The Texas Rangers are a division of the Texas Department of Public Safety, headquartered in Austin, and divided into six companies that serve the state's 254 counties. The Texas Ranger Division is commanded by a Division Director, who reports to a Deputy Director and to the Director of DPS. The Texas Rangers operate in concert with, but independent from, the DPS Regional Command. The Director has maintained this command structure based on Texas Government Code and with the goal of maintaining an autonomous stance, allowing the focus to be on truth and fact and free from influence, while conducting investigations involving employee criminal conduct and officer-involved shooting incidents. The state is divided into six geographical areas or companies, each under the supervision of a Major, as illustrated by the following map.



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

AY 2016

	0001 General Revenue	\$24,007,921
	0666 Approp Receipts	\$24,234
	Total	\$24,032,154

*Funding and expenditures for the *Major Criminal Investigations and Operations* item include the individual programs identified as *Corruption Investigations, Major Criminal Investigations, Major Operations, and Special Operations/Capabilities*.

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

Large municipal and county law enforcement agencies perform similar functions within their limited jurisdictions. Federal agencies, such as the FBI, perform similar functions by providing criminal investigative assistance to state and local law enforcement agencies within the state when federal laws are violated.

The similarities to these large city and county agencies within the state become apparent when individual investigative functions are compared to the same or similar investigative functions

performed by the Texas Ranger Division, for example, officer-involved shootings, homicide, public trust, or investigations similar to the investigations of an internal affairs division responsible for conducting administrative and criminal investigations within its own agency.

The difference between the Texas Rangers and other similar investigative agencies is that there are no local, state, or federal agencies that carry out the same or similar functions and have the same breadth of investigative and law enforcement responsibilities that the Texas Rangers have. No other state agency is charged with the investigative responsibility of the Texas Rangers: it begins with the initial response and continues through providing subject matter expert testimony in court. The Texas Ranger Division conducts, as a routine function, complex major criminal investigations that include initial response, photo documentation, scene processing, forensic mapping, advanced interview and interrogation procedures, criminal reporting, and expert testimony.

Internal similarities exist within the Department of Public Safety, because the criminal investigative responsibilities of the Texas Ranger Division and the Criminal Investigation Division (CID) often overlap. These similarities most often exist in the areas of significant criminal activity, for example, violent offenses against persons during the course of human smuggling or human trafficking organizations. The Texas Ranger Division frequently works closely with CID agents in an investigation into organized criminal activity that involves violations of public trust. The Office of Inspector General (OIG) is the primary administrative investigative division within the Department. However, the Texas Ranger Division also has that capability and has, when appropriate or when assigned, conducted special administrative investigations for the Department.

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

The Texas Ranger Division is the primary criminal investigative branch of the Department of Public Safety and conducts criminal investigations solely or in conjunction with other criminal investigative divisions within the Department. As mentioned in the response to Question H, the Texas Ranger Division routinely works in conjunction with CID in efforts to advance the Department's mission. To avoid duplication, the Department has defined clear investigative responsibilities for certain types of crimes investigated by each division. For example, the CID is charged with the enforcement of the state's laws involving drug, criminal organizations (gangs), and human trafficking in Texas. The Texas Ranger Division is tasked with conducting investigations of major crimes such as homicides, public corruption, and sexual assault offenses. Oftentimes, criminal investigations involve activities that include multiple types of offenses, and those offenses fall under the jurisdiction of more than one Department division. When that occurs, the implementation of effective interdivisional communication has been the predominant factor in the successful coordination of investigative efforts of the involved divisions.

Texas Rangers and CID Agents work hand-in-hand on hundreds of criminal investigations each year throughout the state. Two examples of high profile, major criminal investigations that involved the successful coordination of the investigative efforts of these two divisions were the Kaufman County Prosecutor Shootings in 2013 and the Twin Peaks Restaurant shootings by rival motorcycle clubs in Waco in 2015. An understanding of the Department's investigative guidelines and effective inter-divisional communication are the keys to the success before and during joint criminal investigations.

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

Nearly every function of the Texas Rangers Division at some point involves working with or leading local, regional, or federal units of government. One of the main functions of the Texas Ranger Division is to assist local, state, and federal government in suppressing crime, conducting complex and major criminal investigations, apprehending wanted fugitives (including federal fugitives), and responding to acts of terrorism.

An example of work that is coordinated between various agencies and at different levels is officer-involved shootings. Texas Rangers are routinely called upon to conduct independent, unbiased criminal investigations into the actions of a law enforcement officer who has used deadly force against a subject.

Texas Rangers also routinely conduct specialized criminal investigations alongside Federal Bureau of Investigation Agents as they investigate public trust crimes that involve both state and federal offenses. This includes the blending of different interdepartmental divisions to assist with specialized aspects of the investigation such as narcotics or human smuggling.

Similar to the way local and state law enforcement and officials look to and rely on the Texas Rangers for support, at times, the Texas Ranger Division relies upon the cooperative assistance of our federal partners in the Federal Bureau of Investigation; Alcohol, Tobacco and Firearms; the Drug Enforcement Agency; the US Marshall's Service; and all branches of the military.

A significant number of criminal investigations in which Texas Rangers have a material involvement also include the participation of local law enforcement officials. Establishing productive relationships with local law enforcement creates increased opportunity to provide investigative support and, at times, provides an opportunity for the Texas Ranger to act as liaison between local and federal officials.

K. If contracted expenditures are made through the Major Criminal Investigations program please provide:

- **Provide a short summary of the general purpose of those contracts overall;**

The Major Criminal Investigations Program involves various different expenditures involved related to basic and advanced criminal investigative training or equipment. Also included are expenses related to investigative support functions within the Division such as vehicle maintenance, office supplies, and various electronic equipment including cellular telephones and computer equipment.

- **The amount of those expenditures in fiscal year 2016;**
- **The number of contracts accounting for those expenditures;**
- **The method used to procure contracts;**

DPS follows the procurement method requirements as defined in Texas Gov't Code Chapters 2155, 2156, 2157, 2158, and 2161 and 34 Texas Administrative Code (TAC) Chapter 20. DPS also follows the state's Contract Management Guide and Procurement Manual that are published by the Comptroller of Public Accounts.

In FY16, DPS procured goods and services using Council on Competitive Government, Texas Correctional Institute, Texas Institute for the Blind and Handicapped, Term, Managed, and TXMAS contracts available through TX SmartBuy. These contracts are managed by the Comptroller of Public Accounts, and state agencies issue purchase orders against those contracts.

DPS also procured goods and services using DIR contracts for certain technology related procurements in FY16. These contracts are managed by the DIR, but agencies can issue purchase orders and agreements against these contracts.

DPS also procured goods and services on the open market in those instances where there was no state contract in place or where the dollar amount associated with the procurement exceeded the limits of use for the state contract. For example, in FY16 SB 20 required that any technology procurements that were over 1 million be solicited on the open market. For non-technology goods that were over 25K and services that were over 100k, DPS would be required to seek delegation from the Comptroller's office before being authorized to solicit on the open market. In some cases the Comptroller would decide to perform the solicitation on behalf of the Department.

- **The top five contracts by dollar amount, including contractor and purpose;**
 - **PO- 405-16-P004892** valued at \$17,300,000.00 with TEXAS MILITARY DEPARTMENT for National Guard Transitional Deployment
 - **PO- 405-16-P004449** valued at \$3,320,000.00 with TEXAS MILITARY DEPARTMENT for State Border Security Program
 - **PO- 405-16-P006266** valued at \$2,395,122.00 with TEXAS PARKS & WILDLIFE DEPARTMENT for TPWD Personnel Deployment

- **PO- 405-16-P008102** valued at \$186,947.36 with GT DISTRIBUTORS INC for Dual Night Vision Binoculars
- **PO- 405-16-P009862** valued at \$135,856.35 with HECKLER & KOCH for Rifles

- **The methods used to ensure accountability for funding and performance;**

Each contract has an assigned contract monitor from the division that has been provided with internal training and procedures for monitoring the deliverables and performance of the contract and supplying vendor performance reports. The official contract manager in Procurement & Contract Services works with the division contract monitor, OGC, and Finance to administer and manage contract and vendor performance, ensure compliance with applicable statutes, rules, and policies, and officially address any needed corrective action. Finance is responsible for maintaining compliance with payment rules based on validation from the division that goods and services were received and performance criteria were met.

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

The largest issue with contracting at DPS is the lack of delegated authority for many purchases from the Comptroller's office. Please see the Major Issue regarding delegated authority.

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

Not Applicable

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

None

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

None

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

Name of Program or Function: *Major Operations (Terrorist & Significant Criminal Attack Response, Drawbridge, JOIC, BSOC, Ranger Recon)*

Location/Division: *Texas Ranger Division*

Contact Name: *Division Director Randy Prince*

Actual Expenditures, FY 2016: Funding and expenditures for this program are included in the *Major Criminal Investigations* program.

Number of Actual FTEs as of June 1, 2017: *FTEs are assigned on a contingent basis as a secondary duty on a continuous basis until the situation or incident is resolved to a successful conclusion. Permanently assigned FTEs to Drawbridge, BSOC and JOIC operations include 14 FTEs and 68 contract employees from the Texas Military Forces to assist with administrative and logistical support to Border related operations.*

Statutory Citation for Program: *The Texas Government Code, Section 411.002 creates the Department of Public Safety of the State of Texas as an agency of the state to enforce the laws protecting the public safety and provide for the prevention and detection of crime. The department is composed of the Texas Rangers, the Texas Highway Patrol, the administrative division, and other divisions that the commission considers necessary.*

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

- *Terrorist & Significant Criminal Attack Response* – The State of Texas is at risk from terrorist attacks and significant criminal attacks against its citizens and its critical infrastructure. A coordinated campaign of terrorist attacks or significant criminal attacks, using explosives or mass shooters, could have severe physical and psychological consequences for the state and nation. Recent terrorist attacks and attempted attacks in Texas and other locations around the world demonstrate the persistence of this threat. The Texas-Mexico border remains vulnerable to potential entry by terrorists using established routes for illegal smuggling and/or traffic.

The purpose of this activity is to provide a standardized framework to facilitate organization and execution of a rapid, effective DPS response to critical incidents including terrorist attacks and significant criminal attacks in Texas. This activity focuses on aspects of both preparation and response through a task force initiative. The guidelines under this activity establish a structure for a systematic, coordinated, unified, timely, and effective DPS response to terrorist threats and attacks; and they are also applicable to significant criminal attacks such as mass shootings and other major criminal acts.

These activities and major operations include both critical incident responses and the resulting major criminal investigations. Under this strategy, the Texas Rangers provide investigative expertise and specialized assistance to local law enforcement agencies in the identification, arrest, and conviction of subjects responsible for major and/or violent crimes.

Some examples of the major, complex criminal investigations and operations that required an investigative or specialized tactical response or both that were conducted by the Texas Rangers in recent years are as follows:

- FDLS church investigation, 2008
- Fort Hood Mass Shooting, 2009
- Governor's Manson Arson, 2009
- Twilight Rapist Investigation, 2009
- East Texas Church Arsons, 2010
- Super Bowl 45, 2011
- Kaufman Prosecutor Murders, 2013
- West Fertilizer Explosions, 2013
- Fort Hood Mass Shooting, 2014
- Waco Twin Peaks Mass Shooting, 2015
- Pope Francis Security, 2016
- Dallas Police Ambush, 2016
- Super Bowl 51, 2017
- Operation North Star, 2017

This list includes the most significant high profile investigations conducted in recent years. While this list is not all inclusive, it is representative of the time, personnel, and resource-intensive nature of the public safety operations conducted by the Ranger Division in concert with the Regional Command structure.

- *Border Security Operations* – The Texas Rangers have been heavily involved in state-directed operations to bolster the level of security along the Texas-Mexico border. The Texas Rangers oversee the Border Security Operations Center, Joint Operations Intelligence Centers, and the Operation Drawbridge program, which consists of motion-detecting cameras that dramatically expand the state's ability to detect smuggling events in real time.
- The Mexican cartels are one of the most significant organized crime threats to Texas and the nation, and their trafficking alliances with transnational and US-based gangs amplify the public safety threat to our communities. There are serious consequences beyond drug and human trafficking of having an unsecure border with Mexico, such as the following:
 - Kidnapping and extortion
 - Public corruption
 - Shootings at US law enforcement officers from Mexico
 - Cartel-related homicides in Texas
 - High-speed felony vehicle evasions in border communities
 - Home invasions
 - Pseudo police stops

- Recruitment of our children to support cartel operations on both sides of the border
- The influx from Mexico into our schools and communities of young gang members who bring a deviant narco-culture prevalent throughout Mexico
- Enhanced integration of criminal operations among gangs
- Criminal aliens

The Governor and Legislature directed DPS to increase the level of security at the Texas-Mexico border by working with our local and state partners to provide direct support to the US Border Patrol in the deterrence, detection, and interdiction of smuggling events between the Ports of Entry. We have done this by increasing the detection coverage and interdiction capacity (with the resources provided by the Texas Legislature), employing around-the-clock ground, air, and marine patrol operations on the border using ground units, tactical units, detection technologies, fixed-wing and rotary aircraft, tactical boats, and Cortina Units (patrol units with both a Border Patrol Agent and a DPS Trooper).

In 2015, Governor Abbott and the Texas Legislature directed DPS to continue the state's ongoing border security operations, known as Operation Secure Texas (OST), and during the 84th legislative session, Texas legislative leaders provided DPS with additional resources to continue implementing OST. Included in those additional resources were 250 new Trooper positions to be permanently assigned to the border regions, 22 new Texas Ranger positions intended to focus on border-linked activity, and a new Pilatus aircraft.

- *Ranger Reconnaissance* – In 2009, the escalation in violence perpetuated by the Mexican Cartels in the border region posed significant challenges for conventional law enforcement. The Texas Rangers, the lead Texas law enforcement agency responsible for oversight of border security operations along the Texas-Mexico border, were directed by Governor Perry to form a unit capable of operating in the remote areas not accessible by conventional law enforcement.

The Texas Ranger Reconnaissance Program serves as an elite operational team able to react swiftly to address problems such as cross-border or interior violence created by Mexican-based Transnational Criminal Organizations (TCOs) and their supporting infrastructure inside the State of Texas. The TCOs have become better organized, more brutal, and more aggressive in their tactics. The TCOs and their existing networks, such as the gatekeepers and transnational gangs, pose a growing threat to civilian law enforcement inside the State of Texas, especially along the border with Mexico, where violent interactions are becoming more prevalent.

The Texas Rangers assigned to this program possess the necessary skill sets to operate successfully in these remote regions of Texas near the border in order to locate and interdict drug smugglers and/or narco-terrorists who exploit our State for their criminal enterprises. This program predominately serves as the Texas Ranger response to the Governor's edict on Texas Homeland Security through Operation Border Star.

The Texas Ranger Reconnaissance (Recon) Unit is capable of reacting to emergencies and other situations requiring a specialized law enforcement response. Its specialized capabilities are deployed to preclude, preempt, interdict, and resolve criminal or terrorist incidents having an impact on public safety in Texas. These deployments might be unilateral in nature or they might be supported by local, state, or federal agencies. Operational priorities and deployment considerations vary as needed, based on the specific circumstances of an event, and the missions themselves are dynamic.

The Texas Ranger Reconnaissance Unit has become successful because of the combination of Texas Ranger tradition and heritage with a continuous process of assessment, mission analysis, and operationally focused training. The Reconnaissance Unit continues to use emerging technologies to identify required resources in order to refine capabilities and enhance success for assigned missions.

These specialized tactical operations are of a maneuver-type nature, conducted in rural, sparsely populated, remote, and often rugged terrain, to interdict the movement of drugs, contraband, and the arrest suspects. These operations might also include counter-border violence missions, with the intent of reducing spill-over violence from border areas.

Special reconnaissance and surveillance is conducted by the unit, using visual observation or other collection methods, to obtain, verify, and deny information concerning the capabilities, intentions, and activities related to actual or potential criminal acts or terrorist threats with access to the border. The unit might be a subcomponent of other missions and might also complement the intelligence community or law enforcement agency collection systems, for example, high altitude imagery or signals intelligence.

The Texas Ranger Reconnaissance Unit has leveraged relationships and resources for logistical, surveillance, and training support from the Texas National Guard. In 2009, the Reconnaissance Unit integrated and coordinated with the Texas National Guard, acting under authority from the Governor, to augment law enforcement efforts in fighting drug smuggling and narco-terrorism in our State. The Texas National Guard Counter Drug Task Force - Special Operations Division (CDTF-SOD) possessed the resources and sophisticated equipment necessary to be effective in remote operation assignments. Joint training and mission planning between the Reconnaissance Unit and the CDTF-SOD led to operational success. Further, the CDTF was capable of providing crucial, rapid, and heavy aviation support to augment and support both mission capability and DPS aviation capabilities.

The Reconnaissance Unit's leadership uses the Texas Division of Emergency Management (TDEM) and its resources through the Border Security Operations Center (BSOC) to help plan, evaluate, and coordinate operational missions. The BSOC and the Governor's Homeland Security personnel are valuable non-criminal justice assets and are used for intelligence, logistical, and other pre-planning resources, including, but not limited to,

deconfliction with affected agencies, interaction with private land owners, and communications interoperability.

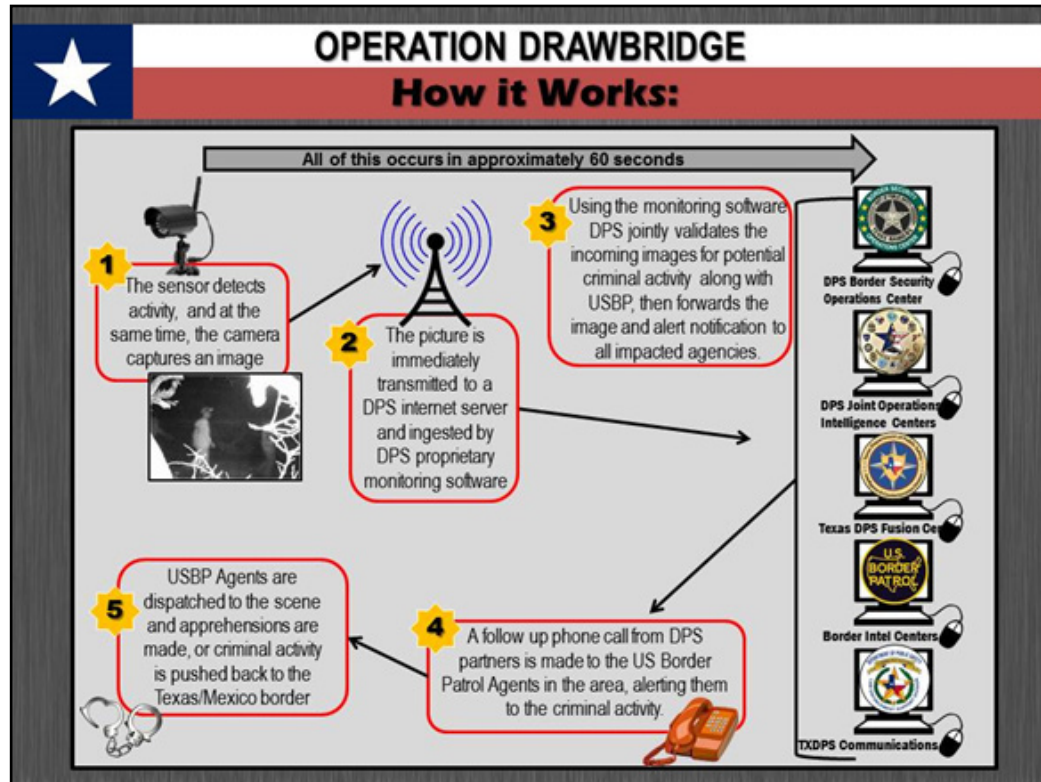
The personnel in this unit have proven to be instrumental in furthering interagency cooperation and mutual intelligence sharing. This unit has conducted, with outside agencies, numerous operations that have produced numerous apprehensions and narcotics seizures. Recon Rangers are adept at creating and managing productive interagency relations and continue to foster harmony with local, state, and federal agencies related to homeland security.

- *Operation Drawbridge* – The Texas-Mexico border communities face a number of challenges every day including undocumented individuals illegally entering the United States, transnational criminals smuggling weapons and drugs, human trafficking organizations, and extremists who want to disrupt the daily lives of Texans – to name a few. The Texas-Mexico border is over 1,200 miles long, and it is difficult to monitor the multitude of terrains along the Rio Grande River. Texas counties contiguous to the Mexico border encompass an area of 46,502 square miles, or an area slightly larger than six US states (Connecticut, Delaware, Maryland, Massachusetts, New Hampshire, and Rhode Island). The vast geographical area produces immense challenges with regard to the ability to combat border-centric criminal activity, and law enforcement does not have the manpower or the tools necessary to effectively combat this criminal activity. Technology is absolutely essential in protecting Texas and the nation. The use of detection and surveillance technologies – video, cameras, and sensors – can provide real-time information on exact locations of criminal exploitations. Since 1970, the United States Border Patrol (USBP) has employed sensor technology to assist law enforcement to remotely detect the presence of illegal aliens entering the United States. While seismic and magnetic sensors improve detection capability, they cannot differentiate between illegal activity and legitimate events, and USBP Agents spend an exorbitant number of hours investigating legitimate activities.

The State of Texas was faced with the challenge of dramatically increasing the effective use of detection technology throughout the entire border region in a way that was affordable, flexible, and foolproof. Operation Drawbridge provides that capability using low cost, commercial, off-the-shelf technology in combination with a sophisticated software monitoring system created in-house by Texas Department of Public Safety Information Technology (IT) personnel to further lower operational costs. Thousands of wild-life cameras with motion detection and low light capabilities are deployed along the border.

These cameras are monitored 24 hours a day, seven days a week by individuals at the DPS Border Security Operations Center (BSOC) and DPS Joint Operations Intelligence Centers (JOICs) (both augmented by Texas State and National Guard soldiers), DPS communications facilities, and Texas Parks and Wildlife (TPWD) dispatch centers. Real-time alerts and images are sent to participating law enforcement agencies located in the areas where the cameras are deployed, allowing agents to respond quickly and efficiently. This allows Border Patrol

and local law enforcement agencies to use their core strengths to place the cameras in areas of detected trails and to organize quick responses. No such technology has previously been established in the law enforcement arena, and Operation Drawbridge has enabled a strategic, sustained team approach to border trafficking.



- *Joint Operations Intelligence Centers and the Border Security Operation Center* – The Border Security Operations Center (BSOC) is the core program of Operation Border Star, a statewide ongoing mission dedicated to providing robust support to all agencies engaged in securing the Texas-Mexico border. The objective of the BSOC is to be the central information clearinghouse and resource for the Department of Public Safety’s border security support efforts. The BSOC produces and distributes both analytical and predictive intelligence, supports joint-agency border security-related operations, develops new technology into fully deployable law enforcement tools, and maintains the multi-agency Unified Command under Operation Border Star. The BSOC provides technological and analytical support for tactical operations conducted by the Texas Rangers Special Operations Group, the Texas Marine Unit, and DPS Aviation. This function is supported by field Joint Operation Intelligence Centers (JOICs).

Each Unified Command in Operation Border Star is supported by a Joint Operations and Intelligence Center (JOIC). The primary function of the JOIC is to promote interagency communication, field intelligence collection, and information sharing. To accomplish this, the JOIC plans the deployment of law enforcement assets and criminal activity data from

across the Unified Command, assesses the information, disseminates information and intelligence products to Unified Command participants using TxMAP, coordinates after-action reviews, prepares Daily Operational Summary reports, and contributes weekly sector highlights for compilation in the Border Operations Sector Assessment prepared by the BSOC.

Operation Border Star JOICs are located in Victoria (Coastal Bend Unified Command), Edinburg (Rio Grande Valley Unified Command), Laredo, Del Rio, Marfa, and El Paso. Del Rio, Laredo, Edinburg, and Marfa JOICs are co-located with the US Border Patrol stations in those areas. The El Paso JOIC is co-located with the El Paso Police Department. The Coastal Bend JOIC is located adjacent to the Victoria Sheriff's Office.

Additionally, each JOIC exercises primary responsibility for intelligence efforts in its sector; supports and enhances interagency unity of effort within the Unified Command; serves as a clearinghouse for data collection and dissemination; prepares and disseminates a Common Operating Picture to its law enforcement agencies; prepares and disseminates Situation Reports and weekly operational assessments to sector sheriffs' offices, police departments, and other participating agencies; coordinates and prioritizes air mission requests and assets within the sector; facilitates Unified Command teleconferences; monitors and assists in the Drawbridge program as needed to meet those goals and objectives; provides real-time actionable information to members of the Unified Command; and develops options and recommendations for consideration by the Unified Command.

Joint Operations and Intelligence Centers are staffed by Texas Military Forces contract employees and are resourced to be able to maintain the capability for extended operations on a 24 hours-per-day, 7 days-per-week basis.

During enhanced patrol or directed operations, the JOIC staff can be expanded to include representatives of participating agencies temporarily assigned as liaisons or detailed to assist in coordination and control functions. These agencies typically include, but are not limited to, county sheriffs' offices, metropolitan police departments, Texas Highway Patrol, Criminal Investigation Division, Texas Parks and Wildlife Division, US Border Patrol, Drug Enforcement Administration (DEA), and other participating federal, state, local, and private agencies.

- C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.**

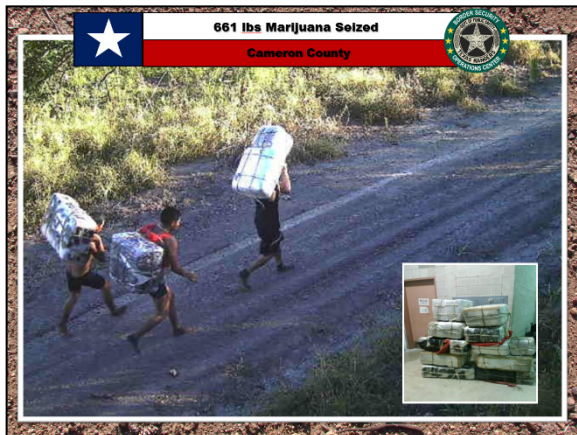
Response to terrorist and significant criminal attack has included the following:

- *Twilight Rapist Investigation (2009)* – The “Twilight Rapist” was responsible for more than a dozen home invasions and sexual assaults of elderly women living alone in DeWitt, Lavaca, Leon, Falls, Caldwell, McLennan, and Bell Counties of Texas between January, 2009 and January, 2011. These serial attacks, hundreds of miles apart but linked by forensic evidence, caused the Department of Public Safety to implement the recently developed strategy of classifying significant ongoing criminal events as major case investigations. This designation initiated an intensive investigative effort by a collaborative law enforcement task force led by the Texas Rangers. The end result of the intensive investigation led to the identification and arrest of a suspect, who was subsequently imprisoned on multiple life sentences.
- *Fort Hood Shooting (2009)* – On November 5, 2009, a significant number of Texas Department of Public Safety personnel responded to a mass shooting at the army base at Fort Hood. Thirteen soldiers and civilians were killed and more than 30 were wounded by a radicalized US Army Major and Islamic terror sympathizer. Approximately 30 Texas Rangers assisted the US Army Criminal Investigation Division with interviewing wounded victims and hundreds of witnesses who were present where much of the shooting took place. The assailant, shot by military police, survived to be court martialed. He stands convicted of military capital crimes and is awaiting execution.
- *East Texas Serial Church Arson Investigation (2010)* – In January and February, 2010, there were ten arsons and multiple attempted arsons of churches in northeast Texas. Texas Rangers from across the state and representatives of the Bureau of Alcohol, Tobacco, and Firearms joined other local, state, and federal partners from multiple agencies in establishing an investigative task force. Forensic evidence linked two suspects to multiple fires. Both suspects were charged with multiple counts of arson and subsequently received life sentences.
- *Kaufman County District Attorney Murder (2013)* – On January 31, 2013, a Kaufman County Assistant District Attorney was murdered in the courthouse parking lot. Two months later, the Kaufman County District Attorney and his wife were murdered in their home. Numerous Texas Rangers, Troopers, and CID Agents, working together with federal and local law enforcement, investigated a multitude of leads, many generated as a result of national media attention. Search warrants, interviews, and other investigative efforts resulted in the identification, indictment, and conviction of a former Justice of the Peace and his wife for capital murder. The former judge was sentenced to death and his wife was sentenced to 40 years in prison for their roles in the murders.
- *Fort Hood Shootings (2014)* – On April 2, 2014, a disgruntled soldier opened fire on military personnel at multiple locations on the Fort Hood US Army Base, killing four and wounding twelve before turning the pistol on himself and committing suicide as a result of being confronted by military police. A large cadre of Texas Rangers and US Army criminal investigators jointly worked a large crime scene and conducted numerous victim and witness interviews from approximately seven shooting locations on the base. Rangers

equipped with digital crime scene instruments assisted the FBI with mapping the scenes and determining the sequence of events and the path of the assailant.

- Operation North Star (2017)** – In April, 2017, Texas Rangers and Harris County Sheriff’s Office detectives coordinated efforts to curb a disturbing upward trend of violent robberies in north Harris County. After using advanced crime analysis to identify patterns and trends, the two agencies came together to form Operation North Star, with the purpose of targeting violent criminals who were victimizing numerous individuals and businesses in the area. Leveraging assets of the Department and the Regional Command, including the Texas Highway Patrol, Criminal Investigations Division, Aircraft, the Region 2 Special Response Team, and Texas Rangers, they worked beside local partners. The operation resulted in over a dozen organized robbery groups being dismantled and over 500 criminal arrests being made during the first three months of the initiative.
- Ranger Reconnaissance** – From August, 2009 through April, 2014, the Texas Rangers Special Operation Group conducted 42 reconnaissance missions in conjunction with local, state, and federal agencies. The purpose of the missions was to conduct interdiction efforts along the Rio Grande River to disrupt criminal activity involving the trafficking of humans, narcotics, stolen vehicles, firearms, and currency. As a result of these missions, the following seizures and arrests were made:

Marijuana	111,547 pounds
Cocaine	99.3 pounds
Methamphetamine	14.5 ounces
US Currency	\$38,795
Vehicles	160
Splashdowns	15
Criminals	138
Smugglers	145
Illegal Aliens	4607
Turn Backs	297



On June 18, 2014, the State Legislature directed the Texas Department of Public Safety to conduct saturation patrols along the Texas-Mexico border in the Rio Grande Valley of Texas to stem the dramatic increase of drug and human smuggling and to sustain integrated ground, marine, and air patrols around the clock. This operation was identified as *Operation Strong Safety (OSS)*, later changed to *Operation Secure Texas (OST)*. The Texas Ranger Special Operation Group (SOG) switched from conducting Recon Operations to focusing on OSS and OST. This operation is ongoing and running 24 hours a day, 7 days a week.

OST focuses on specific areas in South and West Texas. All the divisions of the Department participate in this operation and have joined forces with US Border Patrol. SOG operators and Troopers (identified as Cortina Units) have partnered with Border Patrol Agents, and together they patrol areas along the Texas-Mexico border. This operation has proven effective in addressing federal and state laws efficiently.

Contraband seizures by the Ranger Special Operations Group during Operation Strong Safety and Operation Secure Texas from June 22, 2014 to June 18, 2017 are as follows:

- Marijuana 141,891 pounds
 - Cocaine 64.89 pounds
 - Methamphetamine 3.2 ounces
 - Number of IA referrals 13,380
 - Number of firearms seized 9
- *Operation Drawbridge* – In January, 2012, an unprecedented Memorandum of Understanding (MOU) was signed between the Texas Department of Public Safety and US Border Patrol, in order to provide guidance for sharing wild-life cameras and services, consistent with goals and principles related to border security. At that time, 350 cameras were allocated to different USBP Texas Sectors and deployed along the border, monitored using the Drawbridge software. Since then, Operation Drawbridge and its partnership with the US Border Patrol, Border sheriffs' offices, and DPS assets have made a strategic and sustained impact on Cartel narcotic and human smuggling. As of May, 2017, the Drawbridge program has over 4,300 cameras deployed along the border, has been successful in detecting more than 295,000 criminal exploitations of the Texas-Mexico border, and has directly resulted in the apprehension of more than 140,000 individuals and more than 200 tons of narcotics, thus depriving TCOs of over \$2.4 billion and impeding the ability of TCOs to purchase weapons, bribe officials, and engage in other criminal activities.

The disposition of each suspicious image is reported to the BSOC by the responding agency, following their investigation of the activity observed in the image.

- *Border Security Operation Center and Joint Operation Intelligence Centers* – Since inception, the JOICs have collected data through Border Incident Activities Reports (BIARs). From

October, 2008 to the present, that data has been entered into a data collection software solution referred to as BorderStar TxMap.

The following chart displays the total number of incidents reported to the JOICs along the Texas border per fiscal year, along with the number of drug and currency seizure incidents.

PERIOD	TOTAL INCIDENTS	DRUG INCIDENTS	CURRENCY SEIZURES	CHANGE FROM PREVIOUS YEAR
FY 2009	17,450	4,444	677	
FY 2010	20,099	10,066	547	+ 2,649
FY 2011	22,012	10,679	652	+ 1,913
FY 2012	25,854	11,379	650	+ 3,842
FY 2013	26,531	11,697	564	+ 677
FY 2014	27,018	11,663	393	+ 487
FY 2015	26,878	11,167	331	- 140
FY 2016	29,772	11,461	293	+2,894
TOTAL	195,614	82,556	4,107	+ 1,760 Average

With the exception of FY15, the number of incidents reported to the JOICs has increased from year to year, indicating a continuing method of effectively and efficiently sharing information among law enforcement partners across all levels of government.

The BSOC publishes several intelligence briefings that are used by Operation Border Star Unified Command members. These briefings include the following:

- Border Operations Sector Assessment (BOSA) (weekly)
- Ranch Operations Sector Assessment (ROSA): South Texas Ranch Edition (monthly)

The BSOC gathers this intelligence from the JOICs, who in turn gather it from the various federal, state, tribal, and local agencies operating in each sector. The BSOC aggregation, analysis, and dissemination of this intelligence allow Unified Command members to plan, execute, and assess the effectiveness of border security efforts.

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

In September, 2009, in response to the investigative and command and control failures that occurred during the initial investigation by the State Fire Marshall and the Bureau of Alcohol, Tobacco, Firearms, and Explosives into the June, 2008 arson of the Texas Governor's Mansion, the Department created the Texas Rangers Major Case Initiative. This initiative places a Texas Ranger Commander in a direct leadership role to integrate into a coordinated task force all federal, state, and local resources, using the national response framework established to

respond to emergency incidents such as hurricanes, disasters, and public safety emergencies. This framework is widely accepted throughout the first responder community.

This response framework, known as the National Incident Management System, was specifically designed to provide command, control, and coordination of resources and to facilitate information sharing through the Unified Command principle.

The Unified Command principle is a multi-agency temporary command created for a specified incident in which various federal, state, tribal, and local law enforcement agencies share jurisdictional responsibilities. It consists of participating organizations in multiple jurisdictions. A Unified Command allows agencies with different legal, geographic, and functional authorities and responsibilities to work together effectively without affecting individual agency authority, responsibility, or accountability. This strategy has been employed successfully in a wide range of operations including critical incidents, criminal investigations, crime control operations, and border security missions.

Texas Ranger Reconnaissance Teams were formed in February, 2009. Prior to May, 2010, the Department of Public Safety used a 15-person Special Weapons and Tactics Team that served on an as-needed basis. The members served in a full-time capacity in the Highway Patrol and Criminal Investigations Division. In May, 2010, the Department transitioned to a full-time, 20-person tactical team placed under the operational and deployment control of the Texas Ranger Division. To complement the full-time tactical unit and provide first response to critical incidents, the Special Response Teams were created to serve on an as-needed basis and to be dispersed regionally. These teams became fully operational at the end of 2011.

The Special Operations Group (SOG) was created by Director McCraw in October, 2011 to address the growing escalation in illegal narcotics trafficking and human smuggling and the escalation of violence in the Texas Border region. The Special Operations Group consists of six units designed to effectively deal with the threats posed by criminal organizations and terrorists (both international and domestic) and with the threats posed to the border region by drug trafficking organizations. It provides specialized support to major operations.

Initially, Operation Border Star and the Border Security Operations Center were novelties in the realm of border security; no state had attempted such a focused effort on interagency cooperation and unity of purpose and action. However, now Operation Border Star and the BSOC have, in their relatively brief history, come to be considered vital by the various federal agencies engaged in border security efforts on the Texas-Mexico border. The real-time mission support and intelligence analysis that the BSOC provides has greatly enhanced the effectiveness of these agencies and has been credited with helping to protect the safety of these agencies' operatives.

Operation Border Star is a long-term commitment to Texas border security that combines and synchronizes the actions of federal, state, local, and tribal law enforcement agencies and

private entities in a unified effort. This partnership combines committed agencies into a Unified Command structure for each border area sector.

Operation Border Star seeks to facilitate the conduct of sustained interagency law enforcement operations along the Texas-Mexican border to provide a safe and secure environment for Texas citizens, to deny criminals and their organizations freedom of action, to contribute to the reduction of potential acts of terror within Texas and the United States, and to promote regional stability.

Operation Drawbridge began as a pilot project that was initially funded by a grant from Byrne Justice Assistance in the Criminal Justice Division of the Governor's Office. In January, 2012, the project was kicked off with 350 cameras that were equipped with AT&T carrier technology. They were allocated to different USBP Texas Sectors for deployment along the border for monitoring using the Drawbridge software. Since then, the program has grown to include three different cellular carriers for expanded coverage, new generation cameras, a 20-man group of Texas Military Forces soldiers deployed to the Rio Grande Valley to assist with camera maintenance, and over 4,300 active cameras all along the Texas-Mexico border. In addition, Operation Drawbridge was the first cloud-based application for the Department.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

- *Ranger Reconnaissance* – Texas Ranger Reconnaissance Teams (RRTs) are highly trained and specialized emergency response units capable of providing a wide spectrum of tactical options and capabilities to the Texas Department of Public Safety and the State of Texas in order to safeguard the public, interdict criminal or terrorist activity, and enhance investigations and prosecutions.

Reconnaissance Teams affect border security operations through enhanced support to local, state, and federal law enforcement agencies, specifically in rugged terrain where law enforcement elements traditionally do not operate. The affected agencies include US Customs and Border Patrol, High Intensity Drug Trafficking Areas, Drug Enforcement Agency, Federal Bureau of Investigation, Homeland Security, Border Patrol Tactical Unit (BORTAC), and numerous other law enforcement entities located in border regions.

- *Joint Operations Intelligence Centers* – There are 308 statutorily qualified law enforcement agencies that participate as Unified Command members within the intelligence centers throughout the border region. All agencies have the opportunity to provide to the JOICs any information related to border security criminal activity and to receive that type of information when it is disseminated to Unified Command members through the intelligence centers.

The 308 qualified agencies consist of 159 local agencies (municipal and county), 38 state agencies (or individual sections, units, or divisions of a state agency that fall within the geographical area for a JOIC), and 111 are considered federal agencies (or individual sections, units, divisions, stations, or sectors of a federal agency that fall within the geographical area for a JOIC).

- *Border Security Operations Center* – The operation of BSOC affects the citizens of Texas, the citizens of the United States, law enforcement officers, first responders, and military members operating on the border. The preparation and dissemination of situation reports and real-time actionable information to members of the Operation Border Star Unified Command increase response capabilities, resulting in a greater effectiveness in interdiction efforts to combat undocumented entries, human smuggling, and narcotics trafficking.
- *Operation Drawbridge* – In 2012, the United States Border Patrol and the Department signed an official memorandum of understanding intended to provide guidance for sharing game camera services between the two agencies, consistent with the goals and principles related to border security. With this agreement, all US Border Patrol Stations within Texas were affected and became eligible to receive cameras.

In addition to US Border Patrol, other local law enforcement agencies were also affected and became involved in the program. Included were the following law enforcement agencies adjoining the border: Alice PD, Brownsville PD, Eagle Pass PD, Victoria PD, Bandera County SO, Bee County SO, Brewster County SO, Brooks County SO, Duval County SO, Hudspeth County SO, Jeff Davis County SO, Jim Wells County SO, Kleberg County SO, Maverick County SO, Pecos County SO, Presidio County SO, Terrell County SO, Victoria County SO, Webb County SO, Willacy County SO, and Zapata County SO. Also included was the Texas Parks and Wildlife Department.

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

The Major Operations Program is generally administered through the National Incident Management System, which allows various federal, state, tribal, and local law enforcement agencies to share jurisdictional responsibilities by implementing a Unified Command. A Unified Command allows agencies with different legal, geographic, and functional authorities and responsibilities to work together efficiently without affecting individual agency authority, responsibility, or accountability.

For example, the Border Security Operations Center operates under the auspices of the Texas Ranger Division of the Texas Department of Public Safety. It is divided into three sections: Intelligence and Collections, Operation Drawbridge, and Grants. Both the BSOC and the JOICs

promote interagency coordination and information sharing among federal, state, tribal, and local agencies engaged in border security operations in their individual sectors and serve as collection points for border-related statistics and reporting. They exercise primary responsibility for intelligence efforts and enhance interagency unity of action by preparing and disseminating situation reports and by providing real-time actionable information to members of the Operation Border Star Unified Command. In addition, the JOICs provide sector-specific weekly operational assessments, coordinate air mission requests, plot the deployment of law enforcement assets and criminal activity data within the sector, and serve as emergency operations centers.

The BSOC operates continuously, 24 hours a day, seven days a week. The JOICs are staffed and resourced to be capable of extended operations on a 24 hour-a-day, seven days-per-week basis. During enhanced patrol or directed operations, the JOIC staff can be expanded to include representatives of participating agencies temporarily assigned as liaisons or detailed to assist in coordination and control functions. These agencies typically include, but are not limited to, county sheriffs' offices, metropolitan police departments, Texas Highway Patrol, Criminal Investigations Division, Texas Parks and Wildlife, US Border Patrol, Drug Enforcement Administration (DEA), and other participating federal, state, local, and private agencies.

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

AY 2016

Major Criminal Investigations and Operations*	0001 General Revenue	\$24,007,921
	0666 Approp Receipts	\$24,234
	Total	\$24,032,154

*Funding and expenditures for the *Major Criminal Investigations and Operations* item include the individual programs identified as *Corruption Investigations, Major Criminal Investigations, Major Operations, and Special Operations/Capabilities*.

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

On a national level, the Department of Homeland Security (DHS) provides services similar to those of the Border Security Operations Center (BSOC) by serving as a central information clearinghouse and intelligence resource for various federal agencies involved in national security efforts. However, DHS responsibility is on a global scale; it is charged with the protection of the United States as a whole from both foreign and domestic threats. The BSOC is specific to Texas and it incorporates DHS members into its Unified Command structure. Intelligence sharing between cooperating agencies is a concept common to both agencies;

however, the entire area of responsibility for BSOC is the Texas-Mexico border and its participating agencies include state and local law enforcement agencies.

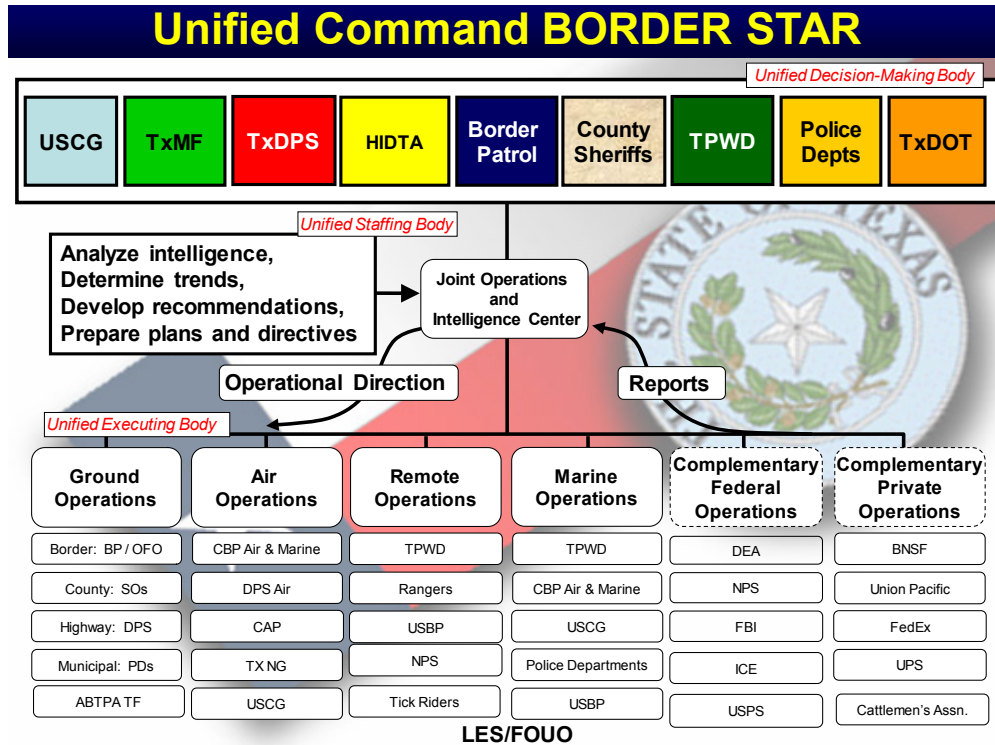
I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Conflict and duplication of effort are avoided by incorporating all local, state, and federal agencies into a Unified Command, with intelligence sharing and continuous interagency communication. The Border Security Operations Center serves as the central information clearinghouse and resource for border security efforts undertaken by all agencies operating along the Texas-Mexico border. Unified Command members submit information, which is aggregated by the BSOC and made accessible to all other Unified Command members. In addition, routine conferences and meetings are scheduled on a daily basis to collaborate with regard to ongoing operations.

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

The Department works in close collaboration with various levels of law enforcement in a Unified Command structure to include the operational efforts of counties along the Texas-Mexico border. The Drawbridge, JOIC, BSOC, and Reconnaissance Team members and leadership engage our local, state, and federal partners to provide operational support, to share intelligence, and to request assistance from their personnel.

A Unified Command structure applied to a major crime response allows agencies with different legal, geographic, and functional authorities and responsibilities to work together effectively without affecting individual agency authority, responsibility, or accountability. An example of an effective Unified Command structure is illustrated in the following Operation Border Star flowchart. Each operational sector is organized using the Unified Command structure to facilitate collective interagency law enforcement operations.



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

- Provide a short summary of the general purpose of those contracts overall;
- The amount of those expenditures in fiscal year 2016;
- The number of contracts accounting for those expenditures;
- The method used to procure contracts;
- Top five contracts by dollar amount, including contractor and purpose;
- The methods used to ensure accountability for funding and performance;
- Provide a short description of any current contracting problems

Not applicable. Funding and expenditures for this program are included in the *Major Criminal Investigations* program.

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

Not applicable.

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

Operation Drawbridge is at the mercy of several outside entities over which TXDPS has limited, or no, control. The program relies on a reliable cellular signal to transmit images from the cameras to the monitoring software. If cellular strength is weak or nonexistent in areas of

interest, the camera is unable to efficiently transmit images. Carrier capabilities are constantly improving, which at times can cause a termination due to antiquated technology. In 2015, AT&T abolished 2G technology, forcing a large number of cameras to become obsolete. Technology is invariably improving, and keeping up with these advancements can prove difficult.

The current Drawbridge cameras operate on twelve AA lithium batteries and can take approximately 1,000 images before the batteries die. The cameras have motion-detection capability and each transmits an image whenever it detects movement. Depending on camera placement, batteries need to be changed every 3 to 4 weeks. Battery consumption is the biggest challenge that Operation Drawbridge faces, and the BSOC is currently researching power-sourcing options for the future.

The Drawbridge software was written as a pilot program in 2011, with an intended 450 cameras deployed to the field. Since then the program has grown exponentially, requiring constant upgrades and software enhancements. These upgrades take time to code, test, and release, and eventually the architecture will need to be rewritten completely in order to more efficiently handle the growth of the program.

There are no outdated or ineffective state laws that negatively affect Operation Drawbridge.

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

No additional information.

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

Name of Program or Function: *Organized Crime*

Location/Division: *Criminal Investigations Division*

Contact Name: *Division Director Thomas Ruocco*

Actual Expenditures, FY 2016: *\$86,604,915*

Number of Actual FTEs as of June 1, 2017: *701*

Statutory Citation for Program: Texas Government Code, Section 411.02; Code of Criminal Procedures, Article 18.20 (Detection, Interception, and Use of Wire, Oral, or Electronic Communications)

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

The objective of the organized crime program is to conduct criminal enterprise investigations and render these organizations ineffective by apprehending (and ultimately incarcerating) their senior and mid-level leadership and other essential members. The program is coordinated by the Criminal Investigations Division (CID), which fulfills this role by working with other Department personnel, as well as federal, state, and local partners, to maximize law enforcement's impact on organized criminal activity in the state, specifically targeting high-threat organizations. High-threat organizations include Mexican cartels, transnational gangs, violent street gangs, human trafficking organizations, violent regional drug trafficking organizations, major identity theft and money laundering organizations, and organizations involved in white-collar or property crimes when the financial impact is substantial and/or it supports other high-threat organizations, including domestic and international terrorist organizations.

The division accomplishes the objectives of the organized crime program through the efforts of three specialized investigative sections:

- The Drug Section is charged with the overall direction of the state's enforcement efforts against drug and human trafficking in Texas. The Drug Section works with local, state, and federal agencies across the state and nation to identify, investigate, disrupt, and/or dismantle major criminal organizations involved in drug and/or human trafficking. The Drug Section also conducts investigations into clandestine laboratories and domestically-grown marijuana; participates in interdiction efforts (land, maritime, and aviation); provides assistance to DPS Highway Patrol; participates in border operations; identifies and arrests human traffickers and purchasers; and identifies, locates, rescues, and facilitates the provision of services to victims of human trafficking.
- The Gang Section is charged with disrupting the criminal activities of transnational and criminal street gangs that conspire to commit crimes within the state of Texas. The Gang Section seeks to achieve this objective by enforcing state and federal laws

targeting transnational and criminal street gangs involved in organized criminal activities; developing and implementing investigative strategies that focus on high-threat transnational and criminal street gangs identified within each geographic region across the state; and promoting gang intelligence sharing as personnel collaborate with a multitude of law enforcement agencies aimed at disrupting their illegal activities.

- The Special Investigations Section (SIS) is charged with investigating, disrupting, and dismantling criminal enterprise organizations involved in fraud, illicit gambling, and property crimes, including violent property crimes (i.e., armed robbery and carjacking), vehicle theft, and cargo theft. The section also provides support to the Texas Racing Commission (TRC) and the Texas Civil Commitment Office (TCCO) by enforcing criminal statutes regarding the activities these agencies administratively regulate.

The division also supports the Department's organized crime program via its Investigative Support Section, which is comprised of three specialized units:

- The Computer Information Technology & Electronic Crimes (CITEC) Unit is charged with directing competent computer and electronic forensic support to Department special agents, Texas Rangers, and troopers, and, under some circumstances, to assist officers of other Texas and federal agencies to further their criminal investigations. Unit personnel are specially trained and equipped to provide digital forensic investigative support for criminal offenses facilitated via the use of computer systems, electronic devices, networks, and the Internet, wherein digital or electronic evidence exists. Unit personnel conduct forensic digital evidence searches and investigate acts of cyber threats, cyber terrorism, and computer security breaches.
- The Technical Unit conducts electronic surveillance, including the use of pen registers and trap/trace devices, wire, oral and electronic intercepts, mobile tracking devices, geo-locate/location information and advanced cellular phone exploitation and mapping, technical surveillance countermeasures sweeps, covert audio and video surveillance and other forms of covert electronic surveillance. The Technical Unit's objective is to gather the best evidence possible to utilize in the criminal prosecution of defendants.
- The Asset Forfeiture Unit (AFU) supports the organized crime program by recording and tracking all assets seized by the Department through the forfeiture process and final disposition. This includes assets seized by other government entities if the Department retains an interest in the disposition of the property.

Major activities associated with the organized crime program include:

- Collaborate with local, state, and federal law enforcement partners and prosecutors to identify and investigate mid- and high-level criminal organizations; and target these

organizations for prosecution in order to disrupt their operations and render them ineffective.

- Provide support and investigative assistance to other law enforcement agencies by responding to requests from local and/or federal agencies in rural areas and provide investigative expertise and/or support (manpower, affidavit authoring, undercover operations, technology, etc.) to further organized crime investigations.
- Provide support and investigative assistance to the Texas Highway Patrol (THP) by responding to THP requests and providing investigative expertise and/or support in order to solidify the case already made by THP, gather evidence (pocket trash, maps, confessions, recorded phone calls, GPS and/or phone data, etc.) to enhance the existing case and/or cultivate CIs, and conduct additional investigative efforts (such as controlled deliveries, search warrant executions, undercover meetings, buy-busts, etc.) in an effort to identify sources of supply, organizational hierarchy, and/or links to other investigations.
- Conduct proactive, multi-disciplinary operations (such as targeted surveillance, undercover operations, online solicitation stings, search warrant executions, detainee interviewing, etc.), and exploit all investigative leads, tips, clues, and actionable intelligence in order to maximize opportunities to identify and arrest members and associates of criminal organizations; identify and arrest human traffickers and purchasers; and/or identify and recover human trafficking victims.
- Employ diverse investigative techniques (such as mobile tracking devices, pole cameras, geo location, phone and computer extraction/exploitation, bank and other subpoenas, Customs alerts, etc.) to conduct CID-led, long-term investigations for the purpose of fully identifying culpable members, gathering evidence, filing charges, seizing assets, abating nuisances, and dismantling logistical and financial infrastructure in order to render organized crime groups and transnational criminal organizations ineffective.
- Utilize diverse investigative techniques (such as pocket trash analysis and corroboration, data exploitation, pen registers, electronic and physical surveillance techniques, wiretaps, etc.) to identify the operational structure, obtain evidence through investigation, and secure prosecution of members of criminal organizations.
- Utilize CIs, sources of information, and undercover operations to acquire actionable intelligence and admissible evidence on criminal organizations and/or members or associates of criminal organizations.
- Identify and target high-risk fugitives to effect their capture.

- Manage the Texas Ten Most Wanted Fugitive and Sex Offender function for the Department, working with the assigned analysts to identify and select fugitives and wanted sex offenders who pose the most significant threat to public safety in the state, with an emphasis on Tier 1 gang members.
- Collaborate with local, state, and federal law enforcement partners and prosecutors, as well as non-government organizations (NGOs), to identify and rescue human trafficking victims.
- Leverage professional relationships with DPS Victim Services to prioritize and facilitate timely SANE examinations, interviews, and other resources, processes, and services to gather facts and collect admissible evidence and develop actionable intelligence related to human trafficking victims, traffickers, purchasers, and/or organizations.
- Maximize the victim rescue and evidentiary potential of Interdiction for the Protection of Children (IPC) stops, Department of Family and Protective Services (DFPS) requests, NGO referrals, and similar requests for assistance from other divisions and agencies.
- Work with local law enforcement to conduct sex offender compliance checks to ensure that registered sex offenders are complying with registration requirements.
- Assist the Texas Civil Commitment Office (TCCO) with the apprehension and filing of criminal charges on civil commitment sex offenders when they abscond or violate the conditions of civil commitment.
- Assist the Texas Racing Commission (TRC) regarding the enforcement of criminal violations at pari-mutuel racing horse/dog tracks throughout the state in order to ensure a high level of integrity for pari-mutuel racing in Texas.
- Conduct background investigations for state agencies, including the Texas Lottery Commission and the Texas Racing Commission, as well as at the request of the Governor's appointment office.
- Attend and/or facilitate training related to relevant topics, such as drug trafficking, human/sex trafficking, investigative techniques, search and arrest warrants, covert operations, clandestine laboratories, criminal enterprise investigation training, victim trauma, victim identification and rescue, proactive community measures, legislative updates, and so on.
- Attend, provide, coordinate, request, or otherwise participate in community awareness events, such as school presentations, safety talks, and professional panels in order to enhance community awareness and education.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.

Statistical data to support the efficiency of the organized crime program are captured by a uniform weekly/monthly activity report submitted by Department personnel on a weekly basis and routed to Headquarters for statewide compilation and archival by an assigned statistician. Prior to being routed to Headquarters for compilation, the submitted reports are reviewed and approved by two supervisory levels, validating the accuracy of the reports. In addition to the weekly summary reports, gang activity statistics are captured by field personnel utilizing a uniform monthly gang activity report (PIR/MCE reports) submitted through respective regional chain-of-command and routed to the Headquarters Gang Section manager, who extrapolates the Gang Section data from each gang activity report and compiles the data in a Monthly Gang Summary report.

Calendar Year 2016 Statistics:

- State/federal narcotics arrests: 2,071.
- Human trafficking arrests: 118.
- Motor vehicle theft arrests: 207 (LBB key measure).
- Non-narcotics/non-motor vehicle theft arrests: 2,950 (LBB output measure).
- High-risk criminal arrests: 1,420 (LBB performance measure).
- Number of subjects arrested as part of gang investigations: 680.
- Number of Tier 1 gang members arrested: 113.
- Number of Tier 2 gang members arrested: 78.
- Number of Tier 3 gang members arrested: 27.
- Number of gang members entered into TxGang: 508.
- Criminal charges filed related to human trafficking: 174.
- Number of human trafficking investigations initiated: 32.
- Human trafficking victims recovered: 53 (33 children and 20 adults).
- Seized cocaine: 1,060,472.84 grams.
- Seized heroin: 54,172.04 grams.
- Seized methamphetamine: 895,345.16 grams.
- Seized marijuana: 49,667.32 pounds.
- Seized synthetic marijuana: 157.75 pounds.
- Stolen vehicles recovered: 940.
- Value of stolen property recovered: \$20,940,482.
- Number of Gang Major Criminal Enterprise Investigations: 59.
- Major criminal investigations initiated targeting high-level drug trafficking organizations with direct links to establish drug cartels: 42.
- Sex offender compliance checks: 1,518.

- Number of Texas Anti-Gang Tactical Operations Center supported with DPS personnel: 2.

ISS: The CITEC Unit and Technical Unit maintain weekly/monthly records of work completed. Each unit of work normally results in evidence created or retrieved that is utilized in the prosecution of a criminal entity. In addition, each unit provides a monthly summary of accomplishments during the preceding month. The Asset Forfeiture Unit maintains a database of all seized assets and provide reports for seizure in each region of the state and overall.

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

The organized crime program of the Department was previously implemented by the Criminal Law Enforcement (CLE) Division, which was comprised of three mutually exclusive services: Narcotics, Criminal Intelligence, and Motor Vehicle Theft.

In 2007 and 2008, the Department underwent organizational reviews by Deloitte Consulting and the Sunset Advisory Commission. In response to the recommendations of these reviews and the priorities of the leadership team, the Department implemented a comprehensive reorganization and transformation effort. As a result, the three services of the CLE Division were reorganized and integrated under the new Criminal Investigations Division. The reorganization placed an emphasis on unifying resources to combat and disrupt organized crime, especially those with a transnational criminal organization nexus. The reorganization decentralized the command structure of the three legacy CLE services, transferring operational control of CID assets to the regional chain-of-command; and established three headquarters sections (Drug, Gang, and Special Investigations) to oversee administrative and strategic planning related to organized crime investigations. Meanwhile, the technical services—the CITEC Unit and Technical Unit—which were divided between two of the legacy services, were brought under the umbrella of the newly created Investigative Support Section to provide support to the entire Department as well as outside agencies. In addition, the analytical functions of the three legacy CLE services were transferred to the newly created Intelligence and Counterterrorism Division.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The organized crime program targets violent criminal gangs, transnational networks, and other criminal enterprises that are involved in a variety of offenses that affect citizens across the state and beyond, including illicit drug trafficking and production, human/sex trafficking, child prostitution, weapons smuggling, extortion, kidnapping, murder-for-hire, home invasions,

robberies, vehicle and property theft, major fraud, money laundering, illegal gambling, and dog fighting. In carrying out the responsibilities of the organized crime program, CID coordinates statewide efforts with local, state, and federal law enforcement partners, as well as prosecutors and non-government organizations (NGOs), to enhance the safety and security of all citizens in the state of Texas.

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

The Department divides the state into seven regions and each region has a regional commander who is responsible for the operational control of all personnel within that region, including CID resources. The regional commander is responsible to the Division Director of each law enforcement division and to the Deputy Director of Law Enforcement Operations for the overall operation of each of the divisions and sections under the control of the regional commander.

Each region has a CID major who is responsible to the regional commander and to the CID Assistant Division Director for the overall operational control of CID personnel and organized crime program functions within that region. Division personnel within each region are assigned to district captains who oversee lieutenant areas comprised of special agents tasked with carrying out investigative and regulatory assignments related to the organized crime program.

Regional CID majors collaborate with three Headquarters section majors in an effort to identify investigative priorities targeting those criminal organizations that pose the greatest danger to Texas communities. Personnel assigned to the CID Headquarters sections—Drug, Gang, and Special Investigations—oversee administrative and strategic planning related to the organized crime program. Headquarters CID majors are responsible to the CID Assistant Division Director who is responsible to the CID Division Director.

On an annual basis, Headquarters section majors are responsible for creating regional threat assessments specific to each geographic areas within the region; establishing investigative goals, strategies, and objectives targeting the threats within those areas; formulating a proactive plan aimed to reduce the impact of organized crime; and monitoring, documenting, and communicating the progress of criminal investigations that address the goals, strategies, and objectives identified in the threat assessment with regional majors and the CID Assistant Division Director.

In addition, the CITEC Unit, Technical Unit, and Asset Forfeiture Unit functions are supervised by the CID Investigative Support Section. Each unit operates according to applicable SOPs, state and federal statutes, and Department policies and procedures. The SOPs give detailed guidelines to the regions on how to use applicable services.

All division functions are also supported by an Administration Section, which provides clerical and statistical support, budgetary and procurement oversight, inventory maintenance, personnel management, and information technology support for the division. In addition, the Administration Section oversees the Training Unit, which is responsible for developing and providing relevant and progressive training courses for division personnel.

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

AY 2016

Organized Crime	0001 General Revenue	\$86,552,900
	0666 Approp Receipts	\$52,015
	Total	\$86,604,915

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

Texas Government Code, Section 411.002, establishes DPS as an agency of the state to enforce the laws protecting the public safety and provides for the prevention and detection of crime. These goals are pursued collectively by all the divisions within the Department; however, the Criminal Investigations Division is the only division that focuses specifically on targeting organized crime.

In addition local, county, and federal law enforcement agencies across the state of Texas have varying areas of investigative responsibilities relating to gangs, drugs, human trafficking, and other criminal enterprises. Sometimes, these responsibilities overlap with CID's jurisdiction and investigative responsibilities. However, local law enforcement agencies have limited resources and lack statewide jurisdictional authority over criminal violations, which hinders their ability to conduct organized crime investigations involving multiple jurisdictions. Thus, the Department's organized crime program serves as a mechanism for more effectively exploiting the investigative and intelligence resources of law enforcement agencies in the state in order to coordinate and direct a unique, statewide strategy for combating organized crime.

In addition, federal agencies and some local agencies have similar technical capabilities as the division's CITEC Unit and Technical Unit. However, these resources are normally reserved only for internal use. In certain circumstances, federal agencies will allocate technical resources to assist other agencies, such as when working a joint investigation or if terrorism is involved. However, the Department is the only agency within Texas at the state or local level with statutory powers to conduct wiretaps.

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

Duplication is avoided by regular communication and deconfliction of operations between agencies at the local, county, state, and federal levels, often through participation in task forces or operation centers, such as the Texas Anti-Gang (TAG) Tactical Operation Centers in Houston, Dallas, and El Paso; and the six Texas Automobile Burglary and Theft Prevention Authority (ABTPA) task forces around the state. For the ABTPA task forces, MOUs have been utilized in order to coordinate the efforts of all agencies involved and provide guidelines in accordance with the Texas Government Code. In addition, the division's CITEC Unit and Technical Unit utilize specialized equipment that requires a court order or search warrant to utilize. Such court orders and search warrants will normally control the actions of each participating agency.

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

CID personnel carry out the responsibilities of the Department's organized crime program by actively collaborating with local, county, state, and federal agencies to identify, investigate, disrupt, and dismantle violent gangs, drug and human trafficking organizations, and criminal enterprises involved in fraud, illicit gambling, and property crimes. In rural jurisdictions, CID special agents provide direction and expertise to other, smaller agencies as needed. In other areas, particularly larger metropolitan areas, special agents are often assigned to state or federal task forces, including ABTPA task forces and TAG Tactical Operation Centers.

Division personnel also collaborate with federal agencies like US Customs and Border Protection to conduct border operations that target various forms of smuggling in and out of the country, including drugs, weapons, currency, stolen vehicles and property, and illegal aliens. In addition, division personnel work closely with the Texas Racing Commission (TRC) regarding the enforcement of criminal violations at pari-mutuel race tracks throughout the state.

Division personnel also assist the Texas Civil Commitment Office (TCCO) with the apprehension and filing of criminal charges on civil commitment sex offenders when they abscond or violate the conditions of civil commitment; and work with local law enforcement to conduct sex offender compliance checks to ensure that registered sex offenders are complying with registration requirements. This cooperative effort enhances the safety of the citizens of Texas by identifying sex offenders who are in violation of the law. These subjects are arrested and prosecuted for non-compliance.

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

- **A short summary of the general purpose of those contracts overall;**

This program's most significant contracts relate to specialized investigative equipment and the associated services and maintenance.

- **The amount of those expenditures in fiscal year 2016;**
- **The number of contracts accounting for those expenditures;**
- **The method used to procure contracts;**

DPS follows the procurement method requirements as defined in Texas Gov't Code Chapters 2155, 2156, 2157, 2158, and 2161 and 34 Texas Administrative Code (TAC) Chapter 20. DPS also follows the state's Contract Management Guide and Procurement Manual that are published by the Comptroller of Public Accounts.

In FY16, DPS procured goods and services using Council on Competitive Government, Texas Correctional Institute, Texas Institute for the Blind and Handicapped, Term, Managed, and TXMAS contracts available through TX SmartBuy. These contracts are managed by the Comptroller of Public Accounts, and state agencies issue purchase orders against those contracts.

DPS also procured goods and services using DIR contracts for certain technology related procurements in FY16. These contracts are managed by the DIR, but agencies can issue purchase orders and agreements against these contracts.

DPS also procured goods and services on the open market in those instances where there was no state contract in place or where the dollar amount associated with the procurement exceeded the limits of use for the state contract. For example, in FY16 SB 20 required that any technology procurements that were over 1 million be solicited on the open market. For non-technology goods that were over 25K and services that were over 100k, DPS would be required to seek delegation from the Comptroller's office before being authorized to solicit on the open market. In some cases the Comptroller would decide to perform the solicitation on behalf of the Department.

- **Top five contracts by dollar amount, including contractor and purpose;**
 - **PO- 405-15-P000245** valued at \$220,000.00 with SOS INTERNATIONAL LTD for Service Monitoring and Supervisory Personnel
 - **PO- 405-16-P006894** valued at \$125,107.93 with SYTECH CORPORATION for Livescan scanners
 - **PO- 405-15-P000175** valued at \$118,533.70 with COVERTTRACK GROUP INC for Covertrack
 - **PO- 405-16-P006045** valued at \$102,418.82 with RSI GLOBAL COMMUNICATIONS GROUP, LLC for Basic Camera SD Kits

- **PO- 405-15-P000783** valued at \$102,907.00 with CELLEBRITE USA CORP for 405-13-30441 UFED Software Upgrades & Support

- **The methods used to ensure accountability for funding and performance; and**

Each contract has an assigned contract monitor from the division that has been provided with internal training and procedures for monitoring the deliverables and performance of the contract and supplying vendor performance reports. The official contract manager in Procurement & Contract Services works with the division contract monitor, OGC, and Finance to administer and manage contract and vendor performance, ensure compliance with applicable statutes, rules, and policies, and officially address any needed corrective action. Finance is responsible for maintaining compliance with payment rules based on validation from the division that goods and services were received and performance criteria were met.

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

The largest issue with contracting at DPS is the lack of delegated authority for many purchases from the Comptroller's office. Please see the Major Issue regarding delegated authority.

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

N/A

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

The primary challenge to the organized crime program relates to the dynamic nature of the synthetic drug market. The rapid increase in demand for synthetic and designer drugs has led to an increase of dangerous narcotics whose chemical compounds intentionally circumvent existing law. These drugs evolve so quickly that every legislative session must update relevant codes to address the new harmful compounds that were created or first appeared between legislative sessions.

For example, the 83rd Texas Legislature passed HB 2118 and SB 331, both of which added certain chemically made substances—including bath salts, synthetic marijuana, Spice, and K2—to the Texas Controlled Substances Act. During the subsequent session, the 84th Texas Legislature passed SB 172 to address the new synthetic marijuana chemicals. For the current session, the 85th Texas Legislature has introduced SB 2176 to amend Section 481.102 of the Health and Safety Code in order to add opioid analgesic drugs U-47700 and AH-7921 to Penalty Group 1 substances, and Tramadol (mild to moderate opioid pain medication) to Penalty Group

3 substances. As of right now, U-47700 and AH-7921 have no assigned penalty group and thus fall under Section 481.119 of the Health and Safety Code as a misdemeanor.

A more efficient solution would be to develop a law that addresses or encompasses all new synthetic chemical compounds that replicate existing controlled substances, so that the new compounds are automatically categorized the same as the original drug being copied until there is time for the new synthetic to be placed in a penalty group.

Another challenge to the organized crime program is the rapid nature of technological advances. The Department works with legislators every session to keep pace by providing input when requested, specifically towards matters pertaining to electronic surveillance and various cyber-related crimes.

In addition, another challenge faced by the organized crime program is statutory language that inadvertently restricts investigative efforts targeting human traffickers. For example, the 84th Texas Legislature had introduced language that required the element of “in a public place” in order for a trafficker or purchaser to be charged with the offense of Prostitution. This language was successfully addressed and corrected by the 85th Texas Legislature; however, the current statute for “Promotion of Prostitution” still utilizes language that only applies to “pimps” or traffickers and not to “reviewers”—that is, individuals who provide reviews or commentary either in person, over the phone, or on the Internet with the intent to promote the purchase of commercial sex. Two bills were filed during the 85th Legislature that would have incorporated all types of promoters of prostitution; however, neither was signed into law.

Finally, although the elements of property crime, fraud, and gambling are clearly addressed within the Texas Penal Code, the punishment for violating these statutes could be enhanced. Punishment guidelines that increase penalties for repeat offenders, such as in the federal statutes, could be beneficial.

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

The Texas Department of Public Safety is authorized to conduct wire intercepts via the Code of Criminal Procedures (CCP), Article 18.20 (Detection, Interception, and Use of Wire, Oral, or Electronic Communications). However, effective January 1, 2019, the authorizing statute will change to CCP, Article 18A (Detection, Interception, and Use of Wire, Oral, and Electronic Communications).

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

Name of Program or Function: Polygraph

Location/Division: Criminal Investigations Division

Contact Name: Division Director Thomas Ruocco

Actual Expenditures, FY 2016: \$6,148,509

Number of Actual FTEs as of June 1, 2017: 45

Statutory Citation for Program: Texas Occupation Code, Title 10, Chapter 1703, Subchapters A,B, E, F, G,H, and I

Administrative rules adopted by the Texas Department of Licensing and Regulation pertaining to administering polygraphs can be found at: 16 Texas Administrative Code, Chapter 88

Statutes pertaining to administering polygraphs to DPS employees SB1 General Appropriations Rider 13, Govt Code 411.007, 411.074, 411.0741 and 614.062

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

The Department's polygraph program is managed and implemented by the CID Investigative Support Section, Polygraph Unit. The Polygraph Unit's objective is to assist criminal investigations by administering polygraph exams to suspects, victims, witnesses, and/or informants. The unit also assists the Department in making informed hiring decisions by administering pre-employment polygraph exams to applicants for commissioned officer and communications operator positions. In addition, the Polygraph Unit administers the Department's Law Enforcement Polygraph School.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.

The Polygraph Unit provides a weekly/monthly record of work performed. The Polygraph Unit also provides a monthly summary of worked performed. In 2016, the polygraph Unit performed a total of 3503 polygraph examinations; 571 criminal specific exams and 2932 pre-employment exams on DPS applicants. In 2016, the Polygraph Unit conducted 3 Advanced Polygraph Training courses.

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

The Texas DPS administered its first polygraph examination on July 24, 1944. This case involved a burglary of a jewelry store in Nixon, Texas. Today, the DPS Criminal Investigations Division has polygraph examiners geographically located throughout the state. From 1944 until 2006, the Department only administered criminal polygraph examinations and averaged 2,000 polygraph examinations annually. In 2006, the Texas legislature mandated applicant pre-employment polygraph testing for DPS trooper applicants and communications officers. Since 2006, the polygraph unit has steadily increased in annual applicant testing and declined in criminal testing for outside agencies. In 2016, the Polygraph Unit administered 3,503 polygraph examinations, consisting of approximately 571 criminal examinations and 2,932 applicant screening examinations.

In 1995, the Department coordinated its first basic polygraph school; the 25th school was completed in 2017. The school has evolved from coordinating outside instructors to conducting a majority of the teaching while partnering with outside subject-matter experts. Multiple advanced polygraph courses are taught in addition to the basic polygraph school. The Department is regarded as the premier law enforcement polygraph school because of the combined experience of teaching polygraph and administering polygraph examinations.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The Polygraph Unit provides assistance to the Texas Rangers and local police departments and sheriff's offices during criminal investigations. In addition, the Texas DPS Polygraph School provides instruction for law enforcement examiners in Texas as well as across the country.

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

The Polygraph Unit is supervised by the CID Headquarters chain of command. The unit operates under guidelines established in the Polygraph SOP, state statutes, and Department policies and procedures.

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

AY 2016

Polygraph	0001 General Revenue	\$6,148,353
	0666 Approp Receipts	\$156

	Total	\$6,148,509
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H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

Large police departments and sheriff's office have polygraph examiners. The Department examiners help small agencies that do not have the staffing or funding for polygraph examiners. The Polygraph Unit operates the only law enforcement polygraph school in the nation. Polygraph education is generally conducted by private entities or by the federal government.

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

The Polygraph Unit does not normally conduct polygraphs if the subject has already been administered a polygraph examination by another agency.

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

The Polygraph Unit assists local agencies on a daily or weekly basis and provides assistance to federal agencies when requested.

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

- A short summary of the general purpose of those contracts overall;
- The amount of those expenditures in fiscal year 2016;
- The number of contracts accounting for those expenditures;
- The method used to procure contracts;
- Top five contracts by dollar amount, including contractor and purpose;
- The methods used to ensure accountability for funding and performance; and
- A short description of any current contracting problems.

Contracted expenses for this program are captured in the *Organized Crime* program.

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

None.

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

Not currently.

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

None.

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

Name of Program or Function: *Security*

Location/Division: *Region 7, Capitol Complex*

Contact Name: *Regional Director Jose P. Ortiz, III*

Actual Expenditures, FY 2016: *\$87,329*

Number of Actual FTEs as of June 1, 2017: *317 FTE's consisting of Troopers; Security Specialists; Security Officers; Security Technicians; and Crime Analysts make up the total number of FTEs dedicated to Region 7 Security Operations. The total number reflects the legislatively mandated 4% state wide agency reduction.*

Statutory Citation for Program: *Government Code 411.061(a)(3) Definition; 411.062(a)(g) Law Enforcement and Security Authority*

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

The objective of the Security Program is to provide comprehensive and proactive law enforcement and security services for Executive and Legislative Leadership offices, all Legislative members, Supreme Court and Court of Criminal Appeals' Justices, all other state, elected, and appointed officials, and state employees housed in the Capitol Complex. Security Programs include the physical security protection for the Capitol, Capitol Extension, Capitol Grounds, all other state critical infrastructure in the Capitol Complex, and other areas designated by the Director of the Department of Public Safety (DPS). Services are provided to protect the 14,000 state employees, and over 1 million visitors annually to the Capitol and Capitol Complex.

The Security Program is coordinated by the Capitol Complex Region (Region 7), that provides 24/7 law enforcement and security services for the Department's statewide Security Programs, using overt high-visibility law enforcement patrols, intelligence-led policing models, vulnerability and threat-based security assessments, and a multitude of technology-supported security systems. Additionally, the Security Program works with the Texas State Preservation Board (TSPB) and Texas Facilities Commission (TFC) to develop best practices and standard operating procedures for managing security, including security access control systems, video surveillance systems, and locksmith activities; coordinates with state government executive and legislative branch offices, including the House and Senate Sergeant-at-Arms' offices, on matters related to the security and safety of the Governor, Lieutenant Governor, State legislators, and other state officials and employees. Security Programs is responsible for working with other DPS divisions to coordinate the development and installation of security systems at DPS offices across the State, including approximately 248 driver license testing and issuing facilities, 6 regional command headquarters, 13 crime laboratories, and other DPS facilities.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program.

Also, please provide a short description of the methodology behind each statistic or performance measure.

The effectiveness of personal security services, protection of critical infrastructure, and domestic and international terrorism attacks can be measured in a number of ways. For example, the number of successful attacks perpetrated against people and property, crime statistics for a specific area, quality of life, property values, number of personnel and hours assigned to each initiative, or response times for calls for service. To measure efficiency, the same statistics can be used to support success or failure. Due to the Security Programs brief duration of its existence, statistical data to support the Program's efficiency may require a comparison to other government operations, such as federal security programs, or similar state-level programs in other states.

As a general rule, effectiveness of a security program is measured by looking at existing crime rates over time, and customer/citizen satisfaction as to how safe they feel when working or visiting in the areas covered by the security programs.

The greatest measure of success for the Security Program is the significant increase in calls for assistance to work with other local, state, and federal agencies in providing security services. The DPS Security Program assisted significantly across the state and providing a solid security posture, through the development and implementation of threat based vulnerability assessments, and specialized assets to protect people and other critical infrastructure. DPS Security Programs assisted with security duties related to Federal and International dignitary protection, and other major events. For example, the Security Program provided planners, EOD Canines, Counter Surveillance personnel and, other security specialists for the following events in 2016: the Pope Visit to El Paso, current and past Presidential visits, NFL Super Bowl, Texas Supreme Court and Court of Criminal Appeals Judges traveling throughout the state for court duties. Each of these events required to extensive planning and traveling by security personnel and facilitated the need to conduct detailed threat and vulnerability assessments. During 2016, the security programs conducted over 220 reports and this includes a 4-month project encompassing all the facilities within the greater Austin area under the University of Texas at Austin.

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

In 1991, DPS was given the statutory responsibility for law enforcement and security for the Capitol Complex, and the Highway Patrol Division was placed in charge of the program. The Department remained fairly consistent in its operational functions until 2010, at which time DPS made several security recommendations to the TSPB. The Board approved the recommendations, and DPS began working closely with the TSPB to significantly enhance the security posture at the Capitol, such as the addition of various electronic security measures.

Increased threats across the country and globally, towards elected and appointed officials, and attacks on soft targets perpetrated by lone-wolf, international, and domestic terrorists required the expansion of all security programs to provide additional overt high-visibility patrols, expansion and usage of out-of-area Civil Disturbance Management Teams (CDMT), and expanding the scope of threat and vulnerability assessments for officials as they attend state-sponsored events, when traveling locally and abroad. The quick advancement of technology-supported security systems often requires complete overhaul of electronic security systems no longer supported by early generation data infrastructure, and the need to hire personnel with specific skill sets in the area of security technology.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The Security Program affects the safety and security of all elected and appointed State officials and their staff within the three (3) branches of State government, including the Governor, Lieutenant Governor, Speaker of the House, State Senators, State Representatives, and Justices for the Texas Supreme Court, and the Texas Court of Criminal Appeals.

The Security Program provides for the safety and security of more than one million visitors each year who come to the Capitol and Capitol Complex for business and personal matters. The program provides security for hundreds of protests, and other planned and unplanned events annually, some with fewer than 20 participants, while others with over ten-thousand participants. The program affects the safety and security of all persons attending events, and ensures the continuity and stability of state government infrastructure and operations.

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

The Security Program falls under the operational oversight of the Regional Director, while the administrative support is provided by various Division Directors with resources dedicated to Region 7. This includes the Texas Highway Patrol (THP) which is currently providing Criminal Investigations Division (CID), Texas Division of Emergency Management (TDEM), and the Executive Protection Bureau (EPB). The Regional Director answers directly to the Agency's Directors for all operational and administrative matters. Region 7 is broken down into four (4) major components - THP, CID, TDEM, and EPB.

- THP – Is divided into two (2) Districts - one for the Capitol, and the other for the Capitol Complex. Through high-visibility patrols and electronic security systems, Troopers, Security Specialists, and Security Officers provide law enforcement and security services to all areas designated by the Director. Troopers patrol in a number of manners,

including marked black & white patrol cars, motorcycles, bicycles, horses, and on foot with explosive detection canines.

- CID –Is divided into three (3) major components - Special Agents investigate a variety of property type crimes and other more complex crimes with a nexus to the Capitol Complex, and conduct daily counter-surveillance operations to identify potential pre-attack threats to people and property; Security Operators and Technicians that oversee all aspects of physical and electronic security systems; Intelligence and Counter Terrorism Analysts that support all areas in identifying and mitigating potential threats to life and property through complex data analysis. All three (3) components combined make up the agency’s comprehensive security threat and vulnerability assessment team. In 2016, the group provided over 220 complex and detailed security reports for property and events. This included numerous legislative security assessments, state office buildings’ security assessments in the Capitol Complex, DPS facilities across Texas.
- TDEM – Provides emergency management experts - responsible for planning and coordinating external resources and preparing detailed Incident Action Plans (IAP) for each known event. Examples include: major rallies, protests, festivals, races, parades, and other events where DPS must be prepared to mitigate threats, and prepare for emergency responses. They organize and coordinate operations, with the THP Emergency Operations Center Commander, and a multitude of outside agency first responders and law enforcement agencies (local, state, and federal). They assist with emergency management training for many state agencies, to include assisting in developing and training on Continuity of Operation Plans (COOP).
- EPB – Consists of specially equipped and highly-trained Special Agents and Troopers - specifically assigned to provide twenty-four (24)-hour personal protection to the Governor, Lieutenant Governor, and Attorney General. Due to the number of events across the State and Capitol Complex, all law enforcement divisions (THP, CID, Texas Rangers, and Intelligence & Counter Terrorism (ICT) regularly provide additional support to EPB.

In addition to the dedicated resources to the Region 7 Security Programs, Region 7 regularly calls upon other Regions to support the growing number of planned and unplanned events that pose potential threats to people and property. During major events, Civil Disturbance Management Teams (CDMT) are deployed from other regions across Texas to assist with crowd control (as many as 100 additional Troopers, and CID Special Agents are deployed for larger protests. Texas Rangers and SWAT Teams are regularly deployed and staged to assist with major events, and on occasion, to assist with major criminal investigations. Law Enforcement Support Services regularly provides personnel and resources during major events. This includes radio dispatchers and mobile command stations to manage increased emergency radio traffic.

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

This program is funded through general appropriations.

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

Currently, there are no other programs within DPS that provide identical or similar services regarding security access systems; however, DPS is continuing to expand on developing an internal statewide Security Program to address security needs by other DPS divisions across Texas. This includes updating the infrastructure at older DPS facilities, managing systems installed in all new construction facilities, and enhancing Regional Security Programs to provide regional services to DPS facilities, Legislative Officials and their offices, provide security analysis and support to local and federal law enforcement agencies to address potential threats against major events.

Externally, a few agencies provide similar security services in the Capitol Complex. The Texas Facilities Commission (TFC) has an internal security program that manages internal and external video security systems for most state office buildings in the Capitol Complex. TFC also manages a locksmith program and a separate security access card system. In addition, the Texas Attorney General's Office manages its own internal video security systems, while the City of Austin has installed video cameras on traffic control devices within the Capitol Complex. This video monitoring is similar to the monitoring performed by DPS in the Capitol Complex.

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

At this time, there are no avenues in place to avoid duplication or conflict with other agency programs with similar functions. However, DPS and TFC are working to consolidate some security operations, including locksmith services for all Capitol Complex facilities other than the Capitol building itself, Capitol Extension, Capitol Visitor Center, and DPS Region 7 Headquarters. The Department (DPS) should also work with TFC and TSPB to coordinate the security access card authorizations for state employees who work in the four (4) legislative buildings managed by the TFC. In addition, DPS needs to coordinate with the City of Austin to obtain access to the City's traffic-based video camera system within the Capitol Complex.

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

The Department, by statute, executes a Memorandum of Understanding with the City of Austin regarding several security matters (Government Code Section 411.062(f)).

The Region 7 Regional Director chairs and participates in a state-mandated (Government Code 411.0645) transportation committee to address a number of traffic and law enforcement related matters impacting DPS and the Capitol Complex. The committee, by statute, consists of the Department (DPS), the City of Austin, the Capital Metropolitan Transportation Authority, the General Services Commission (now known as Texas Facilities Commission (TFC), the State Preservation Board, and the University of Texas at Austin. A non-voting committee member includes Austin Police Department (APD).

The agency works closely with Austin/Travis County EMS, Austin Fire Department, Texas Department of Transportation, and the University of Texas Police Department to coordinate the integration, staging, and support of personnel and assets for routine and emergency activities.

Region 7 participates in a multi-agency Crisis Management Investigations Group sponsored by the Assistant United States Attorney in the Western District. The group meets regularly to discuss best practices for responding to major criminal acts, with emphasis on terrorism related attacks.

Region 7 is moving forward to assign a special agent to the Austin Federal Bureau of Investigation (FBI) Joint Terrorism Task Force (JTTF). This joint partnership consists of local, state, and federal law enforcement agencies whose mission is to detect, identify, and investigate major criminal acts of domestic or international terrorism in Central Texas.

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

- **A short summary of the general purpose of those contracts overall;**
- **The amount of those expenditures in fiscal year 2016;**
- **The number of contracts accounting for those expenditures;**
- **The method used to procure contracts;**
- **Top five contracts by dollar amount, including contractor and purpose;**
- **The methods used to ensure accountability for funding and performance; and**
- **A short description of any current contracting problems.**

Not applicable to this program.

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

This program did not award any grants.

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

The growth and demands for the Security Program began expanding post 9/11, but its expansion has increased significantly over the past 10 years with the technological advancements in various areas, including biometrics, video analytics, and other computer technologies used to assist in analyzing, identifying, and mitigating threats. At the same time, criminal elements are utilizing the same technology advancements to conduct pre-attack surveillance.

Defining security operations versus safety responsibilities between programs and agencies would help to avoid duplication of services, assist in identifying responsibilities, and allow for agencies and programs to meet program goals while complying with internal policies and procedures, and in some cases, statutory requirements.

For example, the DPS Security Program is responsible for installation, maintenance, and storage of some video security systems in the Capitol Complex. The TFC is responsible for most other systems. The two (2) agencies may have differing protocols related to managing the security components, including types of systems used, when to replace equipment, storage timelines, and levels of access. The Department (DPS) must take into account laws governing the rules of evidence, knowing that video from security systems often becomes evidence during criminal investigations. Non-law enforcement agencies; however, like the TFC, may use a different scale in managing systems.

The growing number of protests, the increased number of people, both state employees and visitors, and additional state office buildings associated with the Capitol Complex Master Plan will significantly increase the demands on limited resources currently assigned to Region 7.

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

N/A

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

Name of Program or Function: *Special Operations/Capabilities*

Location/Division: *Texas Ranger Division*

Contact Name: *Division Director Randy Prince*

Actual Expenditures, FY 2016: *Funding and expenditures for this program are included in the Major Criminal Investigations program.*

Number of Actual FTEs as of June 1, 2017: *SWAT/Bomb Squad Includes 32 full time FTEs, 22 at Austin HQ and 10 in Edinburg added in FY 16. Collateral FTEs are assigned as needed based on a task force initiative from within the Department divisions, units, or services.*

Statutory Citation for Program: *The Texas Government Code, Section 411.002 creates the Department of Public Safety of the State of Texas as an agency of the state to enforce the laws protecting the public safety and provide for the prevention and detection of crime. The department is composed of the Texas Rangers, the Texas Highway Patrol, the administrative division, and other divisions that the commission considers necessary.*

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

The Texas Department of Public Safety recognizes that the demands of the communities that we serve require the development and deployment of specialized tactical units. The mission of these units is to provide the Department with increased capability to effectively control and resolve highly volatile incidents. Specialized equipment and training of these units increase the safety of the subjects being confronted, the involved police employees, and the community. The Department uses these specialized units only in situations that warrant the need for enhanced weapons and training. Law enforcement experience has demonstrated that there are police service demands that require specialized units that are equipped and trained to successfully handle these demands. Special Weapons and Tactics Team (SWAT) and Specialized Response Teams (SRT) are such units. The mission of these highly trained and specially equipped units is to bring under control highly volatile police incidents, including, for example, persons with weapons, barricaded and/or hostage incidents, suicidal calls, and high risk warrant service operations. These types of units are the most heavily armed units within any police agency and they require deliberative decision making and oversight.

The Special Operations Group leverages Department assets and resources to resolve critical incidents, using a task force initiative under the incident command structure. Under the task force concept, all federal, state, and local resources are integrated using the national response framework established for response to emergency incidents such as hurricanes, disasters, and other public order emergencies. This framework is widely accepted throughout the first responder community. This response framework, known as the National Incident Management System, was specifically designed to provide command, control, and coordination of resources and to facilitate information sharing.

The Special Weapons and Tactics Team and the regionally based Special Response Teams are highly trained; their primary job is to respond to critical incidents of a high risk nature such as hostage situations, barricaded subjects, and active shooter situations. Special Operations includes an integrated bomb squad, responsible for dealing with a multitude of hazardous devices including improvised explosive devices, bomb threats, recovered explosives, response protocols, and many counter-terrorism related situations. SWAT and SRT have the secondary responsibilities of conducting high risk warrant operations and border security operations.

The Special Response Teams (SRTs) and Crisis Negotiation Units (CNU) are assigned to tactical response duties on an as-needed basis. SRT and CNU personnel perform regular job duties in the Highway Patrol, Criminal Investigation Division, and Texas Ranger Division. During emergencies, they are activated and transitioned to the Special Operations Group under the incident command structure.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.

During Fiscal Year 2016, the Special Operations Group conducted 113 deployments that resulted in the arrest of 148 high threat criminals and the negotiated surrender of 21 armed barricade situations. (*High threat crime* refers to homicide, kidnapping, arson, escape, assault, robbery, sexual assault, and weapons violation.)

- Deployments – 113
- Bomb Squad Deployments – 14
- Hostage Situations – 7
- Armed Barricade – 17
- High Risk Warrants – 75
- Arrests – 148
- Negotiated Surrenders – 21

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

Prior to May, 2010, the Department of Public Safety used a 15-person Special Weapons and Tactics Team that served on an as-needed basis. The members served in full-time capacity in Highway Patrol and Criminal Investigations Division. In light of the increasing threat of domestic and foreign terrorism, lone wolf attacks, and terrorist-style attacks, in May, 2010, the Department transitioned to a full-time, 20-person tactical team placed under the Texas Ranger Division for operational and deployment control. To complement the full-time tactical unit and

to provide first response to critical incidents, the Special Response Teams were created to serve on an as-needed basis and dispersed regionally. These teams became fully operational at the end of 2011.

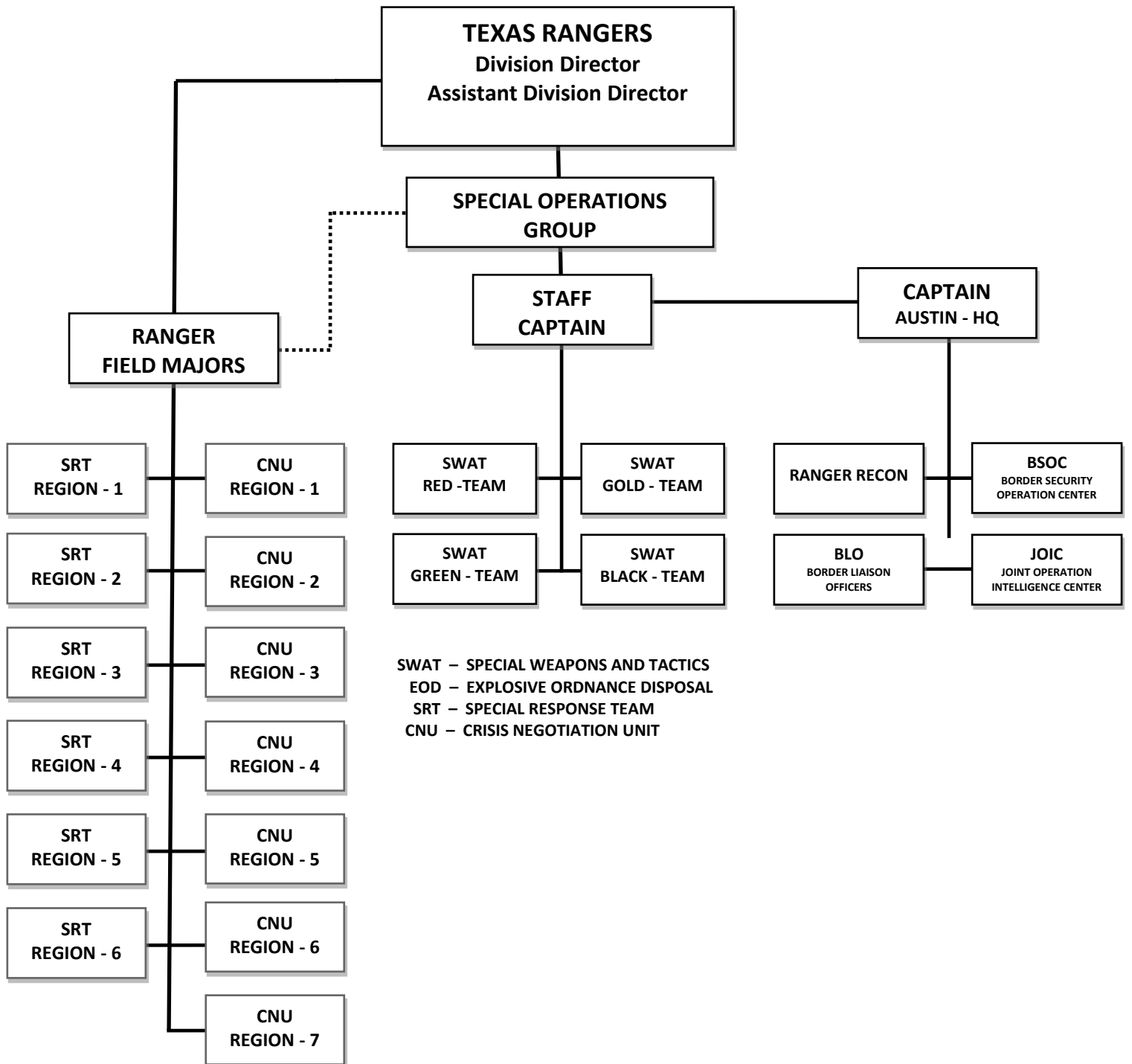
The Special Operations Group was created by Director McCraw in October, 2011 to address the growing escalation in illegal narcotics trafficking, human smuggling, and escalation of violence in the Texas border region. The Special Operations Group consists of six functions designed to effectively deal with the threats posed by criminal organizations and terrorists (both international and domestic) and the threats posed to the border region by drug trafficking organizations. These functions include SWAT, regionally based Special Response Teams, Crisis Negotiation Units, Ranger Reconnaissance Team, bomb squad, and the border security components of BSOC and Drawbridge. The Special Operations Group program is often a key component of the Major Operations program, as it participates in a number of the operations listed in the description of that program.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

This function serves the population of Texas by providing advanced, specialized tactical response to resolve critical incidents. In addition, this function provides direct support to the more than 300 law enforcement agencies in Texas through an emergency mutual aid agreement to provide tactical personnel and resource support.

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

The Special Operations Group consists of the Special Weapons and Tactics Team (SWAT), Explosive Ordnance Disposal Unit (EOD), Texas Ranger Reconnaissance Unit, Special Response Teams (SRT), Crisis Negotiations Unit (CNU), and the Border Security Operations Center.



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

AY 2016

Major Criminal Investigations and Operations*	0001 General Revenue	\$24,007,921
	0666 Approp Receipts	\$24,234
	Total	\$24,032,154

*Funding and expenditures for the *Major Criminal Investigations and Operations* item include the individual programs identified as *Corruption Investigations*, *Major Criminal Investigations*, *Major Operations*, and *Special Operations/Capabilities*.

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

There are no internal programs that provide identical or similar functions. There are many external tactical teams, commonly referred to as Special Weapons and Tactics (SWAT) teams, located in Texas at the federal and local agency level. All tactical teams provide similar services of armed barricade resolution, hostage rescue, protective services operations, high risk arrest operations, and suicidal person calls, but the Texas Rangers Special Operations group is unique in its ability to leverage the on-demand capability of the Department of Public Safety in such forms as patrol assets, aircraft, marine units, and communications support. For example, the Texas Ranger SOG can leverage aircraft, both fixed wing and rotor wing, to conduct advanced high risk operations. These aircraft are strategically located across Texas to provide quick response to high threat situations.

The specialized aircraft of the Department can provide advanced intelligence, command, and control platforms – surveillance and reconnaissance functions not otherwise available to federal and local agencies. This drastically enhances officer and citizen safety. In addition, the Texas Rangers Special Operations Group oversees a full-time tactical component capable of responding anywhere in Texas within three hours. A large portion of Texas is rural environment, which poses unique challenges for traditional municipal tactical units. With the exception of the large municipalities, most local agency tactical teams are collateral; they are often understaffed and under-resourced and have limited training. Teams from large municipalities are often well trained and resourced, but limited to the municipal boundaries and not capable of responding to critical incidents that occur in rural areas. This places the Special Operations Group in the unique position of being a primary resource for local law enforcement for critical incidents in rural areas of the state.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If

applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Conflict and duplication of effort are avoided by incorporating all agencies into a Unified Command that shares intelligence and continuously facilitates interagency communication. This response framework, known as the National Incident Management System, was specifically designed to provide command, control, and coordination of resources and to facilitate information sharing through the Unified Command principle. The Unified Command principle defines a temporary command created for a designated incident and consisting of participating organizations. Multiple jurisdictions with multi-agency involvement – various federal, state, tribal, and local law enforcement agencies – share jurisdictional responsibilities. A Unified Command allows agencies with different legal, geographic, and functional authorities and responsibilities to work together effectively without affecting individual agency authority, responsibility, or accountability. This strategy has been employed successfully in a wide range of operations including critical incidents, criminal investigations, crime control operations, and border security missions.

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

Texas Rangers Special Operations Group also routinely conducts specialized tactical operations alongside tactical teams from the Federal Bureau of Investigation; Bureau of Alcohol, Tobacco, Firearms, and Explosives; United States Marshall Service; Drug Enforcement Agency; and municipal and county SWAT units. These incidents and high risk operations for apprehending violent criminals have a connection with both state and federal offenses. This includes the blending of different interdepartmental divisions to assist in specialized aspects of any investigation that also involves narcotics trafficking or human smuggling.

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

- **A short summary of the general purpose of those contracts overall;**
- **The amount of those expenditures in fiscal year 2016;**
- **The number of contracts accounting for those expenditures;**
- **The method used to procure contracts;**
- **Top five contracts by dollar amount, including contractor and purpose;**
- **The methods used to ensure accountability for funding and performance; and**
- **A short description of any current contracting problems.**

Not applicable. Funding and expenditures for this program are included in the *Major Criminal Investigations* program.

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

Not Applicable.

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

None

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

Not applicable.

Guide to Agency Programs
Homeland Security

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

Name of Program or Function: *Counterterrorism*

Location/Division: *Intelligence and Counterterrorism Division*

Contact Name: *Division Director John Jones*

Actual Expenditures, FY 2016: *\$1,025,852*

Number of Actual FTEs as of June 1, 2017: *9*

Statutory Citation for Program: *Chapter 411, Government Code and Chapter 421 (Homeland Security), Subchapter E, Government Code.*

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

Terrorists represent a real and dangerous threat to the well-being of the citizens of the state and the statewide economy. The best way to protect the citizens from the consequences of a terrorist attack is to keep such an attack from occurring. Prevention encompasses all efforts to detect terrorists, deter their activities, deny access to support structures, and stop assaults and attacks before they are launched. The focus of the Department's prevention efforts is a robust, integrated, investigative and intelligence capability. Information and intelligence are key to determining where, when, and how to best apply the resources available in the state to disrupt terrorist activities.

The **Counterterrorism** program and efforts of the Texas Department of Public Safety focus on active participation and membership within the multi-jurisdictional Joint Terrorism Task Forces (JTTFs) located with the state that are led by the Federal Bureau of Investigation (FBI). The JTTFs focus primarily on terrorism and other criminal matters related to various aspects of the counterterrorism mission. These task forces conduct counterterrorism investigations and provide information for assessments and intelligence products that are shared, when appropriate, with law enforcement and homeland security agencies.

The state fusion center (aka. the Texas JCIC) also helps protect our nation by serving as valuable conduits for sharing vital homeland security information and countering domestic terrorism. Together, the JCIC and the FBI's JTTFs each play a unique yet complimentary role in securing the Homeland. The JCIC lawfully gathers, analyzes, and shares comprehensive crimes, hazards, and terrorism information to inform local, regional, and national threat analysis and prevention efforts. In contrast, JTTFs primarily focus on providing investigative support to open FBI counterterrorism investigations.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.

- The number of FBI Joint Terrorism Task Forces with Department task force investigators.
- Terrorism watch-list database information enhancements for 2016. These enhancements represent the addition of new information added to the Terrorist Screening Center Database of Known or Suspected Terrorists as the result of research reports (“workups”) conducted by ICT analytical staff on some law enforcement encounters with KSTs:

80: Total Workups

38: Case file enhancements in TSDB

334: New items of information to the 38 TSDB files (new addresses; biometrics; associates; etc.)

- **FBI Guardian terrorism case referrals related to potential terrorism:**

33: Total Submitted

11: With confirmed nexus to terrorism/accepted as probable Preliminary Investigations

18: Inconclusive/Undetermined

4: With no nexus to terrorism

- Terrorism related intelligence reports (including SPURS): **23**
Terrorism related intelligence products disseminated (Analyses; Executive Reports; THSU Reports): **8**

Additionally, the following programs produced terrorism-prevention related outcomes during 2016 and through July 1 2017:

- **Training webinar video for improved intelligence from encounters with terror watch-listed suspects**

A review of dash camera videos from DPS Trooper roadside encounters with watch-listed terrorism suspects revealed a need for better intelligence collection practices during such encounters. ICT decided to develop a web-based curriculum for DPS cadets and for in-service schools to teach troopers how to collect more and better intelligence during roadside encounters with suspected terrorists. Research for the curriculum and graded exercises developed in partnership the DPS Texas Highway Patrol leadership, the DPS education and training academy, the Texas Commission on Law Enforcement, (TCOLE) and the Terrorist Screening Center. After coordination, ICT drafted a curriculum and had reviewed by TSC legal counsel and Texas Highway Patrol training board representatives. ICT and DPS training academy personnel developed a script and visual elements. The result was a 45-minute video webinar, segmented by three graded exercises. The training explains handling procedures for encounters, how the intelligence community uses gathered police information, what officers shouldn't do during encounters, and best practices obtaining valuable information. In September 2016, the DPS Director ordered all 3,000 DPS commissioned officers to view the video, which was incorporated into DPS's training regimens for cadets and in-service training.

DVD copies could not keep up with demand by external police agencies, and the video was uploaded to the JCIC's LEEP site and to the JCIC's HISN site. Recognizing the effort, the TSC flew a team of the involved ICT analysts to DHS and the National Terrorism Screening Center (NTSC), Washington D.C. to consult with the agency on creating a similar video of its own.

➤ **Infrastructure Liaison Officer program**

A key mission in the state's Critical Infrastructure Protection program requires partnership networks that can be activated for crime prevention. However, recognizing that covering such a nationally diverse range of infrastructure at current staff levels, ICT leadership created the "Infrastructure Liaison Officer" (ILO) program. The initiative was unique from other liaison officer programs in that it consisted of mostly non-commissioned private sector participants (as opposed to the mostly commissioned officer model) working in five "lifeline" infrastructure sectors. Participants were chosen for having virtually no prior involvement with a fusion center. They were recruited for two days of training about fusion center capabilities, what suspicious activities are valued, and how to report to and engage with law enforcement. Planning assistance was arranged with the DHS Technical Assistance Program. ICT developed a 12-hour training curriculum, an ILO brand seal, promotional materials, certificates of completion, and a secure online platform (HISN-based) for communications between the ILOs and fusion center. In November 2016, ICT launched the ILO program. As of June 2017, three trainings had produced about 130 ILOs. The program generated highly rated course evaluations and numerous suspicious activity reports. In return, ICT personnel provided multiple online intelligence briefings to ILOs and catered intelligence products. Plans call for continued engagement with the ILOs as their ranks are grown to 700 by the end of 2018.

➤ **Texas Homeland Security Report**

The "Texas Homeland Security Report" was created as ICT leadership prepared to eliminate a monthly report of aggregated news stories that some within the division regarded as having limited value to JCIC customers. Leadership entertained the idea of replacing it with a more relevant and useful product. The result was the quarterly Texas Homeland Security Report. Its purpose was to generate original, useful situational awareness information for Texas law enforcement audiences about terrorism and extremism threats unique to Texas. For instance, The Report carries a regular page about the impending releases of federally convicted extremists, including where, when and descriptions of the committed crime. Other standing features include a page detailing how many and what kind of suspicious activity reports were received, and another page detailing encounters between Texas law enforcement and terrorism watch listed suspects, to include where and what kind. On other pages, The Report draws attention to the latest terrorism and extremism-related threats, offering content about largely unknown arrests and cases, emerging new groups and movements. The Report can range up to 15 pages, comes with reference citations and undergoes rigorous peer review. As a result, it is highly praised and is often re-disseminated nationally and internationally, generating multitudes of requests to join JCIC dissemination lists each time it is published.

➤ Texas Suspicious Activity Reporting Network

Created by ICT for the TXJCIC to create a Suspicious Activity Reporting capability for DPS and eventually collaborated with Regional Fusion Centers through the Texas Fusion Center Policy Council and created the Texas Suspicious Activity Reporting Network (TxSARNet). TxSARNet is a statewide reporting system that provides a holistic view of possible terrorism and crime-related activity in Texas. The network facilitates the comprehensive collection, analysis and response to terrorism and crime-related activity, while also working to ensure individual privacy, civil rights and civil liberties. Ultimately, TxSARNet assists federal, state, tribal and local law enforcement agencies in their efforts to detect, deter and disrupt terrorism and criminal activities.

Preparations for possible terrorism or crime-related events typically require pre-operational surveillance, information collection and resource gathering which are often detected or seen by the private sector, individual citizens and even law enforcement. TxSARNet engages the seven fusion centers in Texas and provides a systematic process to collect suspicious activity reports of these observations for their individual areas of responsibility while participating in TxSARNet. This capability leverages the network effect providing greater threat detection capability and better situational awareness and information sharing.

TxSARNet Members:

- Fusion Centers
 - Austin Regional Intelligence Center (ARIC)
 - Dallas PD Fusion Center (MOSAIC)
 - El Paso PD Fusion Center (MATRIX)
 - Houston Regional Service Information Center (HRISC)
 - North Central Texas Fusion Center (NCTFC)
 - Texas Joint Crime Information Center (TX JCIC)
 - Southwest Texas Fusion Center (SWTFC)
- Texas Capitol Complex (TCC)
- Texas Banking Association (TBA)

In 2016, there were a total of 2,786 suspicious activity reports added to TxSARNet. As a result of the reporting, there were 1,050 matches made and 231 threat patterns created. A match is made when a person or vehicle appears in more than one report, and a threat pattern is a collection of at least two reports that have been matched. Threat patterns have been established within a single fusion center's SAR data collection, as well as across multiple partners on the network. For example, one recent threat pattern comprised five reports from three different TxSARNet partners.

SARs of suspicious terrorism activity submitted to FBI's E-Guardian for CY 2016: 11

TxSARNet maintains a unified reporting method for public citizens, law enforcement, private security and trained liaison officers. Reports can be made via:

- www.iwatchtx.org, the Texas Department of Public Safety's (DPS) official community reporting website
- DPS mobile app, available for in the Apple App Store for iPhone users and for Android users through Google Play
- TxSARNet hotline at 1-844-643-2251 (for anonymous reports)
- Mobile app designed for trained liaison officers and law enforcement personnel

If the activity occurs is in one of the regional fusion center's established areas of responsibility (AOR), the report is automatically sent to that fusion center for research and vetting. If the location of activity does not fall into one of the regional fusion center AORs, the report comes to the state fusion center for handling.

Participants in TxSARNet contribute to the Nationwide Suspicious Activity Reporting Initiative (NSI) through direct export capability to the SAR Data Repository on eGuardian. Each fusion center is responsible for vetting suspicious activity reports received for their area of responsibility and sharing reports that indicate possible preoperational planning associated with terrorism as found in the ISE-SAR Functional Standards and has a potential nexus to terrorism.

TxSARNet was developed to support an all-crimes suspicious activity reporting collection by utilizing the National Based Incident Reporting System (NIBRS) Group A offenses. Also included, are crime related codes developed to support law enforcement initiatives. For example, the "High Risk Threat to Children" code directly supports the DPS Crimes Against Children initiative and Interdiction for the Protection of Children training.

TxSARNet pushes SAR data, with the exception of personally identifiable information, to a secure Application Program Interface (API) site, which can then be accessed by TxMAP, the DPS Geospatial Information System. TxMAP is a visualization tool that houses law enforcement, public safety and government geospatial data and also has some analytical capabilities. This data feed provides TxMAP with real-time mapping of SAR incidents throughout the Texas. TxMAP has five security levels and the TxSARNet layer can only be accessed by those that have access to the "Intelligence" security level. TxMAP is available to users outside of DPS through the Regional Information Sharing System (RISS) and Law Enforcement Enterprise Portal (LEEP).

Texas faces a broad range of threats and hazards every day, and building and maintaining a secure and resilient Texas is a significant, complex, and enduring challenge that requires a coordinated effort among all agencies, jurisdictions, and the private sector. With that in mind, TxSARNet has proven to be is a critical tool in our efforts to maximize our ability to prevent and protect against all threats to our individual jurisdictions, the state of Texas and the nation.

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

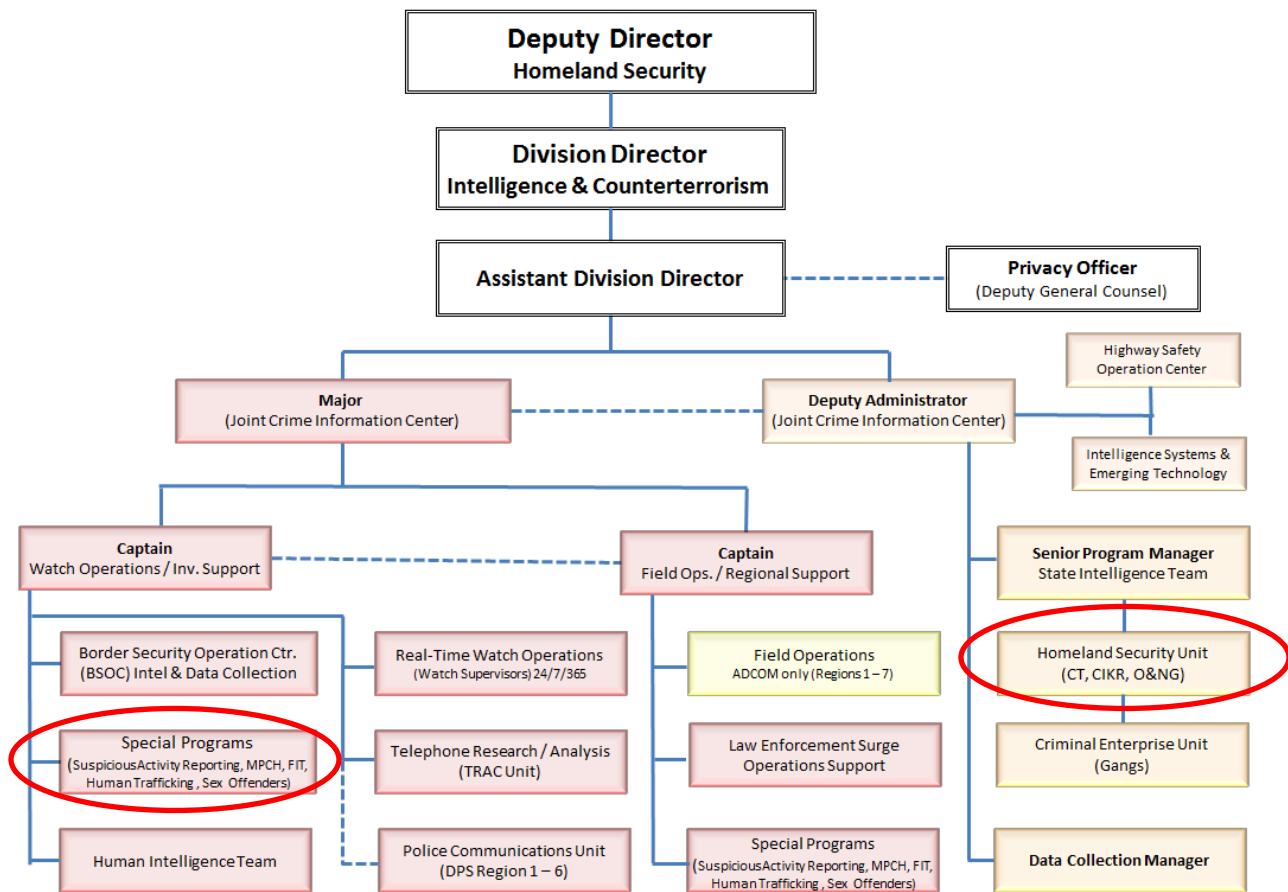
In 2006, it became apparent to Department administrators that a multiagency information-sharing technique is most effective to defeat terrorism. As a result, the Criminal Intelligence Service was directed to assign investigators and staff to serve on the 15 active FBI Joint Terrorism Task Forces around the state and the four FBI Field Intelligence Groups.

Additional history information please refer to section (D) in Intelligence.

- E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.**

The Counterterrorism program serves the entire population of Texas. Preventing terrorist attacks within Texas is the state's number one homeland security priority and this program protects the state and its interests from terrorist attacks by providing proactive intelligence information and operations to combat terrorist attacks.

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



The THS Unit is currently composed of full-time civilian employees attached to the Intelligence and Counterterrorism Division and, as a group, answer to the division’s Deputy Assistant Director. The unit provides information, analysis and intelligence support to help reduce the threat of terrorism, to prevent attacks, and to support the protection of critical state and national infrastructure, which includes the state capitol complex.

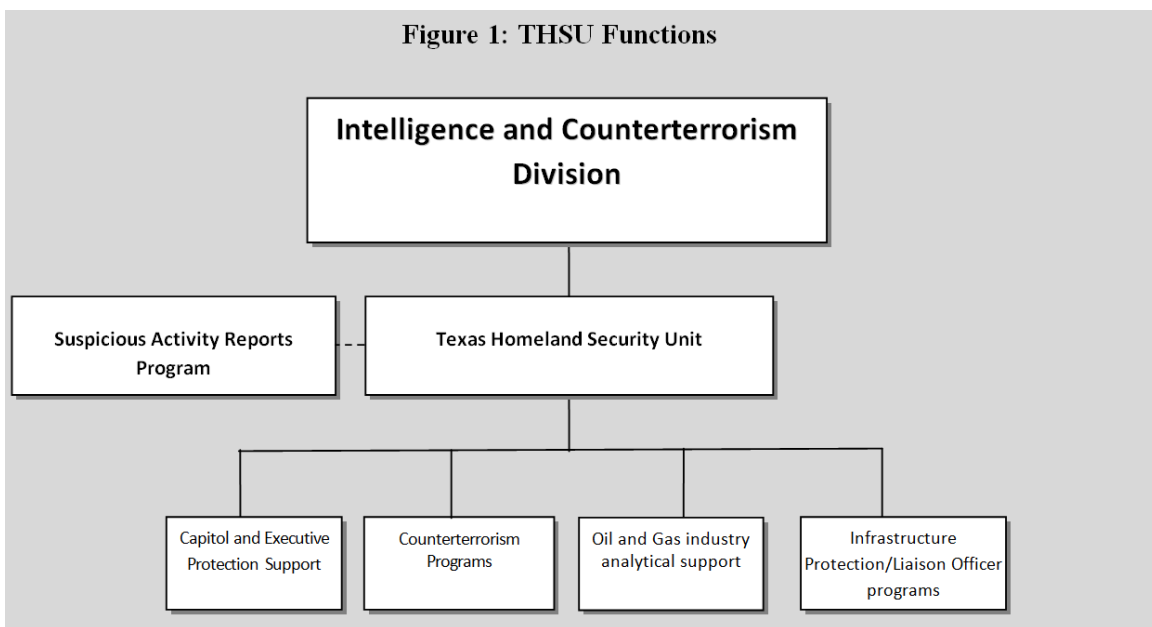
Sharing information and intelligence is its core function. A variety of individuals and entities provide inputs to the THS Unit and also benefit from outputs, primarily a range of written reports and communications.

Priority stakeholders that would receive analyses, threat assessments, criminal investigative referrals and case support include the following:

- Executive DPS Staff and the governor’s office that must have credible intelligence and timely analysis for informed decision-making.
- DPS field supervisors, troopers and investigators throughout Texas who request aid for investigations or could use THS Unit products to enhance public and officer safety.
- State and local law enforcement agencies, including all fusion centers in Texas and possibly elsewhere, as well as police departments and sheriff’s offices.

- Federal partners, such as the FBI, DHS and ICE and a multitude of other agencies that make up the Intelligence Community.
- CIP partners.

All terrorism-related tips and leads, whether they are urgent or non-urgent, are forwarded to the unit for further assessment that could lead to enhanced study, collation with other information, written threat estimates, and potential referral to the FBI or intelligence community. The unit is able to accept information and finished intelligence products from federal agencies via these personnel and also via secure Internet portals such as the Homeland Security Information Network (HSIN), e-Guardian, and Law Enforcement Online (LEO). At the international level, Unit staff members have established communications with Interpol analysts and certain approved foreign agencies.



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

This program is accounted for in Strategy 01-02-01 (Counterterrorism). It is funded by General Revenue Fund 0001 in the amount of \$609,828.00 and federal grants (SHGP) in the amount of \$235,925.59.

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

Many other state and local law enforcement agencies also participate on the FBI's Joint Terrorism Task Forces.

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

The Department coordinates all Counterterrorism program efforts with the FBI's Joint Terrorism Task Forces.

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

The nature of law enforcement services requires the constant interaction with all levels of government on a day-to-day basis. Commissioned and non-commissioned personnel are assigned to existing FBI Joint Terrorism Task Forces (JTTFs) throughout the state in support of combating terrorism and major organized criminal groups and their illegal activities.

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

- **a short summary of the general purpose of those contracts overall;**

The purpose of the contract is to assist with property-related searches.

- **the amount of those expenditures in fiscal year 2016;**

\$3,600.00

- **the number of contracts accounting for those expenditures;**

one contract

- **the method used to procure contracts;**

DPS follows the procurement method requirements as defined in Texas Gov't Code Chapters 2155, 2156, 2157, 2158, and 2161 and 34 Texas Administrative Code (TAC) Chapter 20. DPS also follows the state's Contract Management Guide and Procurement Manual that are published by the Comptroller of Public Accounts.

In FY16, DPS procured goods and services using Council on Competitive Government, Texas Correctional Institute, Texas Institute for the Blind and Handicapped, Term, Managed, and TXMAS contracts available through TX SmartBuy. These contracts are

managed by the Comptroller of Public Accounts, and state agencies issue purchase orders against those contracts.

DPS also procured goods and services using DIR contracts for certain technology related procurements in FY16. These contracts are managed by the DIR, but agencies can issue purchase orders and agreements against these contracts.

DPS also procured goods and services on the open market in those instances where there was no state contract in place or where the dollar amount associated with the procurement exceeded the limits of use for the state contract. For example, in FY16 SB 20 required that any technology procurements that were over 1 million be solicited on the open market. For non-technology goods that were over 25K and services that were over 100k, DPS would be required to seek delegation from the Comptroller's office before being authorized to solicit on the open market. In some cases the Comptroller would decide to perform the solicitation on behalf of the Department.

- **top five contracts by dollar amount, including contractor and purpose;**

The CounterTerrorism program expends funds for one contract, **PO-405-16-P007127**, valued at \$3,600.00 with CORELOGIC SOLUTIONS, LLC.

- **the methods used to ensure accountability for funding and performance; and**

Each contract has an assigned contract monitor from the division that has been provided with internal training and procedures for monitoring the deliverables and performance of the contract and supplying vendor performance reports. The official contract manager in Procurement & Contract Services works with the division contract monitor, OGC, and Finance to administer and manage contract and vendor performance, ensure compliance with applicable statutes, rules, and policies, and officially address any needed corrective action. Finance is responsible for maintaining compliance with payment rules based on validation from the division that goods and services were received and performance criteria were met.

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

The largest issue with contracting at DPS is the lack of delegated authority for many purchases from the Comptroller's office. Please see the Major Issue regarding delegated authority.

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

None

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

None

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

None

A. Provide the following information at the beginning of each program description.**Name of Program or Function:** *Emergency Preparedness***Location/Division:** *Texas Division of Emergency Management***Contact Name:** *Division Director Nim Kidd***Actual Expenditures, FY 2016:** *\$5,496,736***Number of Actual FTEs as of June 1, 2017:** *57***Statutory Citation for Program:** *Texas Government Code Chapter 418 and Texas Administrative Code Chapter 37***Life Safety/Enterprise Risk Management:** *Texas Labor Code Chapter 412; Texas Administrative Code, Title 28, Part 4, Chapter 252***Workers Compensation:** *Texas Labor Code Chapter 401***COOP:** *Texas Labor Code Section 412.054; Texas Administrative Code §120.1; §120.2; §120.3; §128.2; §129.5; §129.6; §160.3**Texas Labor Code §402.083; §402.086; §408.203; §409.005; §409.006; §409.01; §417.001; §501.044**Texas Insurance Code §36.159; §122.1; §1305.005; §1305.451***B. What is the objective of this program or function? Describe the major activities performed under this program.**

The Preparedness Section of the Texas Division of Emergency Management (TDEM) is responsible for managing and coordinating the state and local emergency preparedness program for Texas. The section is responsible for all-hazards preparedness activities, including planning, training, and exercises focused on significant threats such as hurricanes, flooding, and drought, as well as technological hazards and hazardous materials. The section manages the programmatic aspects of federal Emergency Management Performance Grant (EMPG) sub-grants to support local and regional emergency management programs.

The State and Federal Plans Unit is responsible for developing and maintaining the *State of Texas Emergency Management Plan* and its associated annexes.

The Local and Regional Plans Unit develops and promulgates state planning standards for local emergency management plans and assists local jurisdictions in developing such plans. The unit also coordinates with state and federal agencies on program issues relating to critical infrastructure/key resource protection, continuity of operations planning, and other preparedness programs. Unit planners are assigned to six DPS regions and serve as the state's main liaisons between local jurisdictions and Preparedness.

The Training Unit provides an extensive curriculum of emergency management and hazardous materials training for state and local emergency management and first responders, volunteer

groups active in disasters, and state agencies. The unit also maintains the Preparing Texas website, www.preparingtexas.org, which offers a robust curriculum of emergency management topics.

The Exercise Unit promotes preparedness through exercise conduct offered to local, state, and federal agencies as appropriate and requested. Most of its focus is on assistance to local and regional jurisdictions in designing, conducting, and evaluating exercises, reviewing local exercise reports, and maintaining data on exercise accomplishment. The unit also sponsors and directs at least one full-scale statewide exercise to test local, regional, and state preparedness for a major disaster.

The Technological Hazards Unit carries out preparedness activities related to technological and radiological threats in Texas. As described in greater detail later, federal grants from the U.S. Department of Energy (DOE) and the U.S. Department of Transportation (DOT) fund preparedness activities for three programs:

Agreement in Principle (AIP)/Pantex, by which TDEM collaborates with other agencies to help ensure the preparedness of the areas surrounding the Pantex Plant - U.S. nuclear weapons stockpile;

Waste Isolation Pilot Plant (WIPP) Program, by which TDEM works with federal officials and local jurisdictions to monitor the transportation of transuranic waste through Texas to the Waste Isolation Pilot Plant in New Mexico and to support planning and training activities to communities along the route; and

Radiological Emergency Preparedness (REP), by which TDEM partners with nuclear power plant licensees, local jurisdictions, county officials, and an array of state and federal stakeholders to prepare for a nuclear incident at any of two commercial nuclear power plants and two research reactors in the state.

The Hazardous Materials Unit administers a US Department of Transportation (US DOT) Hazardous Materials Emergency Preparedness grant (HMEP). The primary purpose of this grant is to provide no-cost hazardous materials response training to local communities and state agencies.

Life Safety/Enterprise Risk Management

The objective of the Life Safety/ERM program is to identify, analyze, and evaluate risks associated with DPS functions, personnel, and customers. The program establishes risk management processes to mitigate hazards and improve working conditions. Life Safety/ERM section uses state and national laws, rules, regulations, policies, procedures, and industry standards within the areas of Life Safety, Environmental, Occupational Health and Safety to establish compliance and safety practices to lower the possibility of risks.

Life Safety/ERM's objective is to assist the agency's divisions in building and maintaining their resiliency while advocating for the environmental, occupational, health & safety of the agency's employees and customers. All processes, protocols, procedures, programs, projects, tactics, and task should proceed through a Life Safety and ERM framework.

Life Safety supports the department's personnel and the customers by promoting safety practices that create and maintain a safe work environment. The agency also encourages employees to become actively involved in developing and maintaining a safe work environment. The Life Safety unit includes the inspection program, fire evacuation training and drills, fire prevention and training, fire inspection report and code review, and ERM inspection function.

The function also provides ergonomic assessments for the entire agency and risk assessment training and risk assessment facilitation.

Workers Compensation

The objective of the Workers' Compensation unit is to manage the reporting of all DPS employees' work-related injuries and associated documentation.

The Workers' Compensation program provides information to the State Office of Risk Management (SORM) regarding injured employees' medical care, average weekly wage information for lost wages, supplemental claim details, and related documentation for employees' work-related injuries or illnesses.

Some of the major activities performed under the program are as follows:

- Claim verification
- Online submission of DWC 1s form – Employer's First Report of Injury
- Calculation of average weekly wages
- Submission of DWC 3 form – Wage Statement
- Submission of DWC 6 form– Supplemental Report of Injury
- Lost time reporting
- Off work and return to work status
- Leave audits to ensure proper usage of the injured employee's leave
- Review of medical documentation
- Provide billing information to medical providers
- Maintain file notes and documentation
- Maintain paper and electronic claim files
- Maintain claim file and health care network log reports

COOP

The Continuity of Operations (COOP) Unit serves as the Texas Department of Public Safety's (DPS) subject matter expert for COOP planning. The COOP Unit develops, and maintains DPS' COOP strategy and continuity procedures, facilitates COOP training workshops for federal, state

and local government organizations and develops continuity policy and procedures. Continuity planning identifies essential functions, personnel, facilities and other resources required to continue performing these functions. The unit provides guidance to DPS leadership on best continuity practices.

No longer providing this service would mean not meeting legislated mandates for workers' compensation and meeting other statutes as they are written for many different areas at DPS.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.

In FY 2016:

- The Local and Regional Plans Unit reviewed 3,143 local and regional emergency management plan documents from 440 emergency management jurisdictions.
- At the end of FY16 the 88 percent of local governments had maintained a basic level of emergency planning preparedness. This is measured by the number of primary jurisdictions that meet TDEM's basic level of emergency management as defined by the number and type of emergency plan documents the jurisdiction has completed over the past five years. TDEM receives copies of local emergency planning documents daily, reviews these materials, and provides feedback to the originator. TDEM generates reports of local emergency planning accomplishments monthly and reports results quarterly. The numerator is the number of jurisdictions under a current emergency operations plan. The denominator is the total number of jurisdictions in the state. The numerator is divided by the denominator, and the result is expressed as a percentage.
- The State and Federal Plans Unit updated the *State of Texas Emergency Management Plan* to incorporate FEMA's *Comprehensive Preparedness Guidance 101* doctrine, which necessitated significant revisions to the content, structure, and format of plan documents, seven of which were developed or revised during this time. Development and revision of these documents involves the participation of, on average, 70 representatives of state agencies, public, and volunteer organizations that play important roles in responding to disasters. This participation occurred at 25 meetings during this timeframe.
- Planning documents have been redesigned to be compliant with Section 508 of the Rehabilitation Act of 1973, as amended, and Texas Government Code 2054 Subchapter M, so that our documentation is accessible to all Texans.
- The state's planning process was broadened to include members from the whole community of stakeholders, ensuring that critical input from important perspectives is incorporated into state plan documents.

- In FY16 the Training Unit held 455 classes statewide. A total of 8,090 students completed 106,496 hours of training.
- Additionally, 50,822 hours of Hazardous Materials training was delivered statewide under the Hazardous Materials Unit's auspices.
- The Exercise Unit sponsored nine regional exercises for local governments and state agencies to test plans, procedures, training, equipment, and facilities.
- Local governments receiving Emergency Management Performance Grant (EMPG) funding reported conducting 214 emergency exercises to test plans, procedures, training, equipment, and facilities.
- EMPG grant funds were awarded to support 116 local and interjurisdictional emergency management programs.
- HMEP grant funds of \$36,000 provided substantial planning support to six Texas Local emergency Planning Committees (LEPC) across the state.
- Technological Hazards staff met with 20 jurisdictions in the WIPP transportation corridor.
- Exercise Unit staff reviewed 325 after-action reports (AAR) from exercises supported by EMPG funding throughout the state.

Life Safety/Enterprise Risk Management

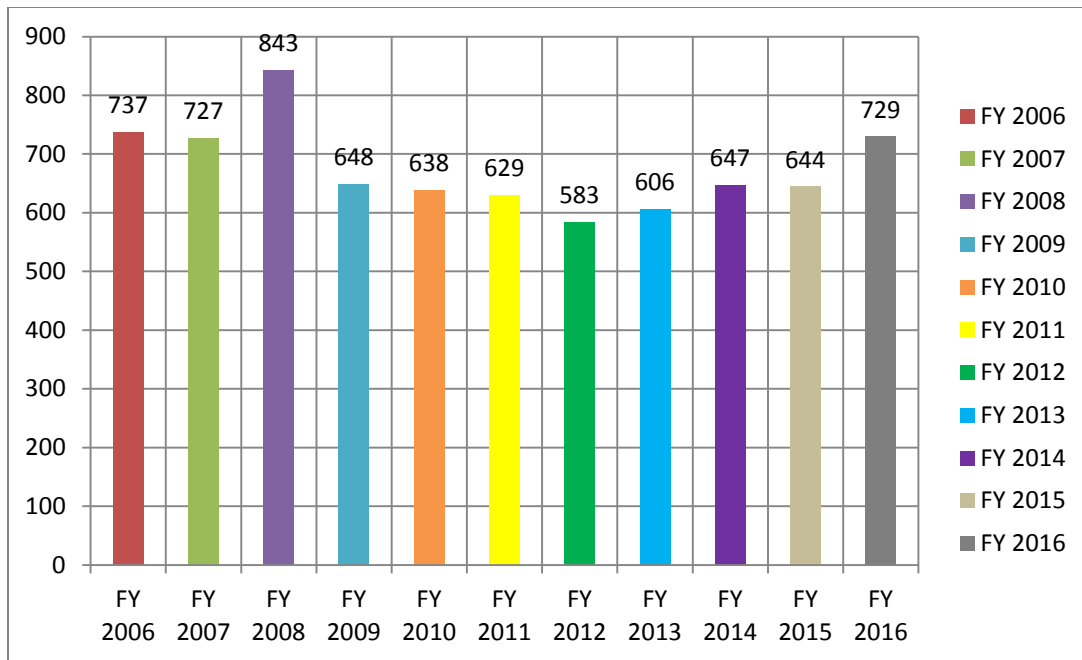
- Stated requirement from State Fire Marshal's Office (SFMO) that an additional stairwell was needed in Region 6 Headquarters, San Antonio. Upon Life Safety review, it was determined that the stairwell was not a necessary addition. Cost savings of approximately \$300,000.00 to the agency.
- Stated requirement from State Fire Marshal's Office that an additional stairwell was needed to access the State Operations Center, located underground at headquarters, Austin. Upon Life Safety review, it was determined that the stairwell was not a necessary addition. Agency cost savings of \$3,000,000.00. (dollar amount derived from engineering company that was involved in negotiations for the contract of installation) In approximately 2008 DPS was required to install additional fire protection systems in the Building C academy dormitory due to high-rise designation of 5 floors by the State Fire Marshal's Office. After code and compliance review, Life Safety met with the SFMO and agreed that the initial interpretation was incorrect and alternative safety measures were established. The building is being renovated and will be opened as a dormitory. There will be a cost savings at a minimum of \$2,000,000.00 a year for an undetermined amount of time. The figures are based on occupancy alone of recruit schools and in-service schools hotel and per diem cost associated with staying away from the Academy facility.
- There is now a documented program with Facilities, Life Safety, and ERM that identifies code and compliance issues and the risk identification, documentation, risk treatment, and follow-up of those issues.
- There is a collaborative effort with the State Fire Marshal's Office and the State Office of Risk Management to identify risk, document, and treat the risk.

- There is a DPS contract requirement that all leased facilities must have a Life Safety and ERM inspection before the lease can be signed. This has brought about a positive change in the facility management and risk associated with DPS personnel and equipment being located at unsafe facilities. Many times DPS was put into the unenviable situation of being stuck without recourse because of necessity of a facility to house DPS personnel and equipment. The result of the new inspection requirement has brought numerous aircraft hangar facilities in to code compliance and it has allowed several hangar facilities to be relocated to a safer location due to non-compliance issues with the lessee. The cost is documentable on the possible savings of DPS personnel safety and the savings to DPS aircraft and equipment stored in a proper compliant facility.
- For the first time Life Safety has documented the complete facility inspection of DPS Headquarters facilities and the inspection program has now moved out from Headquarters into the Regions. The outreach has started with Regional Headquarters, Mega Centers, and District Offices. It will eventually include all owned, leased, and free spaces. The cost is undeterminable on the amount to DPS personnel, customers, and equipment proactively assessed prior to a disaster.
- Life Safety has initiated an Evacuation and Drill program that has been completed on every DPS Headquarters facility and will now be moved into the Regions. The program is extended beyond a fire drill program and will include evacuation and shelter in place for events such as weather related, fire, active shooter, chemical and man-made events.
- Life Safety has developed and has begun instruction on Evacuation Warden Program.

Workers Compensation

Workers' Compensation Monthly Claim Counts by Fiscal Year

	September	October	November	December	January	February	March	April	May	June	July	August	Total for FY	Medical Claims	Incidents
FY 2006	48	44	44	46	45	49	86	93	85	57	75	64	737	443	294
FY 2007	44	61	47	46	56	67	61	88	69	96	37	54	727	496	231
FY 2008	49	122	54	85	45	74	45	60	78	89	73	69	843	540	303
FY 2009	41	73	49	51	48	55	53	69	62	54	48	45	648	425	223
FY 2010	47	66	54	46	44	64	44	39	45	40	80	69	638	440	198
FY 2011	65	47	57	55	47	50	90	46	49	53	32	38	629	392	237
FY 2012	59	51	55	43	41	67	52	39	41	41	47	47	583	359	224
FY 2013	35	73	67	29	39	47	41	40	58	71	52	54	606	394	212
FY 2014	54	70	53	47	50	70	42	54	50	44	52	61	647	422	225
FY 2015	50	57	49	38	40	41	68	55	53	46	76	71	644	426	212
FY 2016	57	73	60	39	46	50	61	67	67	57	90	62	729	512	212
FY 2017	90	69	73	55	61	53	98	95	103				697	162	58



COOP

1. 2010 Conducted a business Impact Analysis (BIA) for the agency, identifying all essential functions and the applicable recovery time objective.
2. 2010 - 2014 – Developed documents and procedures that established the COOP program at DPS.
3. 2012 – Established a training program utilizing planning workshops to ensure key staff members are prepared to respond to a COOP incident.
 - 3.1. This is done through annual workshops with each Emergency Relocation Group.
4. 2013 – Participated in the development of the COOP Crosswalk, which is used by State Office of Risk Management (SORM) as a benchmark for minimum standards for COOP planning.
5. 2014...2017 – COOP Unit has presented at Texas Emergency Management Conference for the past four years, providing training for other COOP planners.
6. 2014 – COOP Unit completed and submitted the agency plan to SORM, which included planning for 16 divisions and 6 sections and required the development of 67 COOP plans to support 140 essential functions. The SORM submission included an updated COOP Crosswalk.

- 6.1. COOP conducted exercises with the following divisions: law enforcement, law enforcement support, communications, and Information Technology.
7. 2016 – COOP Unit updated and submitted the agency plan to SORM, which included planning for 17 divisions, 1 region and 6 sections. This required the validation and update of 71 COOP plans to support 133 essential functions.
 - 7.1. Conducted an exercise with Texas Division of Emergency Management sections to ensure preparedness to respond to emergencies.
8. 2017 – COOP Unit preparing to submit the agency plan to SORM, which included planning for 17 divisions, 2 regions and 6 sections. This required the validation and update of 73 COOP plans to support 133 essential functions.
 - 8.1. Conducted an exercise with Texas Division of Emergency Management – State Operations Center and all Emergency Management Council agencies to validate hurricane preparedness.

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

Over the last several years, important changes and improvements in law, technology, and emergency management doctrine and best practice have resulted in significant changes in the Preparedness development and delivery of products and services. Highlights include—

- Ongoing improvements to the PreparingTexas.org training portal leading to the development of a learning management system (LMS) to significantly extend our training reach throughout Texas;
- Texas implementation of FEMA/Emergency Management Institute (EMI) Professional Development Series and Advanced Professional Series instruction for emergency management professionals;
- Exercising a leadership role on the state’s Drought Preparedness Council, leading to a Drought Hazard Annex and coordination of several agencies in the creation of an Emergency Drinking Water Task Force to support at-risk jurisdictions during periods of extreme drought;
- Preparedness planners, training officers, and exercise officers assigned to DPS regions in order to better support the preparedness needs of local jurisdictions; and
- Implementation of the Homeland Security Exercise and Evaluation Program (HSEEP) with an emphasis on supporting local jurisdictional preparedness, training, and funds sourcing.

Life Safety/Enterprise Risk Management

At the time of the last Sunset Review, ERM was mainly tasked with the Workers' Compensation program. With staffing of three workers' compensation employees and a supervisor, there was minimal time to address proactive risk issues that were or could affect the agency. Starting in July 2014 the Director of DPS assigned ERM to the Chief of TDEM. Life Safety established a Life Safety program that entailed Fire and Life Safety accountability within the agency. ERM was tasked with establishing an environmental, occupational, health and safety program that would work in conjunction and collaboration with the Life Safety program. In 2015 a Technical Rescue Operations program was established under Life Safety. In 2016 Continuity of Operations (COOP) was transferred to the Life Safety program to work in conjunction and collaboration with the Life Safety and ERM programs throughout the state.

Workers Compensation

Prior to 2011, the Workers' Compensation unit (previously called Health and Safety section) was part of the Human Resources division. In 2011, the Workers' Compensation unit was transferred from Human Resources to Finance. In 2014, the Workers' Compensation unit was transferred from Finance to the Texas Division of Emergency Management.

COOP

In 2010, DPS established the Enterprise Risk Management (ERM) section in the Finance division of the Department of Public (DPS). Initiatives included:

- Conducting a Business Impact Analysis for DPS, identifying all essential functions and the applicable recovery time objective.
- Developing a COOP Program for DPS.
- Acquire and implement continuity software.

In 2011, ERM hired COOP contractors to establish the framework for the COOP program and develop the DPS COOP plan. In 2012, TDEM-Preparedness established COOP Unit and hired full time unit supervisor and COOP planners.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The Preparedness Section's program affects all the state's citizenry as it supports the preparedness of all 254 counties, 1,215 incorporated cities, three tribes, people with access and functional needs (AFN), as well as the 24 regional planning commissions and councils of government, more than 30 state agencies, and an extensive list of volunteer groups active in disasters.

Life Safety/Enterprise Risk Management

This program affects all DPS personnel, DPS services, customers of DPS, DPS equipment, and DPS property.

Life Safety and ERM personnel are either certified fire inspectors, fire inspectors in training, a commissioned fire inspector (law enforcement), ISO 31000 trained, or a combination of two of the three.

Workers Compensation

The Workers' Compensation program affects all Texas Department of Public Safety employees who sustain injuries or illnesses within the course and scope of their employment.

To be eligible to utilize the Workers' Compensation program, an employee must have sustained an injury or illness within course and scope of their employment with the Texas Department of Public Safety.

Total Claim Cost Percentage from FY 2012 to FY 2015 by DPS Division

Academy (ETR)	11%
Administration	2.70%
Aircraft	0.09%
Chief Auditor	0.00%
CID	4.07%
DL	16.67%
DDSS	3.31%
Finance	1.21%
Dir. Staff	0.90%
ICT	0.00%
IT	0.97%
LES	1.95%
OGC	0.00%
OIG	0.16%
Rangers	2.41%
RSD	1.22%
TDEM	0.91%
THP	51.95%

COOP

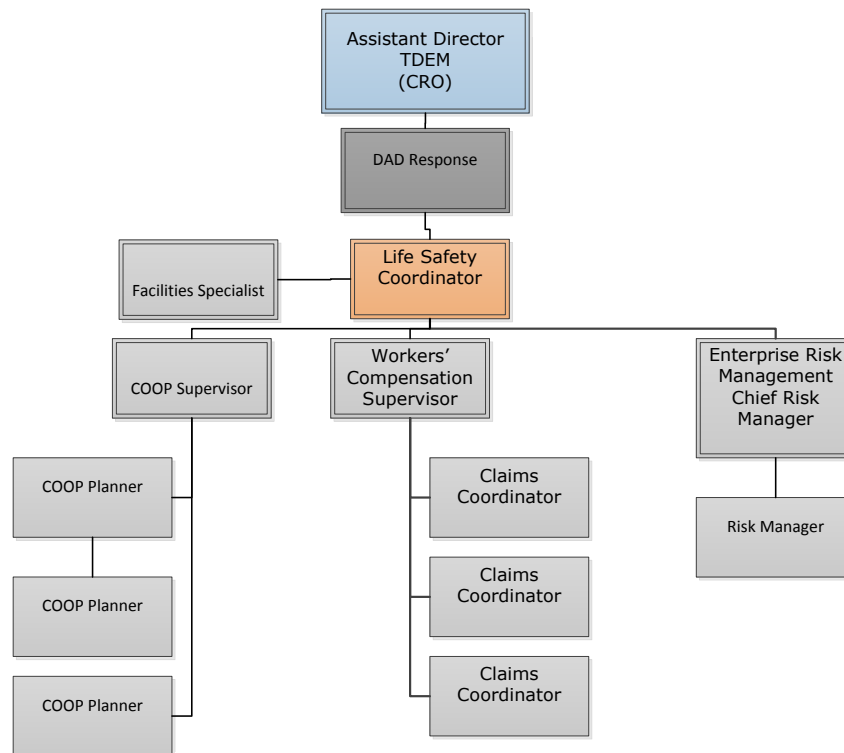
COOP supports DPS in providing vital services to people throughout Texas as well as critical support to key federal functions, a significant interruption in DPS services can have severe implications and potentially devastating consequences. Therefore, a comprehensive DPS COOP plan has been created to help ensure the timely restoration of essential functions.

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

The Preparedness program is administered by the State Coordinator for Preparedness, who is supported by two Section Administrators. One Section Administrator supervises those units focused on preparedness planning, training, and exercise, while the other Section Administrator supervises units focused on technological hazards and hazardous materials training. The Publications Management Unit, which includes documentation standards, quality assurance, project management, and video training, reports to the State Coordinator. Please refer to the attached organizational chart for additional information.

Life Safety/Enterprise Risk Management

The following is the Organization structure of Life Safety Section:



Workers Compensation

The Workers' Compensation program is administered by the Workers' Compensation unit within the Life Safety Section of the Texas Division of Emergency Management.

The purpose of the Workers' Compensation Unit is to obtain and maintain all documentation and information associated with all DPS employees' work-related injuries that are reported to the Workers' Compensation unit.

The process for reporting all work-related injuries begins with contact by an injured employee's supervisor to report the injury. Claims Coordinators obtain all the necessary information and documentation needed. The unit also provides information on the following:

- Workers Compensation Health Care Network;
- Medical Treatment;
- Lost Time from work due to the injury;
- Documentation;
- Documentation due dates;
- Employee's rights and responsibilities; and
- Supervisor's responsibilities.

The unit also provides billing and healthcare network information to medical providers for medical services associated with an employee's injury and treatment.

The unit is responsible for ensuring that the injured employee is complying with the rules, statues, and agency policy that pertain to their Workers' Compensation claim. The unit also ensures that the agency is in compliance with all rules, statues, and agency policies that pertain to Workers' Compensation.

COOP

The COOP Unit follows FEMA Continuity Program Management Cycle to develop COOP plans. The process is performed annually to ensure plans are validated and up to date.

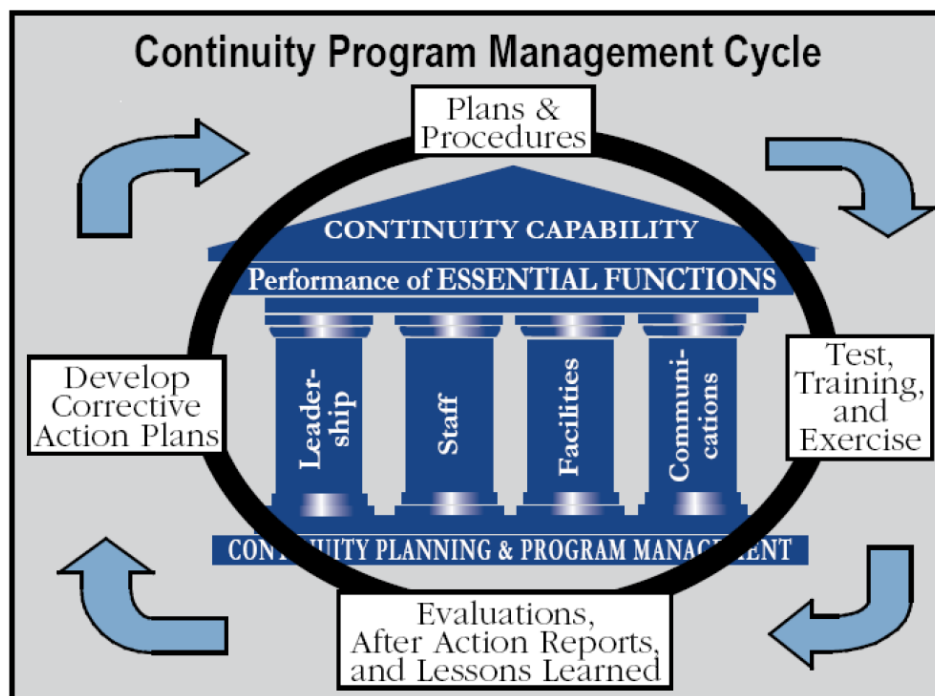


Figure 1 FEMA Continuity Guidance Circular-1 - Continuity Program Management Cycle

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

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

AY 2016

Emergency Preparedness	0001 General Revenue	\$924,486
	0555 Federal Funds	\$4,065,226
	0666 Approp Receipts	\$325,922
	0777 IACs	\$181,103
	Total	\$5,496,736

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

All state agencies in Texas should provide for the preparedness of their agencies and constituencies. One of the roles of TDEM's Preparedness Section, as mandated by Texas Government Code, Section 418.042, is to prepare and maintain the state's emergency management plan, which outlines the "coordination of federal, state, and local emergency management activities." Although emergency management training and exercise activities are available through private contractors and organizations, TDEM's training and exercise activities are offered free of charge to public-sector members of the Texas emergency management community. Technological hazards and hazardous materials grant programs, training, and statewide monitoring of interstate hazardous waste shipments through Texas are programs that are unique to TDEM.

Life Safety/Enterprise Risk Management

- The State Fire Marshal's Office (SFMO) provides inspection and code compliance services and they are the Authority Having Jurisdiction (AHJ) over state owned and leased buildings. Both inspections use the state fire code to conduct the inspections,
- State Office of Risk Management (SORM); provides inspection and code compliance services in accordance with OSHA standards. SORM only provides onsite consultations for DPS HQ complex.

Workers Compensation

The State Office of Risk Management acts as the agency's insurance carrier for the purpose of investigating and adjusting all reported DPS work-related injuries. State Office of Risk Management provides medical and indemnity benefits to injured DPS employees.

Injury Management Organization is the health care network that provides managed care services, pre-authorization services, and utilization reviews.

DPS does not have any additional internal programs that are responsible for the agency's workers' compensation claims.

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

Planners in the State and Federal Plans Unit drive the state's preparedness planning effort by coordinating the planning meetings of members of the Texas Emergency Management (EM) Council. The council, mandated by executive order, to assist the governor in all matters related to disaster mitigation, emergency preparedness, and disaster response and recovery is made up of 30 state agencies and other entities with legal responsibility, expertise or resources needed for a specific emergency response function. Because of the section's close ties with the council during state emergency management plan development, we are confident that our efforts do not duplicate or conflict with other entities' preparedness programs.

The Preparedness Training Unit works closely with the following regional and national training organizations. This is not an exhaustive list; however, these are the entities with whom we work most frequently. Being familiar with most emergency management training organizations with a presence in Texas, we are unaware of any other organization or entity that draws on this breadth and depth of expertise. Further, our partnerships allow us to coordinate training efforts, benchmark best practices, and avoid duplicative course offerings. Contracts and agreements are established on a case-by-case basis.

- American Red Cross (ARC)
- Baptist Child and Family Services (BCFS)
- Center for Domestic Preparedness (CDP)
- Center for Radiological/Nuclear Training
- Emergency Management Institute (FEMA-EMI)
- The Energetic Materials Research and Testing Center at New Mexico Tech (EMRTC – NMT)
- National Center for Biomedical Research and Training at Louisiana State University (LSU-NCBRT)
- National Disaster Preparedness Training Center at University of Hawaii (UH-NDPTC)
- National Fire Academy
- National Fire Protection Association
- National Nuclear Security Administration / Nuclear Training at the Nevada National Security Site (Counterterrorism Operations Support (NNSA - CTOS)
- Office of Bombing Prevention
- Rural Domestic Preparedness Consortium (RDPC)
- Security and Emergency Response Training Center (Same as TTCI – #12)
- State Firefighters' and Fire Marshals' Association
- Texas A&M Engineering Extension Service / National Emergency Response and Rescue Training Center (NERRTC)

- Texas Commission on Fire Protection
- Transportation Technology Center, Inc. (Security and Emergency Response Training Center – SERTC)

The Preparedness Exercise Unit works to prevent duplicative exercise effort by coordinating its activities with the State Emergency Management Council. Exercises are planned, developed and conducted in conjunction with and including representatives from state agencies, regional and local agencies and other entities. Additionally the Exercise Unit provides a State Exercise Schedule to provide information statewide about upcoming events. Sharing this information allows local and regional jurisdictions to join forces with TDEM and other entities, thereby significantly reducing the workload and drain on local resources that result from myriad independent and disconnected exercise efforts. Although some other agencies have exercise programs, they are usually limited by their agency's scope and function. The TDEM Exercise Program bridges this gap by implementing an all-hazards, multi-jurisdictional and cross-functional approach to exercises and preparedness. In addition the unit's program helps ensure that participants can fulfill their specific grant requirements.

Life Safety/Enterprise Risk Management

- SFMO; Life Safety is not an authority having jurisdiction (AHJ) and they perform proactive inspections and code compliance inspections, prior to or in coordination with SFMO. Life Safety is establishing program guidelines to work through the DPS system yearly and SFMO works a 3-5 year process. Life Safety sees this as a safety benefit and a cost savings due to keeping DPS personnel safer and DPS facilities not only in compliance but it saves the Agency funds when you keep a facility in compliance and good working condition.
- SORM mainly focuses on Workers' Compensation with some attention given to DPS Headquarters for occupational health and safety issues by inspections. Life Safety and ERM's main focus is the environmental, threat, health, and occupational safety of DPS personnel, DPS services, Customers of DPS, Citizens that we interact with and for, DPS equipment, and DPS property. The program will include attention given to all owned, leased, and free spaces.

Workers Compensation

In order to avoid duplicate claims being filed with SORM, it has become practice for the Workers' Compensation unit to determine from SORM whether a claim has been set up based on medical documentation sent directly to them. This is done prior to the DPS Claims Coordinators' submission of additional paperwork

A log of all received claims is compiled for each fiscal year that details:

- injured employee's name
- date of injury including day of week and time
- division and service
- body parts injured

- cause of injury
- medical treatment
- lost time
- third party subrogation

It is the agency's policy that all injury reports, documentation, and information are submitted to the Workers' Compensation Unit.

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

The Preparedness Section works closely with local jurisdictions, and at no cost, to support local and regional preparedness. The section's staff helps local jurisdictions develop, train on, and exercise their emergency operations plans, train their emergency management personnel, and become increasingly self-sufficient as safe and secure communities, fully prepared for any disaster. The Preparedness Section also works directly with state agencies that assist in developing and updating the state's emergency operations plan documents.

Beyond the state, the section works with the Department of Homeland Security, the Federal Emergency Management Agency (FEMA), the U.S. Department of Transportation, the U.S. Department of Energy, the Environmental Protection Agency, and the Nuclear Regulatory Commission, all of whom play a role in national preparedness and, through grants and other forms of support, Texas' state and local preparedness. The Technological Hazards Unit works closely with these organizations to implement the following programs.

Agreement in Principle (AIP)/Pantex Program The Pantex Plant is located 17 miles northeast of Amarillo, Texas, in Carson County, and is charged with maintaining the safety, security and reliability of the nation's nuclear weapons stockpile. The facility is managed, and operated by, Consolidated Nuclear Security (CNS) for the U.S. Department of Energy (DOE)/National Nuclear Security Administration (NNSA). The AIP Program at TDEM works in partnership with local elected officials and emergency managers, the Texas Commission on Environmental Quality (TCEQ), the Texas Department of State Health Services (DSHS), the State Energy Conservation Office (SECO), CNS Pantex, the U.S. Environmental Protection Agency (EPA), and the DOE/NNSA to enhance preparedness and response capabilities and to ensure the protection of the health, welfare, and well-being of the citizens in the surrounding area, the State of Texas, and the nation should an incident take place at Pantex.

Waste Isolation Pilot Plant (WIPP) Program The Waste Isolation Pilot Plant is a facility used to store Transuranic (TRU) waste located in the Chihuahuan desert of New Mexico, far from major population areas. The U.S. Department of Energy (DOE) has established a system for safely transporting TRU waste to the WIPP site for permanent disposal. The U.S. Department of Transportation (DOT) regulations require radioactive materials to be shipped in approved containers and on the interstate highway system unless states designate other routes. The

WIPP route designated through the state of Texas encompasses over 650 miles of Texas roadways and travels through 20 counties and 40 municipal jurisdictions. The WIPP Program at TDEM works in partnership with local elected officials and emergency managers, the Texas Department of State Health Services (DSHS), the State Energy Conservation Office (SECO), and the DOE to enhance preparedness and response capabilities and to ensure the protection of the health, welfare, and well-being of the citizens in the surrounding area and the State of Texas should an incident take place along the WIPP Route.

Radiological Emergency Preparedness (REP) Program Texas is currently home to two commercial nuclear power plants and two research reactors. TDEM's Technological Hazards Unit works closely with each power plant licensee, the local jurisdictions and county emergency management officials near each respective facility, the Texas Department of State Health Service's (DSHS) Radiation Control Program, FEMA Region VI's REP Program, and the Nuclear Regulatory Commission Region IV to ensure the health and safety of citizens living around commercial nuclear power plants will be adequately protected in the event of an accident at the nuclear power plant. Additionally, TDEM collaborates with the other REP agencies to inform and educate the public about radiological emergency preparedness.

Hazardous Materials Emergency Preparedness (HMEP) Grant Each year TDEM applies for the Hazardous Materials Emergency Preparedness (HMEP) Grant through the U.S. Department of Transportation – Pipeline and Hazardous Materials Safety Administration. The objective of the grant is to increase effectiveness in safely and efficiently handling hazardous materials accidents and incidents, enhance implementation of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA), and encourage a comprehensive approach to emergency training and planning by incorporating the unique challenges of responses to transportation situations.

Life Safety/Enterprise Risk Management

Life Safety can work with some local AHJ dependent upon the location of the facility and personnel. These could include City and County Fire Marshals. This would be the same interaction as with SFMO.

Workers Compensation

The State Office of Risk Management acts as the agency's insurance carrier for the purpose of investigating and adjusting all reported DPS work-related injuries. State Office of Risk Management provides medical and indemnity benefits to injured DPS employees.

COOP

The COOP Unit uses FEMA training and COOP planning methodology. The COOP Unit coordinates with FEMA to provide training and instructors for COOP workshops. These workshops develop and prepare students to become certified practitioners in COOP planning. Provide recommendations that were accepted by FEMA concerning continuity guidance distributed to all states, territories, tribes and local government jurisdictions.

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

- **a short summary of the general purpose of those contracts overall:** these contracts provide needed support and reflect contingency planning for future disasters;
- **the amount of those expenditures in fiscal year 2016;**
- **the number of contracts accounting for those expenditures;**
- **the method used to procure contracts;**

DPS follows the procurement method requirements as defined in Texas Gov't Code Chapters 2155, 2156, 2157, 2158, and 2161 and 34 Texas Administrative Code (TAC) Chapter 20. DPS also follows the state's Contract Management Guide and Procurement Manual that are published by the Comptroller of Public Accounts.

In FY16, DPS procured goods and services using Council on Competitive Government, Texas Correctional Institute, Texas Institute for the Blind and Handicapped, Term, Managed, and TXMAS contracts available through TX SmartBuy. These contracts are managed by the Comptroller of Public Accounts, and state agencies issue purchase orders against those contracts.

DPS also procured goods and services using DIR contracts for certain technology related procurements in FY16. These contracts are managed by the DIR, but agencies can issue purchase orders and agreements against these contracts.

DPS also procured goods and services on the open market in those instances where there was no state contract in place or where the dollar amount associated with the procurement exceeded the limits of use for the state contract. For example, in FY16 SB 20 required that any technology procurements that were over 1 million be solicited on the open market. For non-technology goods that were over 25K and services that were over 100k, DPS would be required to seek delegation from the Comptroller's office before being authorized to solicit on the open market. In some cases the Comptroller would decide to perform the solicitation on behalf of the Department.

- **top five contracts by dollar amount, including contractor and purpose;**
 - **PO- 405-15-P000959** valued at \$857,051.08 with TEXAS A&M ENGINEERING EXTENSION SERVICE for IAC for HazMat Training
 - **PO- 405-15-P002808** valued at \$264,919.83 with URS FEDERAL SERVICES, INC. for TDEM San Antonio Warehouse Lease
 - **PO- 405-16-P004829** valued at \$190,778.50 with TEXAS A&M TRANSPORTATION INSTITUTE for Hazardous Materials Commodities Flow studies
 - **PO- 405-15-P002681** valued at \$154,909.05 with CITY OF SAN ANTONIO for Lease Agreement - San Antonio Convention Center - TDEM Conference

- **PO- 405-16-P007708** valued at \$100,500.00 with PRIVATE JET SERVICES GROUP LLC for Secondary Vendor TDEM Aircraft Contingency

- **the methods used to ensure accountability for funding and performance; and**

Each contract has an assigned contract monitor from the division that has been provided with internal training and procedures for monitoring the deliverables and performance of the contract and supplying vendor performance reports. The official contract manager in Procurement & Contract Services works with the division contract monitor, OGC, and Finance to administer and manage contract and vendor performance, ensure compliance with applicable statutes, rules, and policies, and officially address any needed corrective action. Finance is responsible for maintaining compliance with payment rules based on validation from the division that goods and services were received and performance criteria were met.

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

The largest issue with contracting at DPS is the lack of delegated authority for many purchases from the Comptroller's office. Please see the Major Issue regarding delegated authority.

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

Each year TDEM applies for the Hazardous Materials Emergency Preparedness (HMEP) Grant through the U.S. Department of Transportation – Pipeline and Hazardous Materials Safety Administration. A portion of these grant funds are allocated for HMEP Planning Projects that revolve around Hazards Materials Transportation. These projects are funded and conducted through a sub-grantee process.

Applicants submit proposed projects to TDEM. The State Emergency Response Committee (SERC) reviews the proposed projects and allocates available grant funds among the applicants. Preference is given to rural and small population jurisdictions, and those jurisdictions, which have not received HMEP Planning funds in the last two years.

The HMEP Planning Grant funds projects for the development, improvement, and implementation of emergency plans, as well as exercises that test the emergency plans, hazards analysis, response procedures for emergencies involving transportation of hazardous materials (including radioactive materials), needs assessment for regional hazardous materials emergency response teams, assessment of local response capabilities, conducting emergency response drills and exercises associated with emergency preparedness plans. In FY2016, the Technological Hazards Unit, of the Preparedness Section of TDEM, provided sub-grants to six Texas Local Emergency Planning Committees (LEPCs).

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

We would suggest that local and regional jurisdictions should submit their emergency operations plans to TDEM more often than once every five years. We advise jurisdictions to review their plans annually, but we believe that many jurisdictions do not review them carefully until compelled to do so by law. A revision to statutes that requires more frequent reviews would require additional resources to support the increased caseload.

Workers Compensation

The issues that the Workers' Compensation unit and our injured employees face are not attributed to any specific state laws, but rather the business practices of medical providers and the healthcare network. (For example: injured employees face challenges regarding their work-related injuries due to the time it takes medical providers to submit the necessary information to either SORM or IMO for authorizations and approvals.)

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

Because of its vast size, geographic diversity, large population, and diverse economy, Texas may face the greatest range of threats, hazards, and risks of any state. In fact, Texas leads the nation in the number disaster declarations between 1953, when the federal government started keeping records, and 2015. Texas also leads the nation in the number of billion-dollar weather-related disasters between 1980 and 2015. Texas, therefore, must be the best prepared state in the nation. Money spent on Texas preparedness is money well spent because we now know that for every dollar spent on preparedness, we save seven dollars on response¹.

A further condition of understanding TDEM Preparedness' unique position in emergency management is the need to bridge the gap between ever-evolving federal emergency management doctrine and guidance on the one hand and, on the other hand, the needs and realities of the entire Texas emergency management community. Some members of this community are state-of-the-art while others operate on a shoestring and may not even use a computer. TDEM Preparedness must serve both as well as everyone in between. This, too, is a challenge that may be unique to our mission.

¹United Nations Development Programme, #ActNow – Save Later campaign, 2017: http://www.undp.org/content/undp/en/home/ourwork/get_involved/ActNow.html

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

Name of Program or Function: *Employee Administrative Investigations/Services*

Location/Division: *Office of the Inspector General and Equal Employment Opportunity*

Contact Names: *Division Director/Inspector General – Rhonda Fleming*

Assistant Division Director of the Equal Employment Office – Nathanael Haddox

Actual Expenditures, FY 2016: *\$3,150,997*

Number of Actual FTEs as of June 1, 2017: *26*

Statutory Citation for Program:

- *Texas Government Code, Chapter 411, Subchapter I-1, Section 251*
- *Texas Government Code §411.0072*
- *Texas Government Code §411.0075*
- *Texas Government Code Chapter 522*
- *Texas Government Code §§614.022-023*
- *Texas Labor Code §21.010*
- *Texas Labor Code §21.452*
- *Texas Labor Code §21.501*
- *Texas Labor Code §21.502*
- *Texas Labor Code §21.504*
- *Texas Labor Code §21.552*
- *Texas Labor Code §21.556*

B. What is the objective of this program or function? Describe the major activities performed under this program.Office of Inspector General (OIG)

The objective of the Office of Inspector General is to prevent and detect serious breaches of departmental policy, fraud, and abuse of office, including any employee acts of criminal conduct within the department; and independently and objectively review, investigate, delegate and oversee administrative personnel investigations.

The Office of Inspector General is responsible for overseeing the complaints and investigations of the items below from initiation through final disposition.

- Criminal activity by department employees;
- Allegations of wrongdoing by department employees;
- Crimes committed on department property; and
- Serious breaches of department policy.

Equal Employment Office

The Equal Employment Office (EEO) contributes to the mission by ensuring that training, prevention, and elimination of discrimination based on sex, race, color, national origin, religion,

age, disability, or sexual orientation is eradicated from the workplace. The office is also tasked with ensuring our services do not discriminate.

I. Activity 1: EEO Training

- Program Maintenance. EEO training is required for every agency employee within the first 30 days of employment and every two years thereafter. The EEO training component is hosted online by the Education, Training and Research (ETR) Division.
- Enhancements. New materials are needed to keep the information current and relevant. EEO is working with the Texas Workforce Commission (TWC) and others to develop training for DPS as well as for other State Agencies.

II. Activity 2: Complaint Intake, Evaluation, and Review

- Program Maintenance. Complaints are received via the DPS internet, Email, through chain-of-command, OIG and EEO offices. Once received, OIG makes final determination on investigative processing either through a division referral or formal investigation. Once report is complete, it is reviewed by the EEO officer for a final determination of violation of statute or the agency's non-discrimination policy.
- Enhancements. Adding a possibility of voluntary mediation after a complaint has been filed could be beneficial for the parties and for the overall working group to reduce stress and time of a formal investigation.

III. Activity 3: Recruitment, Outreach and Prevention

- Program Maintenance. An EEO Plan which complies with Texas Government Code §411.0075 is developed annually based on current utilization as compared to the state workforce. The majority of the recruitment functions for underutilized categories fall within ETR. Outreach and Prevention is performed with personalized outreach and training as requested by the divisions. Some divisions are proactive in searching for solutions before problems become serious.
- Enhancements. ETR has been looking at ways to make more meaningful outreach. EEO has provided guidance on minority and underrepresented groups which can be contacted. Additional programming and addition of diversity and inclusion initiatives could be another channel to enhance the EEO office.

- C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.**

Year	Division Referrals	OIG/EEO Investigations*	VIP Investigations	ECI Tracking	Total
2012	194	116	0	69	310
2013	131	195	0	63	291

2014	219	201	8	76	404
2015	199	195	8	79	481
2016	281	223	0	53	557

OIG

The Public Safety Commission measures OIG performance in the following manner:

- The number, type, and outcome of investigations and the IG's ability to identify trends in investigations and make recommendations to avoid future complaints.
- Independence of investigation approval and investigation process. The IG has departmental jurisdiction for oversight and coordination over all investigations occurring on department property or involving department employees. Success is measured by the lack of interference of department management ensuring the IG's independence in all complaint related matters.
- Timeliness of investigations. Department policy establishes timelines for all administrative investigation functions to include the investigative report and all reviews for sufficiency and disciplinary findings. Success is measured by OIG's ability to maintain these timelines.
- Neutrality. Success is measured in reviewing the OIG intake and approval process for received complaints, feedback from citizens and internal management regarding OIG performance, completed OIG investigation findings and legal scrutiny of OIG reports. Failure is demonstrated in loss of confidence by the public and the agency regarding OIG's ability to maintain these expectations.
- Ancillary support for other Divisions in developing recommended changes for identified program or policy areas in need of improvement.
- Public Information Requests.

EEO

- The EEO Office monitors the completion of required state-mandated training. The department has consistently achieved over 99% completion of this objective and has been improving automation and monitoring to ensure compliance is met and reports generated on a monthly basis.
- The training includes information on how to file a complaint, and the number of complaints shown in the OIG annual report show all reporting activity including EEO issues.
- In addition, the recruitment personnel work with the EEO officer to evaluate the utilization of underrepresented groups within the workforce and develop strategies to achieve parity. The annual report is evaluated by the Texas Workforce Commission.

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

OIG

The Office of Inspector General was established by the 81st Texas Legislature, 2009, HB 2730, Section 411.244 Government Code. Prior to this, administrative personnel investigations were the responsibility of the department's Internal Affairs unit. The Internal Affairs unit reported to the Director, who had authority to approve/ disapprove administrative investigations. Since 2011, the Office of Inspector General reports directly to the Public Safety Commission and the Inspector General has investigative independence and is removed from the agency chain-of-command direction.

EEO

N/A

- E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.**

OIG

The OIG program has the potential to affect all DPS personnel. When justified, OIG duties directly affect any employee accused of criminal or policy misconduct. When appropriate, OIG makes recommendations regarding agency practices by identifying trends and making recommendations for improvement.

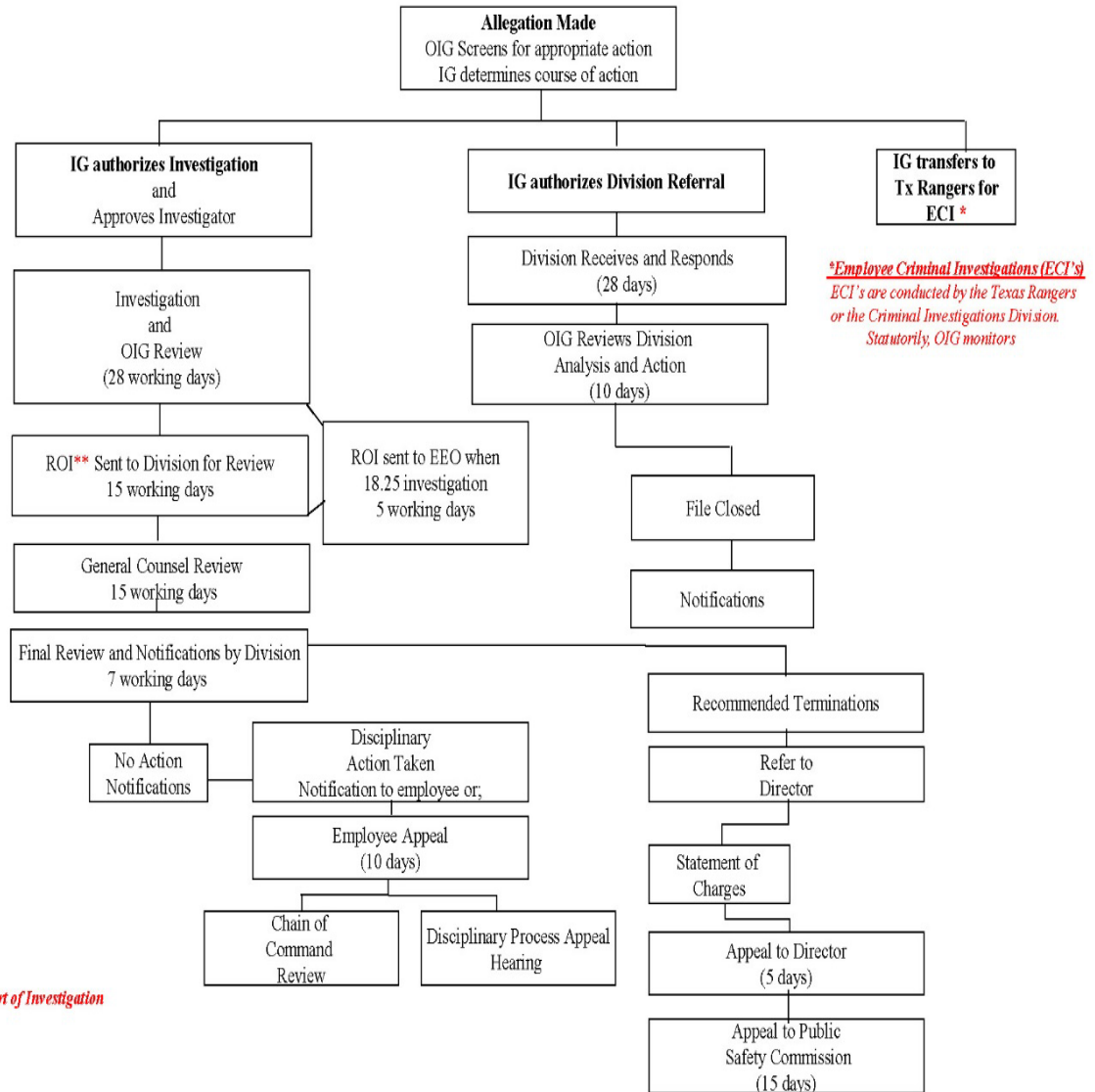
EEO

The EEO office impacts all DPS employees.

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

OIG

PROCEDURES CONCERNING PERSONNEL COMPLAINTS AND ADMINISTRATIVE INVESTIGATIONS



EEO

Utilizing DPS policy §18.25, the program is administered by an EEO Officer who makes determinations of EEO violations in accordance with law. The investigations are conducted at the direction of the OIG.

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

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

AY 2016

Employee Administrative Investigations/ Services	0001 General Revenue	\$3,147,408
	0666 Approp Receipts	\$3,589
	Total	\$3,150,997

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

Many state agencies have processes to handle internal employee complaints. At DPS, the OIG and EEO offices collaborate to ensure the agency eliminates discrimination in all its employment and services practices and that transgressions of law and policy by agency employees are efficiently and fairly investigated.

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

N/A

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

N/A

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

- **a short summary of the general purpose of those contracts overall;**
These contracts support the employee administrative investigative functions.
- **the amount of those expenditures in fiscal year 2016;**
- **the number of contracts accounting for those expenditures;**
- **the method used to procure contracts;**

DPS follows the procurement method requirements as defined in Texas Gov’t Code Chapters 2155, 2156, 2157, 2158, and 2161 and 34 Texas Administrative Code (TAC) Chapter 20. DPS also follows the state’s Contract Management Guide and Procurement Manual that are published by the Comptroller of Public Accounts.

In FY16, DPS procured goods and services using Council on Competitive Government, Texas Correctional Institute, Texas Institute for the Blind and Handicapped, Term, Managed, and TXMAS contracts available through TX SmartBuy. These contracts are managed by the Comptroller of Public Accounts, and state agencies issue purchase orders against those contracts.

DPS also procured goods and services using DIR contracts for certain technology related procurements in FY16. These contracts are managed by the DIR, but agencies can issue purchase orders and agreements against these contracts.

DPS also procured goods and services on the open market in those instances where there was no state contract in place or where the dollar amount associated with the procurement exceeded the limits of use for the state contract. For example, in FY16 SB 20 required that any technology procurements that were over 1 million be solicited on the open market. For non-technology goods that were over 25K and services that were over 100k, DPS would be required to seek delegation from the Comptroller's office before being authorized to solicit on the open market. In some cases the Comptroller would decide to perform the solicitation on behalf of the Department.

- **top five contracts by dollar amount, including contractor and purpose;**

- **PO-405-15-P000711** valued at \$120,662.28 with UTOPIA VILLAGE for Building Lease - Austin 20256
- **PO- 405-16-P009362** valued at \$17,085,00 with SUMURI, LLC for Talino Forensic Workstation
- **PO- 405-16-P005179** valued at \$4,998.00 with CI TECHNOLOGIES INC for IAPro Annual Maintenance
- **PO- 405-16-P007134** valued at \$4,956.00 with SHI GOVERNMENT SOLUTIONS, INC for Forensic Toolkit license
- **PO- 405-16-P005362** valued at \$3,900.00 with NORTHWESTERN UNIVERSITY for Law Enforcement Training

- **the methods used to ensure accountability for funding and performance; and**

Each contract has an assigned contract monitor from the division that has been provided with internal training and procedures for monitoring the deliverables and performance of the contract and supplying vendor performance reports. The official contract manager in Procurement & Contract Services works with the division contract monitor, OGC, and Finance to administer and manage contract and vendor performance, ensure compliance with applicable statutes, rules, and policies, and officially address any needed corrective action. Finance is responsible for maintaining compliance with payment rules based on validation from the division that goods and services were received and performance criteria were met.

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

The largest issue with contracting at DPS is the lack of delegated authority for many purchases from the Comptroller's office. Please see the Major Issue regarding delegated authority.

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

N/A

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

No.

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

None.

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

Name of Program or Function: **Executive Protection**

Location/Division: *Homeland Security*

Contact Name: *Assistant Division Director Rudy Resendez*

Actual Expenditures, FY 2016: \$6,343,975

Number of Actual FTEs as of June 1, 2017: 62

Statutory Citation for Program: *Government Code 411*

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

EPB's key function is to provide a safe and secure environment for individuals under DPS protection, such as the Governor of Texas. This is achieved by dignitary protection, facility protection, and threat assessment analysis.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.

Due to the nature of the function, it is difficult to provide evidence of overall effectiveness. EPB's daily operating procedures and tactics provide an environment that detects and deters potential attacks of harm and/or embarrassment from occurring. This is evident in the minimal number of successful incidents directed toward protected persons and facilities.

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

In 2010, the Executive Protection Bureau's area of responsibility was broadened to include additional elected officials and created positions for Troopers assigned provide facility protection. This resulted in additional full time employees to the Trooper and Special Agent ranks in EPB.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The Executive Protection Bureau's function affects the persons, facilities and public in which DPS is assigned to protect. The persons and facilities to be protected are determined by the Department.

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

Processes are administered each day based on threat level and political climate of the protected individual, facilities or public’s daily needs. Field/regional services needed are requested by EPB to assist and assigned by a Regional Commander.

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

AY 2016

Executive Protection	0001 General Revenue	\$6,342,826
	0666 Approp Receipts	\$1,149
	Total	\$6,343,975

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

N/A

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

N/A

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

EPB often supports local, regional and federal government agencies that request assistance with person or facility protection. This includes intelligence gathering and sharing. EPB also routinely coordinates with DPS Region 7 Capitol Complex. When traveling with protected person, EPB regularly coordinates with the local law enforcement or government agencies which provide support for the assignment.

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

- **a short summary of the general purpose of those contracts overall;**

These contracts support the operations of EPB.

- **the amount of those expenditures in fiscal year 2016;**
- **the number of contracts accounting for those expenditures;**
- **the method used to procure contracts;**

DPS follows the procurement method requirements as defined in Texas Gov't Code Chapters 2155, 2156, 2157, 2158, and 2161 and 34 Texas Administrative Code (TAC) Chapter 20. DPS also follows the state's Contract Management Guide and Procurement Manual that are published by the Comptroller of Public Accounts.

In FY16, DPS procured goods and services using Council on Competitive Government, Texas Correctional Institute, Texas Institute for the Blind and Handicapped, Term, Managed, and TXMAS contracts available through TX SmartBuy. These contracts are managed by the Comptroller of Public Accounts, and state agencies issue purchase orders against those contracts.

DPS also procured goods and services using DIR contracts for certain technology related procurements in FY16. These contracts are managed by the DIR, but agencies can issue purchase orders and agreements against these contracts.

DPS also procured goods and services on the open market in those instances where there was no state contract in place or where the dollar amount associated with the procurement exceeded the limits of use for the state contract. For example, in FY16 SB 20 required that any technology procurements that were over 1 million be solicited on the open market. For non-technology goods that were over 25K and services that were over 100k, DPS would be required to seek delegation from the Comptroller's office before being authorized to solicit on the open market. In some cases the Comptroller would decide to perform the solicitation on behalf of the Department.

- **top five contracts by dollar amount, including contractor and purpose;**
 - **PO- 405-16-P005734** valued at \$17,873.50 with TRIDIMENSION STRATEGIES LLC for Cuba Trip Expenses
 - **PO- 405-16-P005919** valued at \$4,939.28 with ON-BOARD COMMUNICATIONS INC for On-Board Communications FleetTraks GPS Service
 - **PO- 405-16-P004877** valued at \$2,000.00 with TEXAS CORRECTIONAL INDUSTRIES for Office Chairs
 - **PO- 405-16-P006597** valued at \$1,300.00 with FBI-LEEDA for FBI LEEDA Executive Leadership Institute

- **PO- 405-16-P005920** valued at \$675.00 with UNIVERSITY OF TEXAS AT AUSTIN for Management Development Program

- **the methods used to ensure accountability for funding and performance; and**

Each contract has an assigned contract monitor from the division that has been provided with internal training and procedures for monitoring the deliverables and performance of the contract and supplying vendor performance reports. The official contract manager in Procurement & Contract Services works with the division contract monitor, OGC, and Finance to administer and manage contract and vendor performance, ensure compliance with applicable statutes, rules, and policies, and officially address any needed corrective action. Finance is responsible for maintaining compliance with payment rules based on validation from the division that goods and services were received and performance criteria were met.

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

The largest issue with contracting at DPS is the lack of delegated authority for many purchases from the Comptroller's office. Please see the Major Issue regarding delegated authority.

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

N/A

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

N/A

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

N/A

A. Provide the following information at the beginning of each program description.**Name of Program or Function:** *Executive Support Services***Location/Division:** *Homeland Security, Chief of Staff, and Director's Staff***Contact Names:** *Robert Bodisch, Deputy Director of Homeland Security & Chief of Staff**Phillip Adkins, General Counsel**Catherine Melvin, Chief Auditor***Actual Expenditures, FY 2016:** \$8,894,426**Number of Actual FTEs as of June 1, 2017:** 147.5**Statutory Citation for Program:**

- Office of Homeland Security - Chapter 421, Texas Government Code
- Dispute Resolution Office:
 - Government Code, Chapter 411, Section 411.0044, Negotiated Rulemaking and Alternative Dispute Resolution, Section 411.0072, Employment Related Grievances and Appeals of Disciplinary Actions within the Department, Section 411.0073, Mediation of Personnel Disputes
 - Government Code, Chapter 2009, Alternative Dispute Resolution for Use by Governmental Bodies
 - Civil Practice and Remedies Code, Title 7, Alternative Dispute Resolution Procedures Act, Chapter 154
 - Texas Negotiated Rulemaking Act, Chapter 2008, Tex. Gov't Code
- Chief Auditor's Office - Government Code, Chapter 2102

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

The Texas Office of Homeland Security recommends and develops strategy, plans, analytical products, and programs in coordination with federal, state, local, and private sector partner organizations to enhance the security and resiliency of Texas against terrorism, significant criminal attacks, and catastrophic disasters.

Major activities include:

- Develop the Texas Homeland Security Strategic Plan (HSSP) for approval by the Governor and coordinate HSSP implementation in the state;
- Coordinate Texas Homeland Security Council meetings and activities;
- Develop the state's Threat and Hazard Identification and Risk Assessment (THIRA) and State Preparedness Report (SPR), annual requirements for continued receipt of Homeland Security Grant Program and Emergency Management Performance Grant funds;
- Assist Councils of Governments with regional homeland security planning and analysis;
- Develop analytical products focused on terrorism threats;

- Coordinate planning efforts for major law enforcement operations including border security operations and surge support to local partners;
- Facilitate training and exercise programs focused on homeland security, including the Bomb Making Materials Awareness Program and Multi-Jurisdictional Improvised Explosive Device Security Planning Program;
- Develop plans for terrorism response and other high-risk contingencies; and
- Provide recommendations and assistance to the Office of the Governor to ensure optimal use of homeland security grant funds.

Office of Government Relations

The Office of Government Relations (OGR) serves as the liaison between the Department, the legislature, state leadership, and other federal, state, and local entities as appropriate.

Major Activities include:

- Lead department's interaction with Texas Legislature, statewide elected officials, and their staff;
- Respond to all legislative inquiries in a timely manner with accurate information;
- Monitor legislation that has an impact on the agency;
- Research legislative and policy issues; and
- Facilitate educational briefings and tours for members and staff.

Media and Communications Office

The Media and Communications Office promotes the Department's goals, activities and accomplishments via traditional media outlets and social media outlets; supports all divisions within the department with messaging and communications needs; and works with our local, state, federal and community partners to accomplish the agency's goals.

Dispute Resolution Office

- The Dispute Resolution Office (DRO) promotes and manages the Department's conflict management and resolution processes.
- The DRO is independent and autonomous of the various chains of command and acts confidentially, informally, and objectively to the employee issues brought to the office.
- Major activities include: conflict coaching, mediations, facilitations, team building, and training.

Office of General Counsel

The objective of OGC/Legal Operations is to provide legal services to the Public Safety Commission, Director and management in legal matters affecting the Department. Areas of legal practice include employment and personnel, criminal law, traffic law, litigation, tort claims, administrative law, property and contracts.

Major activities include:

- Coordinate litigation and claims for damages with the Office of Attorney General;
- Process public information requests and subpoenas that require legal review;
- Draft and review legal documents concerning the Department and Commission;
- Draft, review and advise management on administrative rules, manuals, policies, contracts and grants;
- Represent the Department in various civil and administrative hearings, including administrative license revocation proceedings and expunctions;
- Review personnel matters and firearms discharges; and
- Provide instruction in legal matters affecting the Department and coordinate the publication of the Texas Criminal and Traffic Law Manual, a bound compilation of current law enforcement statutes for Department personnel.

Chief Auditor's Office

The Chief Auditor's Office (CAO) is the internal audit function for the Department. The CAO is tasked with independently and objectively evaluating Department operations and governance processes, and making recommendations to improve performance. As such, the CAO provides both assurance and advisory services for the Department, furnishing independent analyses, appraisals, and recommendations about the adequacy and effectiveness of the Department's systems of internal control, policies and procedures, and the quality of performance in carrying out assigned responsibilities.

- C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.**

Office of Homeland Security

The following outcomes indicate the effectiveness of the Office of Homeland Security. Methodology for each is completion (Y/N):

- Developed Texas Homeland Security Strategic Plan 2015-2020, approved by the Governor in October 2015;
- Developed annual summary of HSSP implementation, including statewide accomplishments, planned tasks, and performance measures;
- Developed annual THIRA and SPR, approved by FEMA;
- Developed DPS Terrorist Attack Response Plan and regional annexes;
- Held quarterly meetings of the Texas Homeland Security Council and prepared annual report for the Governor;
- Coordinated operational plans for Operation Strong Safety, Secure Texas, and law enforcement surge operations in support of local partners; and

- Provided guidance and feedback on annual THIRAs and SPRs developed by 24 Councils of Governments (COGs) and annual HSSP Implementation plans developed by COGs and by state agencies with a role in homeland security.

Office of Government Relations

- In 2016, OGR received and responded to 4,626 legislative inquiries, averaging approximately 385 per month.
- During the 85th legislative session, OGR tracked 1,593 bills that had a potential impact on DPS.
- During the 85th legislative session, 32 DPS legislative proposals were incorporated into legislation and 16 (or 50%) of them passed.
- During the 85th legislative session, OGR coordinated DPS attendance as a resource witness at 89 legislative hearings. 32 unique DPS employees served resource witnesses. OGR coordinated with 32 different House and Senate Committees for these hearings.

Media and Communications Office

Fiscal Year (FY)	# of Press Releases Distributed from DPS Headquarters
FY 2017 (through Aug. 1, 2017)	128
FY 2016	143
FY 2015	147
FY 2014	134
FY 2013	153
FY 2012	153
FY 2011	120
FY 2010	128
FY 2009	73

Dispute Resolution Office

- Percentage of mediated disputes resulting in agreed resolutions:
 - FY16 -86%
 - FY 17 to date - 94%
 - Methodology: Percentage is based on the comparison of the number of mediations conducted with the number of mediations conducted resulting in a verbal or written mutually agreed upon plan.
- Average number of days to complete a mediation:
 - FY 16 - 45 days
 - FY 17 to date, 38 days
 - Methodology: Time captured based on date of initial request for a mediation until the mediation is completed. This entails the coordination of the mediators and employee schedules, location for mediation, room reservations for mediation

- and/or hotel accommodations, and any re-scheduling of mediations due to the unforeseen circumstances for the mediators or employees.
- Total number of incoming initial consultations based on calendar year:
 - FY 16 – 201
 - FY 17 to date, 141
 - Methodology: Total number of phone calls or walk-in visits that initiate a consultation with an employee concerning a grievance, issue, or concern. Follow-up conversations about the same grievance, issue, or concern are captured separately as a follow-up visit.

Office of General Counsel

OGC/Legal Operations consists of the Office of General Counsel, Crime Records Legal, Regulatory Counsel and Administrative License Revocation.

- *Office of General Counsel.* OGC provides legal advice to the management of the Department and the Public Safety Commission in its general legal advisory function. The Office also monitors and coordinates litigation involving the Department with the Texas Attorney General. At the end of the fiscal year 2016 there were 106 active cases involving the Department that required OGC coordination activities. In addition to these functions, for fiscal year 2016 OGC processed:
 - 7219 public information requests;
 - 156 subpoenas;
 - 27 requests for information from prosecutors under criminal discovery rules;
 - reviewed 266 contracts and grants;
 - reviewed 208 personnel matters; and
 - processed 175 claims for personal and property damage.
- *Crime Records Legal Services.* The Crime Records Legal Services attorneys provide legal counsel to the Crime Records Service and represent the Department in contested expunction hearings throughout the State, and appeals in the Courts of Appeal and Supreme Court. In FY 2016, the legal staff processed over 11,000 expunction petitions and appealed 21 cases to the appellate courts. The attorneys also advise the Sex Offender Registration Unit and are responsible for reviewing all out-of-state offenses to determine if the offender has a duty to register in Texas.
- *Office of Regulatory Counsel.* The Office of Regulatory Counsel (ORC) provides legal advice to the Regulatory Services Division programs. In addition, ORC represents the Department in administrative hearings before the State Office of Administrative Hearings and Justices of the Peace relating to Private Security, Vehicle Inspection, License to Carry and the Metals Registration programs. In FY 2016, the ORC attorneys received 642 requests for hearing and represented the Department in 415 contested hearings before the State Office of Administrative Hearings (SOAH) and Justice of the

Peace (JP) courts across the state. Also, as the Department begins to implement the Texas Compassionate Use Act, ORC anticipates additional administrative hearings relating to licensing dispensing organizations as provided by the Act.

- *Administrative License Revocation.* The Administrative License Revocation (ALR) program authorizes the Department to suspend the driver license of individuals arrested for driving or boating while intoxicated, and for minors arrested or detained for driving under the influence with any detectable amount of alcohol in their system. Forty-three DPS attorneys are permanently stationed throughout the state and represented the Department in 32,370 ALR hearings in FY 2016.

Chief Auditor's Office

Year	Internal Audits	Consulting Engagements/ Non-Audit Services
2011	9	8
2012	32	9
2013	16	17
2014	22	8
2015	14	13
2016	5	7

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

Office of Homeland Security

The Texas Office of Homeland Security evolved from an executive order, RP8, in October of 2001, which established the Governor's Task Force on Homeland Security. Steven McCraw was named Director of Homeland Security in the Office of the Governor in 2004. When Steven McCraw was selected as the Director of DPS in 2009, he maintained his duties at the Director of Homeland Security. The DPS Deputy Director of Homeland Security and Services also serves as the Deputy Director of Homeland Security for Texas. The Director and Deputy Director are supported in their homeland security roles by a small staff (currently 3 FTE) within DPS.

Dispute Resolution Office

The Department of Public Safety established the Employee Relations Office (ERO) in 2000. The ERO was established as a result of the passage of Senate Bill 370, 76th Legislative Session, which required the Department to establish additional procedures for handling employment-related grievances. The ERO was renamed the Office of the Ombudsman (OTO) in October 2009.

In September 2009, Government Code Chapter 411.0044 was added in statute. This led to the Director sending an announcement that OTO was to provide an independent, impartial, informal, and confidential resource for employees to raise concerns and grievances related to the workplace. Within this section, the Public Safety Commission was instructed to develop a policy to encourage the use of an appropriate alternative dispute resolution procedure under Government Code, Title 10, Chapter 2009, Alternative Dispute Resolution for Use by Governmental Bodies, to assist in the resolution of internal and external disputes under the department's jurisdiction. The policy can be found in Chapter 7 of the General Manual, 07.65.00.

In July 2014, an advisory committee was established to evaluate the OTO's polices, practices, and processes in order to improve the delivery of services and increase the office's visibility. As a result of the committee's evaluation, the OTO was restructured as the Dispute Resolution Office (DRO), a name change that better conveys the services offered by the office. The DRO is led by the Chief Dispute Resolution Officer, previously referred to as the Ombudsman, and assisted by a Deputy Dispute Resolution Officer and an executive assistant.

Office of General Counsel

- *Administrative License Revocation.* OGC/Legal Operations assumed the responsibility for the Department's administrative license revocation program (ALR) in December of 2009. ALR is responsible for presenting administrative law cases for alcohol breath test refusal of drivers before the State Office of Administrative Hearings. The members of the ALR Section are licensed attorneys whose primary responsibility is prosecuting breath test refusal cases. Members may also represent the Department in other administrative and judicial proceedings.
- *Crime Records Legal Services & Regulatory Counsel.* OGC/Legal Operations assumed responsibility for Crime Records Legal Services and the Office of Regulatory Counsel in June of 2010. These sections also consist of licensed attorneys and legal support staff.
- *Public Integrity.* OGC began advising the Texas Rangers in public integrity investigations on September 1, 2015 as part of the implementation of House Bill 1690 of the 84th Legislative Session.

- E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.**

Office of Homeland Security

The office has a broad statewide impact, routinely coordinating with state agencies with a role in homeland security (27 agencies represented on the Texas Homeland Security Council), 24 Councils of Governments, 5 Urban Area Security Initiative cities, and many other partner organizations at the federal, state, and local levels and in the private sector.

Media and Communications

Media and Communications provides information to the media, Texans and visitors to Texas. The MCO is responsible for disseminating important messages to the public to inform them of essential services available to them and to inform them of critical public safety messages.

Office of General Counsel

OGC/Legal Operations provides legal advice to the Commission and Department management through the Office of General Counsel and provides specific legal services in regulatory functions through the Office of Regulatory Counsel, Administrative License Revocation program and Crime Records Legal Services functions.

In addition, the Office of Government Relations, Dispute Resolution Office and Chief Auditor's Office support all DPS employees.

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

Office of Homeland Security

The Director of Homeland Security advises and reports to the Governor on homeland security matters. The program is administered by the Director and Deputy Director of Homeland Security, who supervise the work of the Texas Office of Homeland Security staff.

Office of Government Relations

OGR receives requests from legislative offices and routes them to the appropriate DPS personnel to resolve.

Media and Communications Office

The MCO regularly provides messaging guidance and tasks to approximately 35 members of the Texas Highway Patrol, who serve as authorized media spokespeople for the department under the Safety Education Program. Within this group are six Media Staff Lieutenants (one per region for Regions 1 – 6) and there are three to six Media Staff Sergeants within each of those regions who report to their respective regional Media Staff Lieutenant. One Media Staff Sergeant is also assigned to Region 7, the capitol region.

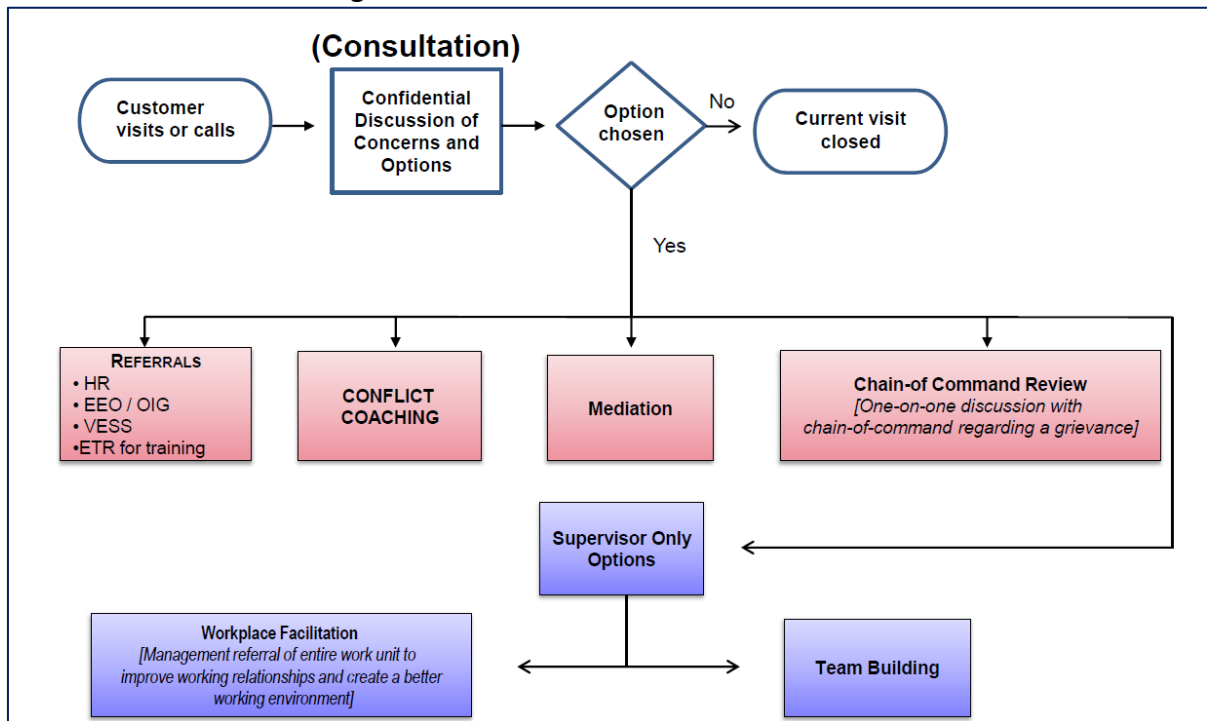
Office of General Counsel

OGC performs standard state agency general counsel functions, but also performs functions as provided by agency policy, such as review of personnel matters, firearms discharges, officer involved shooting reports, custodial death reports and internal discrimination claims. These are reviewed within specific timelines under applicable General Manual provisions.

Administrative License Revocation, Office of Regulatory Counsel and Crime Records Legal Services represent the Department in legal matters including contested cases, prosecuting administrative license revocation proceedings and expunctions.

Dispute Resolution Office

The first step of the process involves the employee contacting the DRO, signing a confidentiality statement, and then a consultation with the DRO. During the consultation, an employee describes the issue and we the DRO discusses possible options available. Options include a referral to a more appropriate department within the agency to assist with the issue, conflict coaching, mediation, chain-of-command review, workplace facilitation or team building.



Chief Auditor’s Office

The CAO performs its work in conformance with requirements found under the Texas Internal Auditing Act (Government Code Chapter 2102) and with required professional auditing standards.

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

AY 2016

Executive Support Services	0001 General Revenue	\$8,870,193
	0666 Approp Receipts	\$24,233
	Total	\$8,894,426

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

Office of Homeland Security

There are no identical programs at the state level. Most homeland security issues involve multi-agency and multi-jurisdictional coordination, with overlapping or complementary responsibilities among jurisdictions performing prevention, protection, mitigation, response, and recovery functions. The Texas Office of Homeland Security coordinates closely with other DPS elements including the Texas Division of Emergency Management and Intelligence and Counterterrorism Division, other state agencies with a role in homeland security, federal agencies including the Department of Homeland Security and Federal Bureau of Investigation, and local partners including Councils of Governments and homeland security/emergency management officials in major cities. Within state government, the role of the Office of Homeland Security is unique because it requires coordination with all these partners across a broad variety of issue areas.

In addition, most other state agencies likely have a function that performs services similar to the DPS Office of Government Relations, Office of General Counsel, Dispute Resolution Office, Chief Auditor's Office and Media and Communications Office.

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

Office of Homeland Security

Within DPS, the office coordinates routinely with other divisions and elements involved in homeland security-related tasks to avoid duplication of effort. It coordinates with other state agencies through the Texas Homeland Security Council and various issue-oriented working groups and does not infringe on activities that are assigned to other agencies by law or policy. A primary focus is promoting shared awareness of the various activities and challenges of local, state, federal, and private security homeland security partners.

Office of General Counsel

The Office of Attorney General provides representation in state and federal court litigation involving the Department. OGC/Legal Operations provides all legal services that are internal to the agency and generally provides legal services to the Department externally when litigation is not involved. In the case of expunction litigation and ALR

appeals, OGC/Legal Operations provides external representation and appears in court based on a delegated authorization from the OAG.

An interagency contract is executed with the OAG as required by Article I, OAG Rider 8 (84th Legislative Session), Article V, DPS Rider 25 (84th Legislative Session), Article I, OAG Rider 14 (85th Legislative Session), and Article V, DPS Rider 24 (85th Legislative Session).

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

Office of Homeland Security

The office routinely works with units of government at all levels. Examples include: coordination with the Department of Homeland Security on risk and preparedness assessments and DHS assistance programs for state and local government; providing guidance and assistance on regional homeland security planning to the 24 Councils of Governments; and coordinating with local governments to promote efficiency and sharing of best practices in homeland security operations.

Office of General Counsel

OGC/Legal Operations coordinates activities with other local, regional and federal units of government on a case-by-case basis while rendering legal services to Department management.

Chief Auditor's Office

The CAO coordinates and serves as liaison for external audit and reviews of the Department. These include audits conducted by the State Auditor's Office, the Comptroller of Public Accounts, and federal oversight entities such as the Department of Homeland Security's Office of the Inspector General.

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

- **a short summary of the general purpose of those contracts overall;**

These contracts support the operations for the Executive Support Services.

- **the amount of those expenditures in fiscal year 2016;**
- **the number of contracts accounting for those expenditures;**
- **the method used to procure contracts;**

DPS follows the procurement method requirements as defined in Texas Gov't Code Chapters 2155, 2156, 2157, 2158, and 2161 and 34 Texas Administrative Code (TAC) Chapter 20. DPS also follows the state's Contract Management Guide and Procurement Manual that are published by the Comptroller of Public Accounts.

In FY16, DPS procured goods and services using Council on Competitive Government, Texas Correctional Institute, Texas Institute for the Blind and Handicapped, Term, Managed, and TXMAS contracts available through TX SmartBuy. These contracts are managed by the Comptroller of Public Accounts, and state agencies issue purchase orders against those contracts.

DPS also procured goods and services using DIR contracts for certain technology related procurements in FY16. These contracts are managed by the DIR, but agencies can issue purchase orders and agreements against these contracts.

DPS also procured goods and services on the open market in those instances where there was no state contract in place or where the dollar amount associated with the procurement exceeded the limits of use for the state contract. For example, in FY16 SB 20 required that any technology procurements that were over 1 million be solicited on the open market. For non-technology goods that were over 25K and services that were over 100k, DPS would be required to seek delegation from the Comptroller's office before being authorized to solicit on the open market. In some cases the Comptroller would decide to perform the solicitation on behalf of the Department.

- **top five contracts by dollar amount, including contractor and purpose;**
 - **PO- 405-16-P005967** valued at \$286,194.29 with K2SHARE LLC for Hosting Services of SPARS System
 - **PO- 405-16-P004353** valued at \$245,281.26 with TIBH INDUSTRIES, INC for Temp Accountants
 - **PO- 405-15-P001226** valued at \$99,999.99 with K2SHARE LLC for State Preparedness and Reporting Services system
 - **PO- 405-16-P004898** valued at \$64,518.30 with TIBH INDUSTRIES, INC for Temp Accountants
 - **PO- 405-16-P004936** valued at \$27,286.00 with TEXAS CORRECTIONAL INDUSTRIES for Modular Workstations

- **the methods used to ensure accountability for funding and performance; and**

Each contract has an assigned contract monitor from the division that has been provided with internal training and procedures for monitoring the deliverables and performance of the contract and supplying vendor performance reports. The official contract manager in Procurement & Contract Services works with the division contract monitor, OGC, and Finance to administer and manage contract and vendor performance, ensure compliance with applicable statutes, rules, and policies, and officially address any needed corrective action. Finance is responsible for maintaining compliance with payment rules based on validation from the division that goods and services were received and performance criteria were met.

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

The largest issue with contracting at DPS is the lack of delegated authority for many purchases from the Comptroller's office. Please see the Major Issue regarding delegated authority.

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

None of the activities covered by this program awards grants.

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

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

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

Name of Program or Function: *Intelligence*

Location/Division: *Intelligence and Counterterrorism Division*

Contact Name: *Division Director John Jones*

Actual Expenditures, FY 2016: *\$8,725,935*

Number of Actual FTEs as of June 1, 2017: *151*

Statutory Citation for Program: *Chapter 411, Government Code and Chapter 421 (Homeland Security), Subchapter E, Government Code.*

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

The primary objective of the Department's **Intelligence** program is to provide timely and effective sharing of detailed and relevant information and intelligence analysis throughout a multi-jurisdictional state-wide crime and terrorism intelligence network capable of accurately assessing current and future threats and supporting evidence-based prevention and enforcement strategies and operations.

The major Department activities within the intelligence program include:

- **The Texas Joint Crime Information Center (JCIC)** – The Texas JCIC (aka. the Texas Fusion Center) was designated in 2011 by the Governor's Office as the primary fusion center for the state. The center maintains 24/7/365 operations and serves as the central facility for fulfilling the Department's responsibility to: **Receive** classified and unclassified multijurisdictional criminal intelligence information that is about terrorist activities or otherwise related to homeland security activities; **Analyze** and assess state-wide and local implications of that threat information through the use of a formal threat and risk assessment process; **Disseminate** that threat information to other state, local, tribal, territorial, and private sector entities within the state; and **Gather** locally-generated information, aggregate it, analyze it, and share it with federal partners as appropriate.
- **State Intelligence Estimates (SIE) Production** – To enhance the state's ability to detect, assess, and prioritize threats to the safety and security of its citizens, the Intelligence program manager implemented a State Intelligence Estimate process after consultation with the National Intelligence Council, based in part on the model of the National Intelligence Estimate.

State Intelligence Estimates are multi-agency assessments on issues relating to homeland security and public safety in Texas. They serve as the most authoritative and comprehensive analyses of these issues, and they are designed to provide law enforcement and government officials with the most accurate evaluation of current information on a given topic. State Intelligence Estimates are intended to provide an assessment on the current status of an issue, but they may also include estimative

conclusions that make forecasts about future developments and identify the implications for Texas.

Unlike reports and assessments produced by an individual agency or center, State Intelligence Estimates draw on the information and expertise of multiple law enforcement and homeland security agencies across Texas. Such an approach is essential to developing a comprehensive assessment of issues that affect the state as a whole. By incorporating the perspectives and information from multiple agencies, the Texas Department of Public Safety is better able to produce assessments that support the development of proactive strategies and policies needed to address current and evolving threats to the state.

- **Criminal Investigation Case Support** – Criminal Investigative Case Support activities primarily consist of non-commissioned analysts supporting and working with commissioned criminal investigators by extracting data from various records systems, and turning it into useful information that supports criminal prosecutions. The systematic analysis of data and information is highly valued and sought out by investigators seeking to improve their effectiveness. The crime analysis function is integral to good policing and the efficient use of limited resources.
- **Criminal Enterprise Identification and Analysis** – Criminal Enterprise Identification and Analysis activities primarily consist of the analysis and production of actionable intelligence pertaining to High Threat Criminal Organizations (HTCOs) in the state. The goals associated with these activities include: the prioritization of HTCOs that dramatically impact the state; the identification of high value individuals (HVIs) associated with HTCOs; the identification and assessment of tactics, techniques and procedures of HTCOs; and the development of methods of targeting HTCOs and HVIs.
- **Law Enforcement Surge Operations Intelligence** – The objective of intelligence support to Law Enforcement Surge Operations is to integrate state, local and national intelligence capabilities into a unified effort that surpasses any single organizational effort and provides the most accurate and timely intelligence to operational commanders. In order to accomplish this, intelligence is provided to the joint or unified command with as timely, complete, and accurate understanding as possible of the operational environment, particularly with regard to criminal organizations' capabilities and intentions. Intelligence analysts and managers must anticipate and fully understand the intelligence requirements (IRs) of the commander, identify intelligence capabilities and shortfalls, access information systems to alleviate shortfalls, and ensure that timely and appropriate intelligence is provided or available to the operation commands and component agencies.
- **Missing Persons and Missing Children Clearing House (MPCH)** – The MPCH serves as a central repository for information about Texas missing persons as well as persons missing from other states but believed to be in Texas. The Clearinghouse also serves as a

central repository for information regarding Texas unidentified living and deceased persons. Clearinghouse personnel collect, compile, exchange, and disseminate information to aid in locating missing persons and identifying unidentified persons. In an effort to assist law enforcement agencies and to keep the public informed, the Clearinghouse maintains a toll-free telephone line; publishes various publications, including an online missing and unidentified persons bulletin; and provides training and analytical support to the law enforcement community. The Clearinghouse also serves as the Department's law enforcement liaison for the state's Amber Alert, Silver Alert, and Blue Alert programs. As law enforcement liaison for these Alert programs, MPCH maintains a 24/7 on-call status in the Texas JCIC to receive requests at any time of day. Clearinghouse personnel will assist the State Operations Center with evaluating requests and verifying that activation criteria have been met. The MPCH will also evaluate the case in order to request appropriate Department field assistance or other state/federal resources as needed. In addition, the Clearinghouse maintains a partnership with the University of North Texas Health Science Center (UNTHSC) Mitochondrial DNA Identity Lab. The MPCH plays a significant role in assisting law enforcement with submitting family DNA reference samples and unidentified remain samples to the lab. Clearinghouse personnel review the vast number of missing and unidentified person cases to identify those cases that meet the criteria for DNA submissions (high-risk missing persons and unidentified human remains) to UNTHSC.

- **Critical Infrastructure Protection** – Critical Infrastructure Protection planners and analysts identify and analyze threats and criminal activity to produce actionable intelligence to support law enforcement, emergency management, and industry security operations. These activities are conducted with the objective of: reducing the vulnerability and increasing the resiliency of critical infrastructures in Texas; promoting the continued operation and resiliency of critical infrastructure in the face of natural disasters, technological failures or deliberate attacks; and enhance understanding of critical infrastructure security and resilience in Texas by developing, sharing, and disseminate information to support prevention of attacks and response/recovery following attacks and disasters.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.

Annual Statewide Gang Threat Assessment (refer to section (B): SIEs)
 Annual Public Safety Threat Assessment and Overview (refer to section (B): SIEs)
 Statewide Intelligence Estimates
 Intelligence Bulletins
 Leads provided to law enforcement investigators
 Target packages/Threat briefs

Hierarchy and Link Analysis Charts
Mapping and Geo Spatial Analysis
Law Enforcement Investigative assists

ICT Division Stats													
CY2016	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
Director's Dashboard													
Situation Reports													
Analytical Assists	5,062	4,999	5,127	4,560	4,233	4,250	4,256	4,560	4,209	4,302	4,344	4,362	54,264
State Intelligence Assessments													
SARs													
BIARs													
SPOT Reports	15		33		10	8	27	56	19	19	20	36	243
Weekly Intelligence Assessments	64	33	53		38	25	54	65	74	53	53	45	557
Classified Briefings	5	2	3		15	24	18	1	6			1	75
Analytical Assists by Type													
Administrative	1,346	1,017	1,133	488	358	314	317	673	614	792	748	1,376	9,176
Financial Crimes	57	61	46	63	35	40	51	46	34	45	38	36	552
Gang / DTO	252	264	225	319	434	277	255	424	326	224	563	183	3,746
Human Trafficking	125	99	92	117	122	84	88	100	72	93	42	49	1,083
Identity Theft / Fraud	255	302	249	211	379	258	182	270	253	230	201	207	2,997
Narcotics	1,533	1,671	1,533	1,334	1,151	1,327	1,642	1,578	1,410	1,359	1,185	1,306	17,029
OCDETF Investigations / RICCO	21	24	19	271	11	6	3	19	11	39	50	24	498
Person Crime	892	1,038	1,375	1,342	1,277	1,536	1,324	893	988	1,013	1,033	808	13,519
Property Crime	488	445	374	339	411	341	299	457	430	404	417	321	4,726
Terrorism	93	78	81	76	55	67	95	100	71	103	67	52	938
Total	5,062	4,999	5,127	4,560	4,233	4,250	4,256	4,560	4,209	4,302	4,344	4,362	54,264
Analytical Assists by Agency													
Federal	537	726	682	497	628	452	421	532	523	501	415	374	6,288
State - DPS	3,473	3,265	3,611	3,349	2,614	2,878	3,078	3,180	2,853	2,929	2,986	3,295	37,511
State - Other	372	297	218	133	255	245	254	205	212	260	255	166	2,872
Local / County	647	662	570	551	712	631	470	603	597	593	672	510	7,218
Public	33	49	46	30	24	44	33	40	24	19	16	17	375
Total	5,062	4,999	5,127	4,560	4,233	4,250	4,256	4,560	4,209	4,302	4,344	4,362	54,264
Work Performed													
Businesses Worked	160	186	101	103	108	127	163	133	71	151	112	89	1,504
Locations Worked	520	1,322	482	519	14,399	586	589	680	486	763	512	730	21,588
Phones Worked	8,911	49,034	31,797	21,642	13,263	7,144	1,470	892	8,206	13,331	52,839	1,862	210,391
Situational Awareness Monitoring	386	320	343	418	225	292	297	228	170	301	304	340	3,624
Subjects Worked	8,891	10,846	8,809	9,883	10,046	10,441	9,450	9,564	11,792	10,907	9,687	10,927	121,243
Vehicles Worked	1,250	1,133	1,292	1,048	1,325	1,424	2,969	2,387	1,481	1,483	1,825	1,300	18,917
Total	20,118	62,841	42,824	33,613	39,366	20,014	14,938	13,884	22,206	26,936	65,279	15,248	377,267
Products													
Case Development Products	278	319	256	276	253	239	211	210	214	233	372	705	3,566
Investigative Leads	234	260	269	811	460	277	479	321	389	459	503	279	4,741
Legislative Bill Analysis				1	1			2	2				6
Presentations Created	12	45	19	46	43	47	38	53	40	47	27	39	456
Translations / Transcriptions	4		2				2	1	1	1	2	3	16

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

Prior to the 1970's, the Department's intelligence program focused on investigating subversive activities and gathering criminal intelligence. In the early 1970's, the Intelligence Section was involved in combating organized crime and was renamed the Criminal Intelligence Service (CIS). In 1981, the Criminal Intelligence Service merged with the Crime Analysis Service. Over the next 15 years, CIS became responsible for administering various regulatory programs and investigating a wider variety of crimes. As a result, CIS was renamed the Special Crimes Service in 1996 to characterize the investigative work performed.

In January 2003, Gov. Rick Perry announced a \$1.7 million grant for a Texas Security Alert and Analysis Center (TSAAC) to coordinate the state's intelligence, response and warning systems. Development of the Security Alert and Analysis Center was the latest step to implement the Governor's Task Force on Homeland Security recommendation to establish a coordinated state agency warning system. The grant was awarded to the Texas Department of Public Safety, and staffed by DPS Special Crimes Service officers and analysts. The Governor's Division of Emergency Management (GDEM) was directed to oversee the center's operations. A key feature of the center was the increased ability to receive security-related information from law enforcement agencies and the public. The new center also helped coordinate the analysis of tips and other intelligence gathered by local and state agencies and placed access to all the state's warning and assessment systems in one location. The development of the TSAAC in GDEM's State Operations Center gave Texas the ability to fully coordinate response to any type of emergency - from a hurricane to a bioterrorism incident to a food safety threat. The center also includes a virtual link to the state's 21 disaster districts.

Later in 2003, the 78th Legislature passed HB 9 that created the Texas Infrastructure Protection Communications Center (IPCC), whose responsibilities included, in conjunction with the governor's strategy, planning, coordinating, and integrating government communications systems to ensure an effective response in the event of a homeland security emergency. The IPCC's duties further included the promotion of emergency preparedness, analysis of information, assessment of threats, and issuance of public warnings related to homeland security emergencies. The IPCC's purpose was to prevent or minimize damage, injury, loss of life, and loss of property in the event of a homeland security emergency. The State Emergency Operations Center, originally constructed in 1964, underwent an extensive upgrade and took on added duty as the state's Infrastructure Protection Communications Center. Although no increase in square footage was possible in the underground facility, a variety of telecommunications and electronic improvements were made in an effort to provide a state-of-the-art 21st-century command, control and communications center that meets the needs for homeland security in Texas. The center included the previously established criminal intelligence collection and analysis component called the Texas Security Alert and Analysis Center (TSAAC). This new center brought together law enforcement and emergency response professionals to share and disseminate information from local, state, federal and private crucial as homeland security responsibilities and the threat of terrorism increase.

In 2004 the TSAAC, that had been operating 16 hours a day, began operating 24 hours a day, seven days a week with a staff of five lieutenants, an analyst supervisor, and 10 analysts. Additionally the TSAAC housed what was called the emergency response network (ERN), a communication system that collected information and disseminates intelligence quickly and efficiently. All state agencies were directed to begin preparing to use ERN for submitting infrastructure protection information to support the statewide homeland defense strategy in the future. The TSAAC also had access to the criminal law enforcement reporting and information system (CLERIS) allowing them to document and view investigative and intelligence information. CLERIS was used to link investigations and to identify developing or ongoing trends. Through the TSAAC, the state joined the Joint Regional Information Exchange System

(JRIES), a real-time network of federal, state and local agencies across the country, which is completely dedicated to counterterrorism initiatives. JRIES was a digital network connection allowing the federal Department of Homeland Security and over 60 members of the law enforcement community to communicate. With the system in use TSAAC could analyze, share and respond to suspicious incidents relating to homeland security in Texas.

In September 2005, the Special Crimes Service was renamed the Criminal Intelligence Service as a result of the Department formally shifting priorities to elevate the importance intelligence-gathering and information analysis.

In 2005, the Infrastructure Protection Communications Center (IPCC) and Texas Security Alert and Analysis Center (TSAAC) were renamed the Texas Fusion Center (TxFC) by Governor Perry. Additionally, staffing levels were increased by 31 Criminal Intelligence Service investigators and 20 additional non-commissioned analysts. The additional analytical personnel also allowed the full staffing of two analytical programs, including the Texas Fusion Center and the Criminal Law Enforcement Combined Analyst Group (CAG). The CAG, housed within the CIS headquarters, consisted of analytical personnel from CIS, the DPS Motor Vehicle Theft Service and DPS Narcotics Service. It was tasked with the accrual and evaluation of actionable intelligence regarding criminal activity and the dissemination of that intelligence to appropriate DPS personnel in the field for further investigation. Also, the Border Security Operations Center (BSOC), which was a part of the Emergency Management Division, was housed in the TxFC and worked with the fusion center to produce an assessment report to identify an effective approach to better securing the border against crime and terrorism.

In February 2006, Governor Perry launched the state-led border security operation, “Operation Rio Grande”, to address escalating violence, increase border security and ensure Texans’ safety. The operation brought together a variety of state resources to better secure the Texas-Mexico border from Brownsville to El Paso. Governor Perry also placed the Texas Fusion Center (TxFC) on the highest alert level and merged it with the State Operations Center (SOC) under the supervision of Texas Homeland Security Director Steve McCraw. The SOC and TxFC served as a central point of coordination for state, local and federal officials, as well as a single hub for incident reporting and intelligence support for law enforcement agencies up to 100 miles away from the Rio Grande River. Perry’s action represented the first time the SOC had been activated to coordinate a law enforcement operation.

Also in 2006, the 80th Legislature passed SB 9 that formally changed the name of the Texas Infrastructure Protection Communications Center (IPCC) to the Texas Fusion Center (TxFC).

In late 2006, an FBI intelligence analyst joined the TxFC’s multi-agency staff and was housed within the TxFC. Also, a new unit identified by the Department as the Texas Intelligence Center (TxIC) was also co-located with the SOC and TxFC.

In September 2007, DPS merged the Department’s crime and intelligence analysts into one new unit — the Bureau of Information Analysis (BIA). This new bureau, which was to be part of the

Criminal Law Enforcement Division, was developed to assist DPS and other law enforcement agencies with investigations regarding terrorism, drugs, gangs, sex offenders, fugitives and other major felony offenses. The BIA included 12 commissioned officers and 130 analysts from the Texas Rangers, the Driver License Division, Criminal Intelligence Service, Motor Vehicle Theft Service, and the Narcotics Service. In addition, the BIA included the Texas Intelligence Center (TxIC), which provided 24/7 tactical support to law enforcement and a telephone tip line for the public. The TxIC also included a Post-Seizure Analysis Team, which analyzed information from contraband and currency seizures. Also within TxIC was the Unidentified Persons and DNA Unit, which assisted with cases involving homicide and unidentified bodies, and the Missing Persons Clearinghouse (MPCH), which assisted with missing persons cases and coordinated the statewide Amber and Silver Alert programs. BIA tactical analysts performed database searches and phone analyses and provided other types of investigative leads. BIA strategic analysts conducted in-depth research on suspect groups, persons of interest or criminal activity to help direct law enforcement resources toward combating crime and terrorism more effectively. NOTE: This transition also physically moved all commissioned officers and analysts out of the SOC and removed them from oversight of the Governor's Division of Emergency Management (GDEM).

In 2008, the Texas Fusion Center (TxFC) and the Texas Intelligence Center (TxIC) responsibilities were combined under the Texas Fusion Center name and relocated into the Criminal Law Enforcement building on the Headquarters complex. The most significant impact during the BIA reorganization was the establishment of a statewide all-crimes fusion center. The TxFC included a secure compartmentalized information center. Physically located within this center, numerous external law enforcement agencies participated, including the Texas Department of Criminal Justice (TDCJ), the Texas Parks & Wildlife Department, the Texas Alcoholic Beverage Commission (TABC), the U.S. Drug Enforcement Administration (DEA), the U.S. Immigration and Customs Enforcement (ICE), the U.S. Department of the Treasury's Financial Crimes Enforcement Network (FINCEN), the U.S. Marshals Service and the U.S. Department of Homeland Security (DHS) and the Federal Bureau of Investigation (FBI). The BIA also placed its own analysts at the other regional fusion and intelligence centers located throughout the state.

In early in 2009, the 81st Legislature passed SB 379 that amended current law relating to the duties of the Texas Fusion Center (TxFC), including an annual reporting requirement by the center to the Legislature and the Governor regarding criminal street gangs.

On August 17, 2009, the Texas Public Safety Commission (PSC) adopted numerous broad and sweeping recommendations from a Management and Organizational Structure Study of the Texas Department of Public Safety conducted by Deloitte Consulting LLP. Specifically, the PSC adopted a recommendation calling for the establishment of a new Intelligence and Counterterrorism Division, focused on facilitating information sharing and intelligence-led policing and supported by a robust fusion center. This new Division coordinated information sharing, both internally and externally, and lead the Department's intelligence-led policing, counter-terrorism, and homeland security efforts against large-scale criminal conspiracies and

other threats to the state. As part of the organizational realignment, this new unit improved the information flow up, down and across the Department.

Since this reorganization in 2009, the Texas Fusion Center has established accountability for information collection, analysis and dissemination. Successfully integrating information gathering, sharing and analysis improved the Department's ability to develop meaningful intelligence and allowed the Department to assume leadership in coordinating and disseminating criminal and homeland security information within the state.

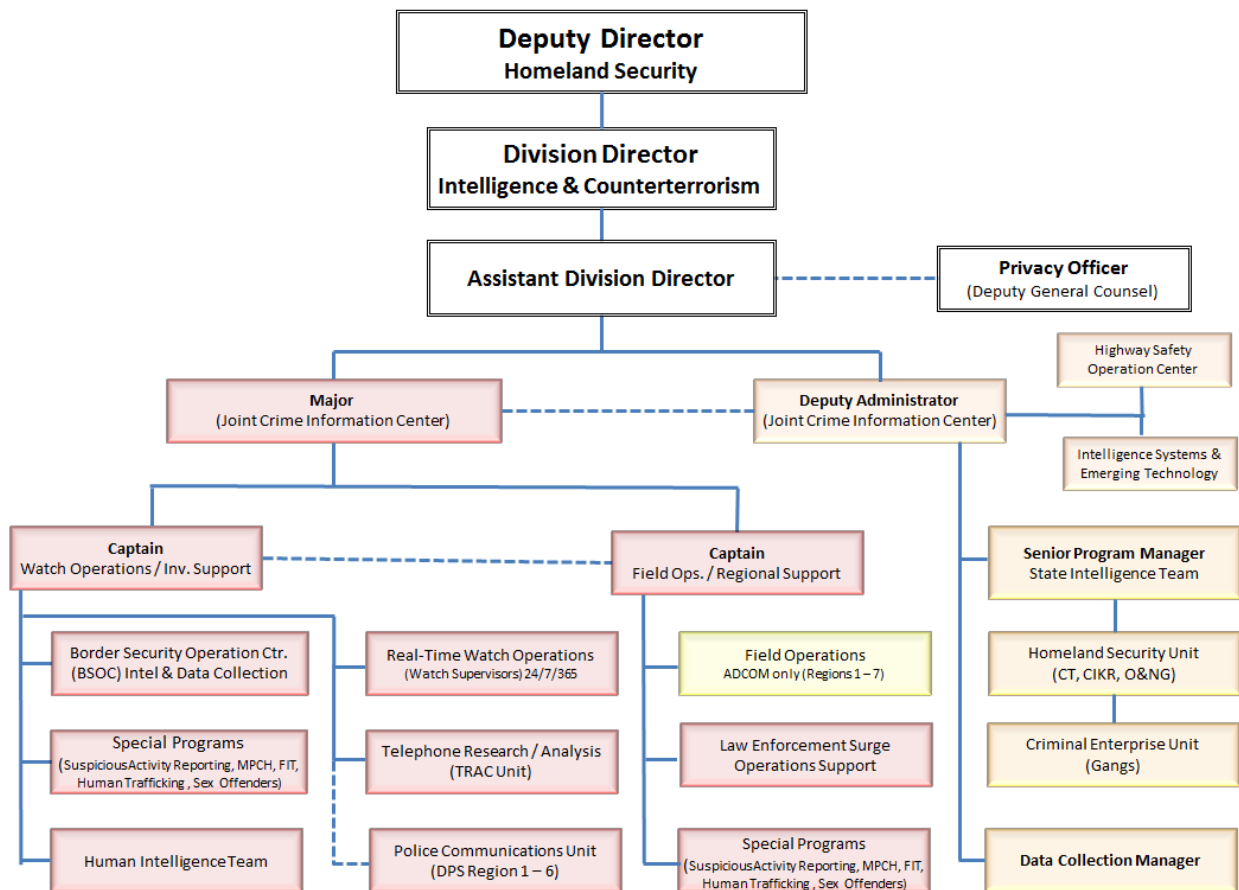
In January 2014, the Texas Fusion Center was renamed the Texas Joint Crime Information Center (JCIC). Later that year, the Texas JCIC received the 2014 Fusion Center of the Year at the National Fusion Center Association Training Event. The Texas JCIC was also recognized at that time by Chairman Michael McCaul, U.S. House of Representatives Committee on Homeland Security, as a model fusion center in the National Network of Fusion Centers—noting the work the JCIC had done in the areas of counterterrorism, border security, and critical infrastructure and that the center had enhanced security in Texas and the country.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The program affects the entire population of Texas by serving as the state's repository for the collection of multi-jurisdictional criminal intelligence information and other information related to homeland security, with the primary responsibility to analyze and disseminate that information to local, state, and federal law enforcement and homeland security officials.

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

The intelligence program is under the direction of an Division Director for Intelligence and Counterterrorism. The Division Director is assisted by a Assistant Division Director. A major and a non-commissioned deputy administrator command the daily operations for the approximate 120 intelligence program analysts stationed in Austin/HQ at the Texas JCIC. The remaining approximate 45 intelligence program analysts are spread throughout the state in each of the seven DPS field regions and are under the operational control of a regional commander.



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

- SAA Grant Funding-LexisNexis Risk Data Management Inc. \$154,174.56
- SAA Grant Funding-Int. Sys. Requirement Analysts FY16 \$57,816.00
- OOG Grant Funding-Int. Sys. Requirement Analyst FY16 \$44,516.00
- Strategy 01.02.03 Intelligence \$6,531,320.00
- IT-Advance Analytics \$112,494.02

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

There are a total of seven recognized fusion centers operating in the state—a primary state center (aka. the Texas JCIC), and six regional fusion centers. These fusion centers are part of a National Network of Fusion Centers consisting of a total of 79 fusion centers.

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

The State of Texas has long supported the nation's efforts to establish a structure and capabilities to enable the timely detection and reporting of terrorism related suspicious activity in furtherance of preventing terrorist attacks. The commitment throughout Texas is demonstrated by the dedication of full time personnel and resources by local and state agencies in the implementation and operation of six regional and one state level fusion center in Texas.

Although the prevention of terrorism was the principal driver for establishing fusion centers, there was also a need for multi-agency information sharing and analysis to address criminal threats. Leveraging the fusion centers to do so was not only cost effective but smart as the lines between crime and terrorism have become increasingly blurred. The 82nd Texas State Legislature enacted legislation establishing a Fusion Center Policy Council and adoption of a network of fusion centers to address both terrorism and criminal threats. Internal controls were added to minimize concerns regarding abuses in privacy and civil liberties.

The importance of establishing a multi-agency intelligence sharing framework cannot be overstated in today's rapidly evolving threat environment. Law enforcement agencies at all levels have an obligation to make informed decisions based upon the analysis of all available data which can only be achieved with the timely and effective sharing of detailed and relevant multi-agency criminal and terrorism information. No one law enforcement agency has all of the information on crime and terrorism. In fact, the majority of the essential information being collected is done so by local and state law enforcement agencies in the performance of their daily responsibilities.

Fusion Centers are simply multi-agency intelligence centers operated by local and state law enforcement agencies to provide situational awareness of criminal and terrorism activities within their area of operation and to support data driven tactical and strategic decision making. No one would suggest that law enforcement decisions should be uniformed and without understanding of the circumstances surrounding a threat to the public. And yet when law enforcement seeks to work smarter by leveraging the intelligence process there are often concerns because of law enforcement abuses in the past that were made under the guise of intelligence or counterintelligence.

The Texas Fusion Center Policy Council understands these concerns and recognizes the need to remain transparent and strive to educate the public of its activities and relevance in protecting the public. Moreover, Intelligence or the act of understanding is too important to law enforcement to allow abuses of privacy or civil liberties to jeopardize its use. Timely and

accurate intelligence is the corner stone of proactive, preventive and effective strategies to combat crime and terrorism.

Every fusion center can provide great value to law enforcement officers, leaders and policy makers at all levels with the correct doctrine, multi-agency resources and information, privacy and civil liberty safeguards and solid leadership.

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

The nature of public safety and law enforcement intelligence services requires the constant interaction with all levels of government on a daily basis. Commissioned personnel and non-commissioned intelligence analysts with the Texas JCIC work closely with many agencies that are part of the National Intelligence Community (Defense Intelligence Agency, National Geospatial- Intelligence Agency, National Reconnaissance Office, National Security Agency, Military Intelligence Corps, Office of Naval Intelligence, Twenty-Fifth Air Force, Marine Corps Intelligence, Coast Guard Intelligence, Office of Intelligence and Analysis, Central Intelligence Agency, Bureau of Intelligence and Research, Office of Terrorism and Financial Intelligence, Office of National Security Intelligence, Intelligence Branch and Office of Intelligence and Counterintelligence). Additionally ICT's JCIC houses multiple federal and state liaison partners such as: Air National Guard, Army National Guard/ Texas State Guard (TMF), Customs and Border Protection (CBP) Office of Field Operations and Office of Intelligence, Department of Homeland Security (DHS) Office of Intelligence and Analysis, Federal Bureau of Investigations (FBI), Immigration and Customs Enforcement (ICE), Texas Department of Criminal Justice (TDCJ), Texas Parks and Wildlife Department (TPWD), United States Marshal Service (USMS), United States Treasury- Financial Crimes Enforcement Network (FINCEN), Drug Enforcement Administration (DEA) El Paso Intelligence Center (EPIC) and maintains local close relationship with Texas Alcoholic Beverage Commission (TABC), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Central Intelligence Agency (CIA), Defense Intelligence Agency (DIA), High Intensity Drug Trafficking Area (HIDTA), Transportation Security Administration (TSA), United States Coast Guard (USCG) and the University of Texas at Austin Police Department.

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

- **a short summary of the general purpose of those contracts overall** - these contracts provide software and services that enhance the capabilities of the Intelligence program;
- **the amount of those expenditures in fiscal year 2016;**
- **the number of contracts accounting for those expenditures;**
- **the method used to procure contracts;**

DPS follows the procurement method requirements as defined in Texas Gov't Code Chapters 2155, 2156, 2157, 2158, and 2161 and 34 Texas Administrative Code (TAC)

Chapter 20. DPS also follows the state's Contract Management Guide and Procurement Manual that are published by the Comptroller of Public Accounts.

In FY16, DPS procured goods and services using Council on Competitive Government, Texas Correctional Institute, Texas Institute for the Blind and Handicapped, Term, Managed, and TXMAS contracts available through TX SmartBuy. These contracts are managed by the Comptroller of Public Accounts, and state agencies issue purchase orders against those contracts.

DPS also procured goods and services using DIR contracts for certain technology related procurements in FY16. These contracts are managed by the DIR, but agencies can issue purchase orders and agreements against these contracts.

DPS also procured goods and services on the open market in those instances where there was no state contract in place or where the dollar amount associated with the procurement exceeded the limits of use for the state contract. For example, in FY16 SB 20 required that any technology procurements that were over 1 million be solicited on the open market. For non-technology goods that were over 25K and services that were over 100k, DPS would be required to seek delegation from the Comptroller's office before being authorized to solicit on the open market. In some cases the Comptroller would decide to perform the solicitation on behalf of the Department.

- **top five contracts by dollar amount, including contractor and purpose;**
 - **PO- 405-16-P004475** valued at \$825,000.00 with UNIVERSITY OF NORTH TEXAS HEALTH SCIENCE CENTER for Databases and Clearinghouses related to missing persons and children
 - **PO-405-15-P001702** valued at \$441,880.97 with TRAPWIRE for suspicious activity reporting
 - **PO- 405-15-P001801** valued at \$170,842.08 with LEXISNEXIS RISK SOLUTIONS FL INC for Public Database Subscription Service
 - **PO- 405-15-P002783** valued at \$16,440.00 with HBMG INC for Semantica platform support
 - **PO-405-16-P007001** valued at \$6,982.37 with ACTIONABLE INTELLIGENCE TECHNOLOGIES, INC. for Financial Investigation System Licenses Renewal
- **the methods used to ensure accountability for funding and performance; and**

Each contract has an assigned contract monitor from the division that has been provided with internal training and procedures for monitoring the deliverables and performance of the contract and supplying vendor performance reports. The official contract manager in Procurement & Contract Services works with the division contract monitor, OGC, and Finance to administer and manage contract and vendor

performance, ensure compliance with applicable statutes, rules, and policies, and officially address any needed corrective action. Finance is responsible for maintaining compliance with payment rules based on validation from the division that goods and services were received and performance criteria were met.

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

The largest issue with contracting at DPS is the lack of delegated authority for many purchases from the Comptroller's office. Please see the Major Issue regarding delegated authority.

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

- *Strategy 02.01.02 Networked Intelligence \$2,430,812.00 (Grant Pass Thru) Texas Transnational Intelligence Center-Rider 52*
- *Strategy 01.03.01 Special Investigations \$825,000.00 (Pass Thru) UNTHSC- Rider 30*

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

None

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

None

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

Name of Program or Function: *Recovery, Mitigation, and Standards*

Location/Division: *Texas Division of Emergency Management*

Contact Name: *Division Director Nim Kidd*

Actual Expenditures, FY 2016: *\$213,867,647*

Number of Actual FTEs as of June 1, 2017: *99.50*

Statutory Citation for Program: *Texas Government Code Chapter 418, OMB Code of Federal Regulations Title 2 PART 200 - UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS FOR FEDERAL AWARDS, 2 CFR 200 Subpart D §200.331 Requirements for pass-through entities.*

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

The Recovery, Mitigation and Standards program includes Grants Administration, Hazard Mitigation Planning, Regional Disaster Finance, Human Services, and the Single Audit unit.

Grants Administration provides assistance to impacted communities with recovery and mitigation efforts through the effective, efficient, and timely distribution of federal grants to eligible subrecipients.

Hazard Mitigation Planning provides support for Grants Administration by preparing the State Hazard Mitigation Plan and providing assistance to jurisdictions for local Hazard Mitigation Planning.

The Regional Disaster Finance Coordination Program is an innovative, proactive program designed to give local jurisdictions the financial tools needed to help recover from a disaster before a disaster occurs, as well as facilitate collaboration and communication between disaster responders and financial managers prior to an emergency occurring.

The Human Services Unit encompasses the work of the FEMA Individual Assistance (IA) Program and the State Voluntary Agency Liaison (VAL). The work includes emergency assistance, crisis counseling and assistance, disaster unemployment assistance (DUA), disaster legal services, disaster case management (DCM), disaster loans for individuals and small businesses and Individuals and Households Program (IHP), including grants for repair and rebuild as well as temporary, short-term and long-term housing assistance.

The Single Audit Unit ensures that subrecipients comply with single audit requirements, identifies instances of noncompliance which could be material to the federal grants passed through the Department, issues management decisions on audit findings, ensures pass through grant subrecipients take appropriate and timely corrective actions and consider whether the results of the subrecipient audit necessitate adjustments to the department's records.

- C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.**

Grant Administration

From September 1, 2011 to June 22, 2017, Grant Administration passed through \$1,306,313,506 in public assistance grants and \$468,618,158 in hazard mitigation grants to impacted jurisdictions in the state of Texas.

Hazard Mitigation Planning

The TDEM Mitigation section sets the goal of meeting 78 percent of population covered by a hazard mitigation plan. This program typically achieves 89 percent coverage monthly. This is calculated by adding the populations of counties and jurisdictions with approved plans.

Regional Disaster Finance

Since implementation of the Regional Disaster Finance program, see following for statistics on training and deployments.

Statistics of Jurisdictional Training Since 2014:

- 131 courses scheduled, in progress or completed
- 208 jurisdictions scheduled, in progress, or completed
- 4,336 students in the training modules
- 31,704 student hours

Statistics for Deployment Since 2015

45 separate deployments
6 Regions
163 days

Human Services

Since 2011 there have been 10 major declared federal disasters in the state of Texas. Those disasters were related to: severe storms, flooding, tornados, straight-line winds, severe winter storms, wildfires and an explosion. Since 2015 there have been 6 Small Business Administration Disaster Declarations where individuals and small businesses were able to access low interest disaster loans to repair and rebuild. See attached "SBA Declarations and Loan Summaries for Texas Declarations 2011 to 2017" for more detail.

During disaster the voluntary agencies provided sheltering, respite centers, case management and case work, mental health and spiritual health assistance, clean up kits, meals, debris clearing, tarping of roofs, chainsaw work, heavy equipment use for demolitions and debris management, spontaneous volunteer management, and donated goods management. These

are consistent efforts on the part of the voluntary agencies during each and every disaster, whether or not there is a federal declaration of disaster.

Single Audit

See [Recovery Mitigation and Standards Appendix 1 – Single Audit and Standards SOP document](#).

Increase in subrecipient population due to six (disasters) declared between May 2015 and June 2016, many of which were in locations without previous experience with Disaster Grants. Each subrecipient is contacted 60 days after their fiscal year end to report on whether a Single Audit will be required. As the majority of our subrecipients use a fiscal year end matching either the State or Federal fiscal year, we have not polled all subrecipients for this fiscal year to date.

Month End Report		
Month:	May	Year: 2017
Single Audit		
	Prior Year	Current
Total Subrecipient Population	733	1121
Total Single Audits Requiring Review	324	177
Total Single Audit Reviews Completed Through Current Month	311	157
Total Single Audits Completed Current Month	97	24
Total Single Audits Completed Fiscal Year-To-Date	593	309
Total Single Audits Pending Review	0	85
Total Number of Subrecipients with Unknown Status	3	204
Management Decisions		
		Current
Total Complete for Fiscal Year		29
Total Complete for Month		1
Total Reviews with Resolved Findings		5
Total Reviews Queue		63
Sanctions (on payment hold)		
Current Subrecipients on Hold		7
Freer, City of; Gulf Marine Institute; Nueces County; Labelle Fannett VFD (Pending Action & not counted); Port Cities Rescue Mission; Presidio County; Riverside General Hospital; Rio Grande Institute.		
Sanctions Lifted for Month		1
Harlingen Irrigation District # 1		
Pending Lifted Sanctions		0

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

Grants Administration

The Grant Administration function has been responsible for administering programs that have assisted thousands of individuals, local governments, and state agencies that became disaster victims and disbursed billions of dollars to those who have suffered losses from disasters. Texas averages a federal declared disaster every eight months.

Hazard Mitigation Planning

The Hazard Mitigation Grant Program was established by the Stafford Act of 1988 (Public Law 93-288) and subsequently amended by the Disaster Mitigation Act of 2000 and the Sandy Recovery Improvement Act of 2013. These laws mandate that state and local governments develop and adopt FEMA-approved hazard mitigation plans as a condition for receiving certain types of non-emergency disaster assistance. The Hazard Mitigation Planning function was established to fulfill these requirements.

Regional Disaster Finance

The program has evolved from its initial inception. It added deployment to its tasking when it was determined that local jurisdictions were having issues recording expenses during the 2015 Van Zandt tornado disaster. It is also in the process of adding an additional Regional Disaster Finance Coordinator to Region 1 to generate more responsive support.

Human Services

This program functions to serve all the individuals, households and small businesses within the entire state. The Voluntary Agency Liaison has evolved to help local jurisdictions who are beyond their capacity in managing donated resources and goods as well as spontaneous volunteers. These donated goods and resources are able to be applied to the state's cost-match which reduces the overall money required from the state in the Public Assistance program.

Single Audit

For grants awarded prior to December 26, 2014, the process was call A-133 Review named for Office of Management and Budget (OMB) Circular A-133. Subsequent to December 26, 2014, Non-Competing Continuations and new grants awarded must meet the requirements under Title 2, Subtitle A, Chapter II, Part 200 (CFR §200). This service provides audit report review for subrecipients of Emergency Management Performance Grant (EMPG), Public Assistance (PA), Fire Management Assistance Grants (FMAG) Hazard Mitigation Grant Program (HMGP), Pre-Disaster Mitigation (PDM) for TDEM. Up until March 1, 2017, we also included subrecipients of Homeland Security Grants for the State Administrative Agency through grant award year 2014, which closed out in 2017. The State Administrative Agency moved from DPS to the Governor's Office for grants with beginning dates in 2015. The expenditure threshold also changed from

\$500,000 expended in the fiscal year to \$750,000 for fiscal years beginning after December 26, 2014.

- E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.**

Grants Administration

This program affects all state agencies and jurisdictions within the state of Texas that request public assistance or mitigation grant funding.

Hazard Mitigation Planning

This program affects the state agencies and local jurisdictions who develop a hazard mitigation plan and/or request hazard mitigation grant funding.

Regional Disaster Finance

All 254 counties, over 1,200 local jurisdictions, and all state agencies are eligible to receive training, assistance, and support from the Regional Disaster Finance Coordination Program.

Human Services

This program assists the citizens of Texas as well as small business owners.

[Recovery Mitigation and Standards Appendix 2](#) shows the last 8 major disaster declarations and the total number of registrations in each designated county, those eligible for assistance (which is based on insurance and financial need, as well as extent and type of damage sustained), and those additional services accessed to support the recovery of the citizens in the state.

Single Audit

Subrecipients of the above listed grant programs who have open grants and have expended \$750,000 or more in the fiscal year are required to hire an independent auditor to complete a Single Audit. In 2016, of the 733 subrecipients, 323 required and completed a Single Audit. (see table above). Reports must be completed and uploaded to the Federal Clearing House the earlier of 30 days after the report is completed or nine (9) months after the fiscal yearend.

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

Grants Administration

The program is directly administered by a Supervising Program Director and State Coordinator with staff at headquarters and in field/regional offices. Field and HQ staff work directly with subrecipients around the state. The program utilizes a Grant Management System (GMS) that processes a grant throughout its life cycle. The GMS program has defined workflows.

Hazard Mitigation Planning

The Hazard Mitigation Planning function is performed by four full-time personnel including a Lead Planner and three Planners (the additional .5 FTE noted above is an allocation of managerial and other support personnel). These personnel provide a training course to local jurisdictions on a monthly basis and also review local plans before they are submitted to FEMA for approval. This team also leads the development and submission of the State Hazard Mitigation Plan every five years.

Regional Disaster Finance

Embedded within the Recovery Section, this program is overseen by a State Coordinator and employs eight finance coordinators stationed throughout the state:

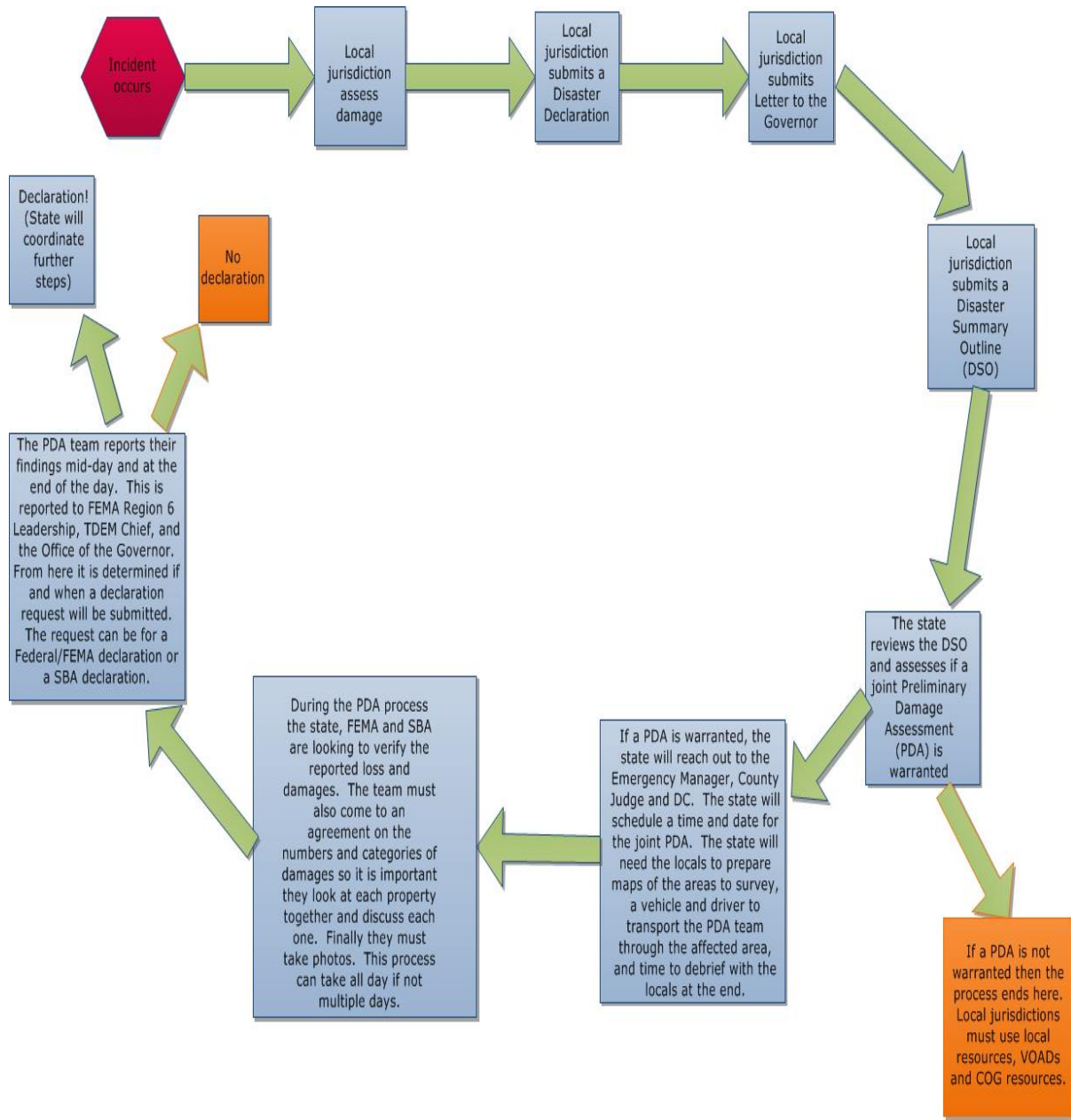
- One each for DPS Regions 1, 3, 4, 5, and 6
- Two for DPS Region 2
- One at headquarters to assist with state agencies
- An additional finance coordinator has been approved for Region 1

The additional 1.5 FTEs noted in Question A are an allocation of managerial and other support personnel.

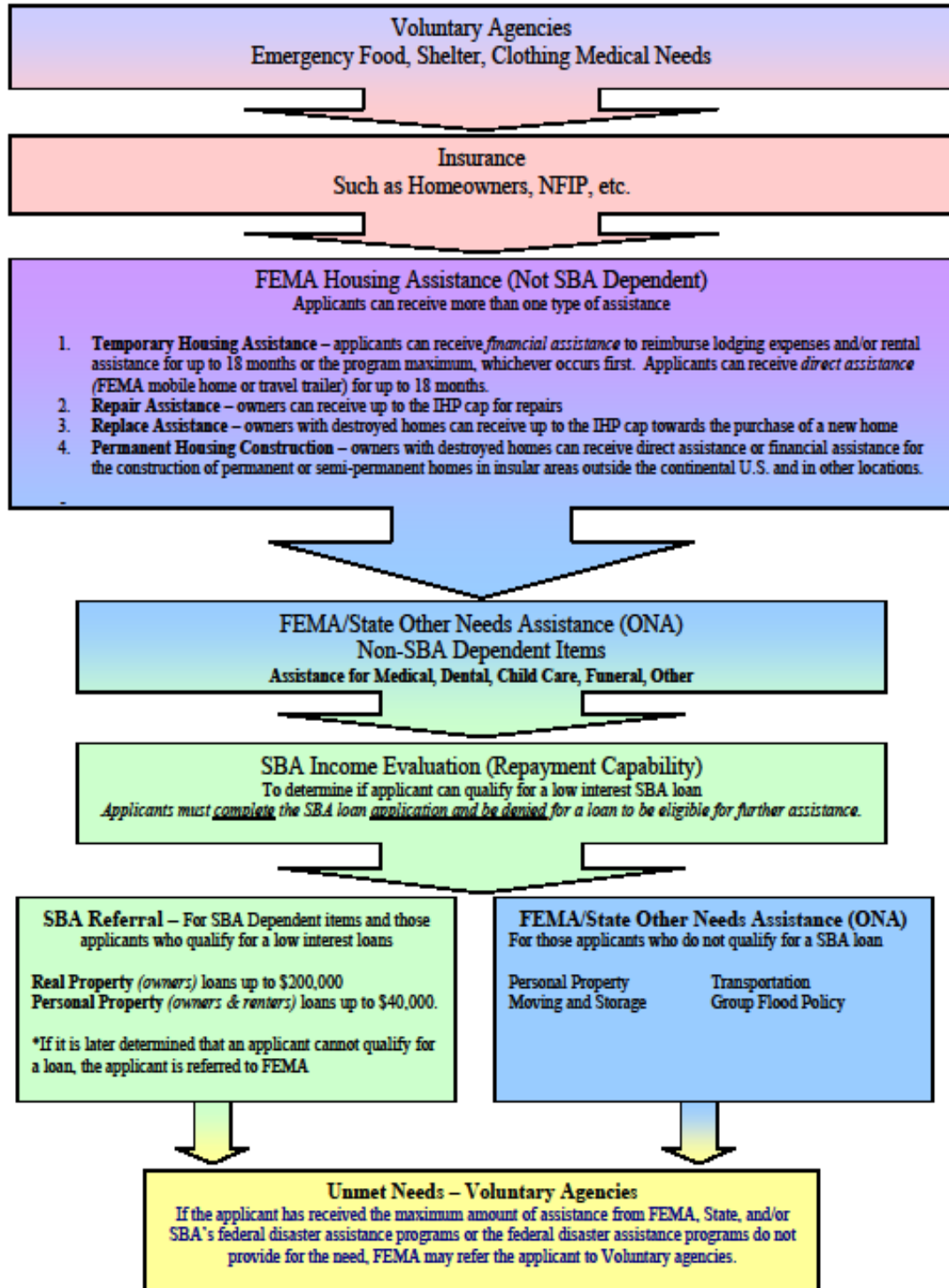
Human Services

When disasters occur throughout the state the Human Services Unit responds to support the local jurisdictions, upon request. Assistance includes management of spontaneous volunteers, donated goods and resources and tracking of those resources to be applied toward the cost match. The Individual Assistance team assists with verifying reported damages that are submitted through the local jurisdictions' disaster summary outlines (DSOs). The IA team also coordinates the support services for those individuals, households and small businesses affected by disasters.

The program is directly administered by a Section Administrator with three other staff. The additional .5 FTE noted in Question A includes an allocation of managerial and other support staff. During a disaster, additional staff is provided through the state's temporary personnel contract.



Individual Assistance Sequence of Delivery



NOTE: Eligibility is based on a FEMA inspection conducted on the damaged property. Max amount of Individuals and Households Program (IHP) Assistance is adjusted annually according to the CPI index.

Single Audit

See [Recovery Mitigation and Standards Appendix 1 – Single Audit and Standards SOP](#) document.

This unit does not include field/regional personnel. However, field/regional personnel from other program areas within TDEM are contacted for assistance if Standards staff or other personnel encounter difficulty in collecting documentation or response from subrecipients.

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

AY 2016

Recovery, Mitigation, and Standards	0001 General Revenue	\$1,923,490
	0555 Federal Funds	\$204,130,520
	8000 Gov E&D Grant	\$7,813,637
	Total	\$213,867,647

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

Grants Administration

The General Land Office, the Texas Department of Agriculture and Texas Water Development Board also administer grants to jurisdictions impacted by disaster.

Hazard Mitigation Planning

TDEM’s Preparedness section also administers plans from local jurisdictions and other state agencies.

Human Services

The other state agencies that assist with programmatic functions include: Health and Human Services Commission, Texas General Land Office, Texas Department of Housing and Community Affairs, Texas Department of Agriculture and Texas Workforce Commission.

- Health and Human Services Commission (HHSC) assists in the Individual Assistance and Households Program through the administration of three grant programs during federally declared disasters. The Texas Division of Emergency Management (TDEM) program serves as the oversight over these grants, facilitates single-audit process and processes all administrative paperwork from the onset through closure. Similarity:

program administration. Difference: HHSC directly works with the sub-grantees and/or contractors.

- Texas Division of Emergency Management engages the Texas General Land Office, Texas Department of Housing and Community Affairs, Texas Department of Agriculture and Texas Workforce Commission to enact their grant programs through Housing and Urban Development (HUD), Community Development Block Grant –Disaster Relief and – Disaster Recovery (CDBG-DR), Agriculture Declarations, Disaster Unemployment Assistance. TDEM is the facilitator of the Joint Housing Solutions Working Group (JHSWG) that focuses on identifying means to provide direct services to those disaster survivors. Similarity: focus on supporting the needs of disaster survivors. Differences: TDEM is the coordination body and facilitator of the JHSWG and the other agencies implement the programs.

Single Audit

Other state agencies that act as pass-through for federal or state grants will have a similar function.

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

Grants Administration

The grants administered by the DPS-TDEM-RMS are for different federal grant programs, thus there is no conflict.

Hazard Mitigation Planning

There are no MOUs or other agreements. There is no conflict or duplication of the program listed above as the programs work on different plans.

Regional Disaster Finance

Communication with outside agencies ensures that duplication of efforts are avoided. There are no conflicts or duplications as this program is unique.

Human Services

The State VAL coordinates voluntary agency efforts to avoid duplication of efforts. The state VAL also works closely with the Long-Term Recovery Groups to ensure there is no duplication of benefits awarded to survivors of the disaster.

The IA staff work with other state agencies to coordinate housing and recovery efforts through the Joint Housing Solutions Working Group and through the oversight and management of federal grants to ensure there is neither duplication of benefits nor duplication of work. The

Texas Health and Human Services Commission is required to complete a State Administrative Plan for the Disaster Case Management Program outlining the roles, responsibilities and actions of the program.

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

The Grants Administration, Hazard Mitigation Planning, and the Regional Disaster Finance functions administers to all 254 counties, 1,200 local jurisdictions, and state agencies, in addition to other pseudo-governmental entities, such as river and drainage authorities, and certain private, non-profit entities, such as electrical cooperatives. These entities are sub-recipients of the grants administered by TDEM-RMS.

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

- **a short summary of the general purpose of those contracts overall;**

These contracts were issued in order to provide the goods and services necessary for the Division of Emergency Management to carry out its duties and responsibilities and to ensure compliance monitoring.

- **the amount of those expenditures in fiscal year 2016;**
- **the number of contracts accounting for those expenditures;**
- **the method used to procure contracts;**

DPS follows the procurement method requirements as defined in Texas Gov't Code Chapters 2155, 2156, 2157, 2158, and 2161 and 34 Texas Administrative Code (TAC) Chapter 20. DPS also follows the state's Contract Management Guide and Procurement Manual that are published by the Comptroller of Public Accounts.

In FY16, DPS procured goods and services using Council on Competitive Government, Texas Correctional Institute, Texas Institute for the Blind and Handicapped, Term, Managed, and TXMAS contracts available through TX SmartBuy. These contracts are managed by the Comptroller of Public Accounts, and state agencies issue purchase orders against those contracts.

DPS also procured goods and services using DIR contracts for certain technology related procurements in FY16. These contracts are managed by the DIR, but agencies can issue purchase orders and agreements against these contracts.

DPS also procured goods and services on the open market in those instances where there was no state contract in place or where the dollar amount associated with the procurement exceeded the limits of use for the state contract. For example, in FY16

SB 20 required that any technology procurements that were over 1 million be solicited on the open market. For non-technology goods that were over 25K and services that were over 100k, DPS would be required to seek delegation from the Comptroller's office before being authorized to solicit on the open market. In some cases the Comptroller would decide to perform the solicitation on behalf of the Department.

- **top five contracts by dollar amount, including contractor and purpose;**

- **PO- 405-16-P004961** valued at \$6,785,604.68 with HORNE LLP for Disaster Compliance Monitoring
- **PO- 405-16-P004738** valued at \$3,811,020.30 with ERNST & YOUNG, LLP for Disaster Compliance Monitoring
- **PO- 405-16-P004683** valued at \$2,300,693.44 with GRANT THORNTON, LLP for Disaster Compliance Monitoring
- **PO- 405-16-P004740** valued at \$2,131,894.38 with COHNREZNICK LLP for Disaster Compliance Monitoring
- **PO-405-16-P006625** valued at \$667,524.97 with STATE OFFICE OF RISK MANAGEMENT for AY 2016 SORM Assessment

- **the methods used to ensure accountability for funding and performance; and**

A three way match is used requiring a valid purchase order, an invoice, and a receiving report before funding is expended. For goods, physical receipt of items is proof of performance and for services, program managers verify that services were received as invoiced.

Each contract has an assigned contract monitor from the division that has been provided with internal training and procedures for monitoring the deliverables and performance of the contract and supplying vendor performance reports. The official contract manager in Procurement & Contract Services works with the division contract monitor, OGC, and Finance to administer and manage contract and vendor performance, ensure compliance with applicable statutes, rules, and policies, and officially address any needed corrective action. Finance is responsible for maintaining compliance with payment rules based on validation from the division that goods and services were received and performance criteria were met.

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

The largest issue with contracting at DPS is the lack of delegated authority for many purchases from the Comptroller's office. Please see the Major Issue regarding delegated authority.

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

Grants Administration

The program provides the following grants: Public Assistance, Hazard Mitigation, Pre-Disaster Mitigation, Legislative Pre-Disaster Mitigation, Fire Management Assistance Grant.

Public Assistance: <https://www.fema.gov/public-assistance-local-state-tribal-and-non-profit>

Hazard Mitigation Grant: <https://www.fema.gov/hazard-mitigation-grant-program>

Pre-Disaster Mitigation: <https://www.fema.gov/pre-disaster-mitigation-grant-program>

Legislative Pre-Disaster Mitigation: <https://www.dps.texas.gov/dem/Mitigation/pdmGrants.htm>

Fire Management Assistance Grant: <https://www.fema.gov/fire-management-assistance-grant-program>

FEMA is the grantor of all the grants noted above.

Human Services

The Other Needs Assistance Program, the Disaster Case Management Program and the Crisis Counseling Program are all federally funded and awarded grant programs administered through the Human Services Unit.

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

Grants Administration

- Dependence on limited federal management funds to administer our major programs.
- For sub-grantees, the lack of matching funds limits access to federal funds earmarked for recovery and mitigation efforts.
- Lack of state-owned space for personnel negatively impacts finances.
- Staff turnover

Single Audit

- Timely success of single audit review and accuracy of required reporting rely on the Subrecipient to self-report whether they are required to complete a Single Audit for the previous year.
- Subrecipients upload reports to the federal clearing house. TDEM does not receive notification of the presence of the report. Therefore, repetitive searches and reports are completed monthly to ensure we have accurate, current, timely reporting information.

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

Human Services

According to the Governor's Budget before the 84th Legislative Session, in the "Safety and Security" section it reads:

Texas has traditionally recognized and encouraged the work of the faith-based community to accomplish vital state goals. Faith-based providers have demonstrably helped the state to care for the most vulnerable among us — particularly children in the foster care and adoption system — by providing key health services to the underserved, assisting with recovery from natural disasters, rehabilitating the incarcerated and ex-offenders and furnishing a host of other services. The State of Texas cannot effectively serve its people without the faith-based community's continued engagement. Consequently, we must do all we can to encourage this community's continued service to the most vulnerable among us. We must ensure that faith-based organizations continue to have access to critical resources while also ensuring that their religious liberties are protected.

This relates to the work of the State Voluntary Agency Liaison and the importance of that role with the State of Texas.

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

Name of Program or Function: *Response Coordination*

Location/Division: *Texas Division of Emergency Management*

Contact Name: *Division Director Nim Kidd*

Actual Expenditures, FY 2016: *\$14,330,275*

Number of Actual FTEs as of June 1, 2017: *158*

Statutory Citation for Program: *Texas Government Code Chapter 418*

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

The Response Coordination program includes **State Warning Point – State Operations Center (SOC)**, Alerts **Section, the State Management Team, CIS, Radio Amateur Civil Emergency** Service (RACES), State of Texas Emergency Assistance Registry (STEAR) and the State Employee Amateur Radio Operations (SAROS). The Field Response section of Response Coordination includes statewide liaisons, the Texas Emergency Management Assistant Team (TEMAT), the Water Safety unit and the Emergency Medical Services (EMS) unit. This program also includes the Emergency Support

State Warning Point – State Operations Center (SOC)

The State Operations Center (SOC) is organized within the Operations Section of Response Services of TDEM and is staffed and operated 24 hours a day, 7 days a week and serves as the State's Warning Point. The SOC provides critical emergency notifications and warning information to local, state, and federal officials. SOC staff monitors the state for pending threats, conducts analysis of those threats and determines probable impacts of those threats to the state. The SOC provides an immediate response coordination and assistance capability around the clock when assistance is requested by local jurisdictions impacted by small/regional disasters or emergency events that do not require activation of the state's Emergency Management Council.

The SOC is responsible for the operational coordination and activation of the state's AMBER, Blue, Endangered Missing, and Silver Alert Networks using a variety of communication systems and coordinating with the Network Partners which consists of 12 state and federal agencies partnered to ensure maximum use of all available technologies available to broadcast to the public an alert across the state when a child abduction (AMBER), a peace officer is killed or seriously injured in the line of duty (Blue Alert), an endangered individual becomes missing (Endangered Missing), or a senior citizen goes missing (Silver Alert) occurs and activation is requested by law enforcement agencies within Texas or other states. The SOC maintains standard operating procedures and conducts after action reviews after emergency activations to determine how plans, processes, and procedures should be improved.

State Management Team

The State Management Team (SMT) leads response activities of the Emergency Management Council and manages activations of the State Operations Center, coordinating Operations, Plans, Finance and Logistics sections; and serve as branch directors for Military, Human Services and Emergency Services branches. During activation, the SMT provides a common operating picture and maintains situational awareness for state response.

The SMT provides mission support and coordinated response to local resource requests submitted through the DDC. They also procure, locate, deploy and track commodities to meet mass care needs in response to a disaster. The SMT is responsible for calculating the state response daily burn rate (cost of salaries, travel, equipment, supplies and contracts needed to provide emergency protective measures) against the \$35,958,152 federal threshold requirement. The SMT also supports Operation Secure Texas by tracking over \$100 million per year in agency daily expenditures, supporting Texas' border security operations.

While preparing for activations year round, the SMT consistently works on developing, reviewing, improving and implementing policies, procedures, guidelines, job aids and operational plans to ensure the SOC is in a constant state of readiness. The SMT also develops state level contingency contracts for disaster support, reducing time between resource ordering and delivery. Contracts include meals ready to eat, fuel, evacuation and emergency sheltering support.

Critical Information Systems (CIS)

The CIS unit is the technology component and subject matter experts for all information systems that TDEM uses. The CIS unit supports the State Operations Center (SOC) as well as Field Response deployments of any size and scope, including when TDEM is in a support function. If TDEM staff or those being supported by TDEM have needs that fall under the umbrella of technology, the CIS unit is that bridge between the TDEM staff and others.

TDEM's crisis management system (WebEOC) is administered by CIS with over 4,600 active users statewide. During emergency events the crisis management system is linked with other similar systems across Texas to ensure unified communications and a common operational picture are available to all levels of government responding to the incident. CIS develops the TDEM geospatial information system (GIS) to support geospatial mapping, modeling and analysis of data to support TDEM's emergency management mission.

TDEM and DPS IT (TxMap) use the same vendor-supplied mapping engine from ERSI, Inc. TxMap is designed as a situational awareness map viewer for Law Enforcement, while TDEM GIS is built for the specific requirements of emergency management, planning and mitigation with the ability to share and receive data from locally managed GIS solutions at the city, county, state agency (DSHS, TFS, TxTF1, GLO, etc) and federal (FEMA, HHS) level without having to manage the user accounts associated with those outside jurisdictions.

DPS has only one enterprise contract with ESRI, which is managed by the DPS IT Division, that TDEM then pays for its share of GIS licenses. The underlying technology to run GIS is a mapping

engine, geospatial data, and custom GIS software tools and applications. Both the TxMap and TDEM GIS system utilize the same mapping engine supplied by ESRI. The majority of data in both the TxMap and the TDEM GIS system are shared by both systems. In addition, TDEM is in discussions with DPS IT to house all geospatial data in a new ESRI GeoPortal system that is being set-up for TxMap, which will allow both groups to share and manage geospatial data more efficiently. TDEM has also linked its crisis management system (WebEOC) to the TxMap system and is now working to geospatially enable the data boards in WebEOC to the ESRI mapping system.

The primary differentiator between the two systems is the GIS software tools and applications that are built to meet specific division requirements. Going forward it is envisioned that both systems will increasingly leverage the same underlying GIS technology to build a shared services infrastructure for GIS for all of DPS.

The HQ group actively works to leverage existing geospatial data resources available through State and Federal government resources and also shares available non-sensitive data with the State GIS Clearinghouse (TNRIS). The HQ group supports the State Operations Center extensive audio-visual (AV) system that includes large format display systems, video conferencing systems and cloud based VOIP call systems and webinar systems that provide capacity for over 5,000 participants during statewide emergencies.

CIS builds and modifies web and mobile applications to meet the processes implemented at the local, state and federal levels for disaster response. These include activity reports for Field Response, the State of Texas Assistance Request (STAR), and the Disaster Summary Outline.

CIS also provides field support, providing mobile technology support and staff resources in disaster affected areas to ensure the technology that facilitates emergency management is streamlined and working to support faster response and recovery. CIS provides operational technology support that ties tactical, operational and strategic data for both planned and unplanned incidents, including creation of a secure, encrypted data connection that is able to immediately support every jurisdiction within Texas as well as tie into our bordering states and the federal government using established methods and creating new data connections when needed such as the Ebola response in the DFW region.

State Alert Program

The state alert program manages AMBER, Blue, Endangered Missing, and Silver Alert awareness at the state level. This program also provides regional program development, supporting coordination activities with federal, state, regional, local, public and private entities through the state training program, a steering committee, an after-action review board and coordination meetings. The Alert Program Coordinator serves as the state's liaison to the Department of Justice and the Center for Missing and Exploited Children on National AMBER Alert issues and initiatives.

Radio Amateur Civil Emergency Service (RACES) and State Amateur Radio Operator Service (SAROS)

RACES is a part of the Amateur Radio Service and utilizes this service's radio frequencies in support of official emergency communications. The State RACES program coordinates Amateur Radio operations in support of the Disaster Districts. The program is comprised of civilian volunteers, state agencies that have Amateur Radio equipment, FEMA and the Military Auxiliary Radio Service (MARS) communications assets and personnel. The State RACES program conducts communications training, provides equipment and personnel to Disaster Districts during exercises and disasters. The state RACES program is a member of the Army MARS program and currently provides an active radio / computer interface that is accessed on a regular basis. The MARS station at the State Operations Center (SOC), is part of an initiative by the Transportation and Safety Administration (TSA), to provide emergency High Frequency (HF) communications support to specific airports nationwide.

The SAROS program creates and maintains a statewide coordination program to identify and track state up to 350 state employees who are amateur radio operators available to support emergency communication during state declared disasters.

STEAR

The State of Texas Emergency Assistance Registry (STEAR) program, previously known as the Transportation Assistance Registry (TAR), provides for the registration of Texans with transportation challenges, access and functional needs, and people with disabilities into a centralized database maintained by the state, for use by local emergency management officials when developing their local emergency management plans. The database provides local officials with better visibility of those who may need assistance during disasters. Nursing homes and assisted living facilities are required by law to register their facility with STEAR.

Field Response

TDEM Regional State Coordinators (SCs) and District Coordinators (DCs) are the division's field response personnel positioned statewide. They have a dual role as they carry out emergency preparedness activities and also coordinate emergency response operations. In their preparedness role, they assist local officials in developing emergency plans, training initiatives, and exercises, as well as developing emergency teams and facilities. They also teach a wide variety of training courses. In their response role, they deploy to incident sites to assess damage, identify urgent needs, advise local officials regarding state assistance and coordinate deployment of state emergency resources to assist local jurisdictions.

EMS

The EMS program is recognized by the Texas Department of State Health Services and a First Medical Responder Organization (FRO) has been operational for three years.

EMS serves to reduce death, and minimize the effects of traumatic injuries and medical emergencies sustained during the daily activities of DPS troopers and staff by introducing medical procedures to the organization that will allow employees to take care of themselves or

others until medical help can arrive. Activities include: Take 10 Cardio Pulmonary Resuscitation (CPR) and Automated External Defibrillator (AED) training, Stop the Bleed/Tourniquet Use and Application, Special Weapons and Tactics (SWAT) and Special Response Team (SRT) response, and other training courses such as Medical Response to an Active shooter, Heat Emergencies and interventions for narcotic overdoses. Our program has purchased over three hundred AEDs that have been installed in various DPS facilities statewide.

Water Safety

In September of 2015, DPS began a water safety program to improve safety for field personnel. The water safety program is in response to tragedies associated with law enforcement officers operating in flooding conditions such as; Jessica Hollis, a Travis County Deputy who lost her life while on patrol during a flash flood in western Travis County and Tarrant County Deputy, Krystal Salazar, who was swept away attempting to rescue a stranded motorist. Flooding emergencies lead the state in disasters and our personnel are responding to all of them. We believe in providing proactive education and skill set that may be needed for their survival.

Beyond safety courses, we have produced training courses in swiftwater rescue, rescue boat operations and helicopter rescue swimmer. These courses are in response to developing a specialized skill set to improve public safety.

In addition to training, equipping first responders with the tools needed has been a success of the program. Each student who completes the hands-on swift water safety awareness class receives a Personal Protective Package to help them safely perform their duties in the field. The program has funded 1,100 bags, each containing a personal floatation device, throw bag, whistle, seatbelt cutter, window punch, and a carabiner.

TEMAT

The objective of the Texas Emergency Management Assistance Team (TEMAT) program is to rapidly deploy an experienced, cohesive team to an event, incident or threatened venue with an effective and coordinated response in support of a local Emergency Operations Center (EOC) or a Texas DPS Disaster District. The type of team deployed is based on the specific need and is applicable to the size, scope, and complexity of the event.

Emergency Management Support

Includes the Division Director and his staff that focus on non-disaster grant applications, state and federal budget allocation and maintenance, procuring items, and state and federal disaster, non-disaster request for reimbursement processing, community relations, special projects and personnel services. Functions include the following:

- Applications for grant funding
- Full time employee tracking
- Budget allocation and maintenance for state and federal funds
- State and Local Request for reimbursement processing with state and federal funds

- Procurement
- Contract building and monitoring
- Sub-recipient grant monitoring
- Management of constituent referrals
- Support for government relations and media and communications
- Coordination of training and outreach through management of the Texas Emergency Management Conference and other statewide training opportunities (annual EMS conference and the Emergency Management Association of Texas symposium)
- Hiring and facilitation of personnel issues and administration
- Project tracking and support for all of TDEM

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.

State Warning Point – State Operations Center (SOC)

The following shows statistical representation of the past three fiscal years in the SOC.

	<i>FY2014</i>	<i>FY2015</i>	<i>FY2016</i>
<i>Emergency Incidents Coordinated</i>	<i>3,876</i>	<i>5,632</i>	<i>5,272</i>
<i>Weather Warning Messages Disseminated</i>	<i>52,432</i>	<i>86,567</i>	<i>80,422</i>
<i>Situation Reports Issued</i>	<i>92</i>	<i>111</i>	<i>119</i>
<i>AMBER Alerts Requested/Activated</i>	<i>38/20</i>	<i>25/12</i>	<i>34/7</i>
<i>Silver Alerts Requested/Activated</i>	<i>136/98</i>	<i>133/87</i>	<i>128/82</i>
<i>Endangered Missing Requested/Activated</i>	<i>14/3</i>	<i>7/5</i>	<i>7/2</i>
<i>Blue Alerts Requested/Activated</i>	<i>0/0</i>	<i>1/0</i>	<i>0/0</i>
<i>SOC Activations Supported</i>	<i>5</i>	<i>9</i>	<i>8</i>

SMT

The effectiveness and efficiency of the program is shown by the following key statistics identified for each section of the SMT:

Section	Statistic Description	Count	Period
Finance	State agency finance courses instructed	30 classes with 218 students	October 2015 - 2017
	Compiled and reported daily burn rate for Operation Secure Texas	Over 1,100 continuous days	June 2014 - 2017
	DPS personnel tracked (average per day) for Operation Secure Texas	250	June 2014 - 2017

	Estimated state agency disaster expenditures tracked	\$53.4 million	2012-2016
Plans	Published State Management Plans	211	2012-2017
Mass Care	Total shelter population capacity	65,000 persons	2012-2017
	Total embarkation capacity	40,000 persons	2012-2017
Logistics	Warehouse/space managed	7/296,500 sq.ft	2012-2017
	Mobile emergency containers	9 (across the state)	2012-2017
	Mass Care commodities distributed	128,800 items	2012-2017
Operations	Activation of the SOC	40	2012-2017
	Major Federal Declarations	10	2012-2017
	Total days activated	165 days	2012-2017

CIS

The current version of the State of Texas Assistance Request (STAR) was developed to replace the paper version, creating the first online processing of requests from local jurisdictions. The state has processed 1,207 STARS since going live with the electronic version beginning in 2016.

The Emergency Tracking Network (ETN) program is capable of deploying 4,251 iPhones and iPads to support the state of Texas tracking capability. There have been 3 ETN Deployments and 28 ETN training classes with local jurisdictions and Texas Military Department which assists processing Texans into ETN. Over the last several years, what was once a disparate system with many control points, has been reduced to a single program with a smart device application and interface with WebEOC.

CIS developed the new online Disaster Summary Outline (DSO), providing a streamlined method for jurisdictions to prepare and submit damage assessments during an incident. Since implementation in early 2016, CIS has received 690 DSOs.

State Alert Program

The following displays statistics for the last three fiscal years in the alerts programs.

	FY 2014	FY 2015	FY 2016
AMBER Alerts Requested/Activated	38/20	25/12	34/7
Silver Alerts Requested/Activated	136/98	133/87	128/82
Endangered Missing Requested/ Activated	14/3	7/5	7/2
Blue Alerts Requested/Activated	0/0	1/0	0/0

RACES

Over 350 amateur radio operators, located throughout the state, support the RACES program. During disasters, these operators provide critical communications links to areas that have lost

communications. Amateur Radio operators also provided support to local jurisdictions that had temporarily lost 911 service or local law enforcement communications. Amateur Radio operations were used during every disaster and major exercise since prior to 2001.

STEAR

There are currently over 57,000 Texans who have access and/or functional needs, disabilities, or transportation challenges registered in STEAR.

Field Response

A yearly report is generated by the Texas Division of Emergency Management (TDEM) Field Response Section to document their performance and highlight their effectiveness and efficiency in administering their programs. Please refer to the 2016 TDEM Field Response Annual Report (attached) for a full review of performance measures.

EMS

The department conducted more than 247 classes in various DPS facilities across the state since the addition of EMS in 2013. More than 5,800 DPS personnel have been trained in hands only CPR and AED use and application. Since this training began there have been three instances where CPR was started and an AED was deployed which lead to two lives saved. In 2015 the department was recognized as the state's First Responder of the year at the annual EMS Conference due to the success of the program.

EMS also assisted DPS Education Training and Research with Tourniquet and Tactical Combat Casualty Care (TCCC) training. All troopers and Recruits are receiving this training and there have been two incidents where tourniquet application have made a difference in the survival outcome.

Water Safety

The water safety program was established in March 2015 due to the need for helicopter rescue swimmers. From that point, the following courses have been developed and administered.

- On-line Swift water awareness course – 1 hour TCOLE Credit
- Swift water safety and Awareness – 4 hour course
 - Over 600 students since Sept 2015
 - 24 students scheduled for course beginning July 2017
- Swift water rescue – technician level (Follows NFPA guidelines) 40 hour course
 - Over 30 students since 2016
 - 3 scheduled courses scheduled to begin Sept 2017
- Flood Water Boat Operations Courses to be offered beginning June 2017
 - Flood Water Boat Operations – 16 hour course
 - 5 students met the prerequisites to attend
 - 1 course scheduled for July 2017
- Swift Water Boat Operations – 16 hour course

- Scheduled for Fall 2017 – prerequisite is Flood Water Boat Training and scheduled based on availability of an effective water source

Helicopter Rescue Swimmer Program – managed by aviation taught by water safety

- Helicopter Rescue Swimmer – 40 hours o 6 students since March 2015 – determined by aviation availability
 - 1 course scheduled for June 2017 – estimated 6 participants

TEMAT

The program has had a fairly aggressive promotion campaign since late 2016, and as a result, Memorandums of Understanding for TEMAT membership are currently being received. As of this writing, there have been no TEMAT deployments and no metrics to report.

Emergency Management Support

- Evidence of request for reimbursements can be validated through performance measures and financial reports. FY 2016 performance measures provides goals for the year with actual amounts of expenditures for the public assistance disaster program and the hazard mitigation disaster program. Both programs exceeded the target.
- The program has continuously supported over 110 sub-recipient local entities.
- The submission of Sub-Recipients programmatic task requirements provides effectiveness and efficiency through the ability to maintain and sustain their emergency management program.

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

SMT

In 2012, TDEM formed the SMT, comprised of a Plans, Logistics, Finance and Mass Care Coordinator. Each coordinator became the primary point of contact during activations at the State Operations Center to improve daily and emergency/disaster operations, coordination between local jurisdictions through the Emergency Management Council, the Texas State Operations Center and the Disaster District Committees (DDCs).

As prescribed by Chapter 418 of the Texas Government Code, a DDC consists of representatives of the state agencies, boards, commissions and organized volunteer groups with membership on the Emergency Management Council. The Texas Highway Patrol (THP) commanding officer of each district serves as chair of the DDC and reports to the Division Director of the Texas Department of Public Safety (DPS) on matters relating to disasters and emergencies. The DDC chair is assisted by Emergency Management Council representatives assigned to that district, who provide guidance, counsel and administrative support as required. If local and mutual aid resources prove inadequate for coping with a disaster, the local government may request assistance from the state by contacting the local DDC chairperson who is the commanding officer of the THP district or sub-district in which the jurisdiction is located.

The SMT has expanded and is now comprised of sixteen staff members, including two DPS Commissioned Officers and three liaisons representing three state agencies.

The second DPS Commissioned Officer was added to assist with internal SMT management and external coordination among the DDCs, the State Operations Center and the Texas Joint Crime Information Center. Deputy Logistics and Deputy Plans Section Coordinators joined the team to meet the expanding day-to-day and disaster operations mission.

In summer of 2014, the State Management Team's Finance function expanded as they were mandated to provide a daily burn rate for Operation Strong Safety II now Operation Secure Texas. In early 2015 the Finance Section's function expanded again to include the newly formed Regional Disaster Finance Coordinator - State Agency function.

The Logistics Section became responsible for TDEM's warehouse operations, incorporating the existing warehouse positions into the SMT. Two Logistics Section Specialists were hired to support the state warehouses, inventory management and delivery operations.

The Emergency Management Council and the State Management Team's organizational structure have been integrated and now operate under a more efficient and effective, NIMS compliant structure.

STEAR

The STEAR Program was originally created and named the Transportation Assistance Registry (TAR) and was primarily for hurricane evacuations. In 2013, the program was expanded to include an all hazards approach and renamed STEAR.

SAROS

Established by the Legislature in 2014.

EMS

EMS in DPS was expanded because of a trooper having a cardiac event during a DPS Physical Readiness Testing (PRT). Today, an AED and emergency trained personnel are present for each administered PRT. EMS roles continue to expand with an increase in the number of narcotic trafficking and mass shooting incidents occurring throughout the country.

TEMAT

Like the TEMAT program, PWRT is a state asset with multi-disciplined, multi-talented, and highly qualified members that support local response, rapid damage assessment, and recovery efforts. PWRT teams are deployed by the State Operations Center (SOC) at the request of a local jurisdiction in the event of a catastrophic event. The teams are composed of members who are highly skilled and knowledgeable in public works activities such as Utilities (Electrical, Gas, Water, Wastewater, Storm Water, Environmental Safety and Compliance, Communications); Debris Clearance; Structural; Structural Safety; Transportations Systems; Traffic Engineering and Management; Fleet Services; and Parks and Recreation. Since the teams

are considered a state asset when deployed by the SOC, their expenses during that deployment are reimbursable by TDEM.

Since the creation of PWRT in 2007, more than 300 members have signed up to participate in the program. However, due to retirement and employee turnover, constantly recruiting new members has been vital to the programs continued success. Teams have deployed for a number of disasters in the State.

In July 2016, a new Texas Emergency Management Assistance Team (TEMAT) Program was initiated. The primary focus of TEMAT revolves around providing the best subject matter experts in their respective discipline to an incident requiring assistance in an effective and efficient manner.

Because the TEMAT program involves a holistic approach to emergency management encompassing both response and recovery disciplines, it only made sense for PWRT to fold under the premise of the TEMAT program. Having a clear delineation of the two programs is important for the balance of this document.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

State Warning Point – State Operations Center (SOC)

Alert, warning, emergency notification to local (county judges, mayors, emergency management coordinators, first responders), state, and federal officials and/or agencies affecting the protection of life and public property by ensuring that stakeholders receive adequate notification of pending threats both weather related and man-made events. Supports local jurisdictions in Texas impacted by disasters or emergency incidents. Activation of AMBER, Blue, Endangered Missing, and Silver Alerts when requested by law enforcement agencies and other states to ensure dissemination of alerts to the public and the media.

SMT

During activations of the Texas State Operations Center the State Management Team coordinates the Emergency Management Council's response to statewide requests for assistance in response to natural, technological or human caused disasters. The State of Texas has 254 counties, approximately 1,200 cities and over 27 million residents that could be affected by this program.

As allowed for by state law and mandated by the governor's executive order, members of the Emergency Management Council have a legal responsibility, expertise or resources required for a specific emergency response function.

CIS

TDEM CIS supports technical operations in multiple ways. CIS creates the products internal to DPS that are used at multiple levels affecting all citizens of Texas as well as helping support those from other states such as those from Louisiana that are seeking shelter within Texas. On the CIS Field side, it is direct support for Operational Technology use and integration with all local jurisdictions and regional Disaster District Chairs (DDCs) and TDEM Field Response. This support impacts local response with state and regional assets and first responders in a positive manner.

RACES

The RACES program is supported by FCC licensed Amateur Radio operators. All members must undergo criminal background checks. Once approved, RACES members are certified by TDEM. RACES members provide direct support to local Disaster Districts (DDCs), the SOC and FEMA Region 6, if requested.

State Alert Program

Public Safety

STEAR

Emergency management planning and disaster response.

SAROS

Disaster emergency communications. Participants in the program must be current state employees and a state declared disaster must exist.

The state of Texas is divided into 254 counties, more than any other U.S. state. Despite large urban areas, roughly 80 percent of Texas is rural. As a result, large-scale incidents or catastrophic events can quickly overwhelm the ability of local jurisdictions to carry out basic public safety functions. Through no fault of their own, the local jurisdictions in these rural areas simply do not have the resources, and in many instances, the experience to deal with emergencies of major magnitude and consequence.

Field Response, TEMAT and PWRT

The TDEM Field Response Section is one of the first state assets a local jurisdiction will receive during times of disaster and large-scale incidents or events in the State of Texas.

EMS

EMS affects all DPS employees and persons visiting a DPS facility; EMS offers some basic medical training to all non-uniform persons and more specialized training for troopers and special divisions such as SWAT, CID and the Marine Unit.

Water Safety

The Swift Water Safety and Awareness Program targets all field personnel who may find themselves near moving water in conjunction with their duties. The power and danger of

moving water is an essential concept that every first responder should understand. It is essential to the safety of the officer and those who they serve.

First responders within the Texas Department of Public Safety are typically the first state assets a local jurisdiction will receive during times of disaster and large scale incidents or events in the state of Texas. It is imperative that these responders are trained to survive water incidents and remain part of the solution and not add to the existing problems.

Emergency Management Support

This program affects jurisdictions throughout the state of Texas.

Eligibility requirements for the Emergency Management Performance Grant are:

- Be a legally established city or county emergency management program AND be the designated primary jurisdiction in accordance with Chapter 418 of the Texas Government Code.
- Have adopted the National Incident Management System (NIMS).
- Must have appointed an Emergency Management Coordinator (EMC). Each qualifying jurisdiction must have its own appointed EMC. An individual EMC cannot be assigned to both a county and city jurisdiction.
- Must submit a completed EMPG Application to TDEM by established deadline date. The application must include all required attachments. See below for further details.
- Satisfactorily complete the requirements and all tasks described in approved Statement of Work.
- Submit all required Progress Reports, FEMA Metrics Tables, and Financial Reports in accordance with the published EMPG timeline milestones (see full timeline on page 15).
- Participate and meet the most current FEMA emergency planning, training, and exercise requirements.
- Resolve any deficiencies noted during reviews of emergency planning, training, and/or exercise materials submitted to TDEM within 60 days of deficiencies notification.

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

SMT

The TDEM major oversees the work of the SMT and directly supervises the work of the TDEM lieutenant and administrative assistant. The TDEM lieutenant directly supervises four section coordinators (Plans, Finance, Logistics, and Mass Care). The Plans Section Coordinator directly supervises a deputy position. The Logistics Section Coordinators directly supervises a deputy position who in turn directly supervises two logistics specialist positions. The Finance Section Coordinator directly supervises a grant accountant and regional disaster finance coordinator - State Agency.

RACES

The State RACES program has the following positions: State RACES Officer (SRO); Regional RACES Officer (RRO), District RACES Officers (DRO); County Liaison Officers (CLO); State Agency Liaison Stations (SALS).

The SRO administers the program at the state level and is responsible to the TDEM chief.

The RROs are responsible for the RACES districts within their region. They coordinate the training, operations and support within their regions. They coordinate their actions with the SRO and the EMD Regional Liaison Supervisors for their sector of the state. The RACES regions follow the boundaries of the DPS Highway Patrol regions.

The DROs are responsible for the counties within their district. They coordinate the training, operations and support within their district. They coordinate their actions with the RRO and the TDEM District Coordinators (DCs) for their sector of the state. The RACES districts follow the boundaries of the DPS Highway Patrol districts.

The CLOs are responsible for the RACES members within their county. They coordinate training and support with their DRO.

The SALS are state agencies that have radio equipment that could be used to enhance communications during a disaster. They work with their agencies and the SRO to coordinate communications support during a disaster / emergency.

Field Response

The DAD assigned to oversee the field response section supervises nine state coordinators assigned to each of the 7 DPS regions and DPS Headquarters. Each of the state coordinators assigned to a region has oversight of the district coordinators (DCs) assigned throughout each region. While the mission objectives for each region are identical, the focus is on specific threats, manmade or natural, requiring training, exercise, response or recovery can be vastly different.

SCs and DCs continually interface with their district stakeholders, regional partners, state and federal partner agencies on a daily basis for a variety of purposes including but not limited to:

- Educating elected and appointed officials on emergency management responsibilities and programs;
- Assist and guide local officials with local and regional emergency planning;
- Teach a variety of emergency management and other courses; and
- Represent the state during emergency exercises and drills.

During major emergencies and disasters, SCs and DCs work hand in hand with local governments to assess damages, identify urgent needs, advise local officials and help

coordinate state emergency resource support. In addition, the Field Response Section has become a relied upon asset for law enforcement support.

The DCs daily role includes establishing rapport and interpersonal relationships with federal, state and local partners as well as maintaining situational awareness within their area of responsibility. They are in the best position to know who to go to obtain additional support and assistance. They are also mobile, flexible and can adapt to their surroundings and integrate into a situation with ease.

Each field response vehicle has specialized communications and support equipment that is adaptable for use in any situation, to include but not limited to satellite radio and telephone, wireless hot-spot, lighting, shading, land mobile radio communication, towing and four-wheel drive capability.

EMS

As a field service, EMS personnel are subject matter experts for traumatic and medical emergencies during a disaster event and daily activities for DPS employees.

TEMAT

TEMAT is deployed by the State Operations Center (SOC) under the direction of the TDEM Chief as required to support local jurisdictions in the event of a catastrophic incident or event. The teams are comprised of local talent from various response and recovery disciplines and coordinated with other state agencies and non-governmental organizations. The teams function under Memorandums of Understanding and the Texas Statewide Mutual Aid System. The TEMAT programs *DO NOT* take the place of Statewide Mutual Aid practices. The intent is to supplement and support overall response efforts.

Timeline for EMPG sub-recipients:

FY 2017 EMPG Application Timeline

Form	Instruction
October 1, 2016	<ul style="list-style-type: none"> EMPG Performance Period begins
January 31, 2017	<ul style="list-style-type: none"> EMPG Application form and Statement of Work due to TDEM, Grant Technician, Finance and Grant Management FY 2017 EMPG 1st Quarter Financial Report (October–December) due to TDEM, EMPG Auditor, Finance and Grant Management FY 2017 FEMA Quarterly Metrics Template due to TDEM, Grant Technician, Finance and Grant Management (Templates will be emailed with proper instructions to all jurisdictions)
April 15, 2017	<ul style="list-style-type: none"> 1st semiannual cumulative Progress Report due to TDEM, Grant Technician, Finance and Grant Management
April 30, 2017	<ul style="list-style-type: none"> 2nd Quarter Financial Report (January–March) due to TDEM, EMPG Auditor, Finance and Grant Management FY 2017 FEMA Quarterly Metrics Template due to TDEM, Grant Technician, Finance and Grant Management (Templates will be emailed with proper instructions to all jurisdictions)
July 15, 2017	<ul style="list-style-type: none"> FY 2017 FEMA Quarterly Metrics Template due to TDEM, Grant Technician, Finance and Grant Management (Templates will be emailed with proper instructions to all jurisdictions)
July 31, 2017	<ul style="list-style-type: none"> 3rd Quarter Financial Report (April–June) due to TDEM, EMPG Auditor, Finance and Grant Management
September 30, 2017	<ul style="list-style-type: none"> FY 2017 EMPG performance period ends
October 15, 2017	<ul style="list-style-type: none"> EMPG 2nd semiannual cumulative Progress Report due to TDEM, Grant Technician, Finance and Grant Management
October 31, 2017	<ul style="list-style-type: none"> 4th Quarter Financial Report (July–Sept.) due to TDEM, EMPG Auditor, Finance and Grant Management FY 2017 FEMA Quarterly Metrics Template due to TDEM, Grant Technician, Finance and Grant Management (Templates will be emailed with proper instructions to all jurisdictions).

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

AY 2016

Response Coordination	0001 General Revenue	\$2,716,262
	0555 Federal Funds	\$11,615,630
	0777 IACs	(\$1,617)
	Total	\$14,330,275

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

TEMATType III All-Hazard Incident Management Teams

The Texas A&M Forest Service (TFS), in cooperation with the Texas Division of Emergency Management (TDEM) has developed the State of Texas Type 3 All Hazard Incident Management Team (AHIMT) program as an added component to wildfire and all-hazard response. These teams are formed by personnel from local jurisdictions who are trained and qualified in Command and General Staff positions and are mobilized by TFS to provide incident management support statewide as needed. The AHIMT program was initiated in 2006 and is delivered by TFS with program funding by TDEM.

These teams work under the direction of the TFS Lone Star State IMT (LSSIMT) to provide the full array of incident management support including supporting impacted communities in managing security and continuity of government issues, assessment of critical infrastructure, and restoration of essential services following a catastrophic incident.

TEMAT Differences

Incident Management focuses on the operational aspects of an incident, whereas, TEMAT delivers an emergency management component that encompasses the entire event from beginning to end.

Type III All Hazard IMT	TEMAT
Establishes Objectives	Establishes Objectives
Defines Operational Periods	Define Area of Impacts, Required Level of Ops
Identifies On Scene Resources	Align Potential Resources to Support Incident
Develops Organizational Flow	Perform Assessments Situational Awareness
Establishes a Resource Ordering System	Provide Logistical Support for Resources
Track Costs	Compile Daily Cost Tracking Reports
Write Incident Action Plans	Collection, Sharing, and Flow of Information
Staging Area Management	Coordinate with Outside Agencies
Points of Distribution Management	Planning Support for Response & Recovery
Resource Management	Support and Enhance Span of Control
Shelter Operations and Management	Manage Complexities of the Incident
Support of Field Operations	State Operations Center Forward Element

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

State Warning Point – State Operations Center (SOC)

Because the SOC serves as the state warning point, as well as the state's coordinator and control center, local, state, and federal agencies report incident information to the SOC for appropriate action.

STEAR

MOUs currently exist with the University of Texas – Center for Space Research (UT-CSR) who developed and maintains the database and web registration services and with HHSC 2-1-1 Texas Information Referral Network (TIRN) who provide call center services who provide registrations services for individuals who cannot self-register or faxed registrations from nursing homes and assisted living centers.

Field Response

The planning cycle is developed and exercised with agencies, partners, common interest groups, both laterally and vertically, but there is always room for conflict. TDEM Field Response staff work to assess damage, identify urgent needs, advise local officials regarding state assistance, and coordinate deployment of state emergency resources to assist local emergency responders. In addition, TDEM Field Response staff deploy to incident sites to help foster the development of this overall coordination and reduce conflict. Eliminating or reducing conflict starts with an effective plan that has been vetted through the preparedness cycle. In addition, basic disaster management principles are utilized to assist in reducing conflict.

Although not specifically mentioned above, TDEM partners play a vital role in response and are constantly involved throughout the preparedness cycle. Many TDEM partners are present due to MOU's, agreements, or contracts. General categories of MOUs and interagency agreements, in place include:

- Response Resources with MOU's
 - Texas Emergency Management Assistant Teams (TEMAT)
 - Public Works Emergency Response Team (PWRT)
 - All-Hazard Incident Management Teams (AHIMT)
 - Facility Access during disasters (cities, college/universities)
- Interagency Agreements
 - ambulatory/hospital (STRAC, AMBUS);
 - school districts (shelter / transportation/ educational services for residents)

TEMAT

TEMAT program currently utilizes MOUs. With the consolidation of both programs (TEMAT and PWRT), previous MOU's held under the PWRT program will be dissolved and members will be required to sign new MOU's under the TEMAT umbrella.

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

State Warning Point – State Operations Center (SOC)

Stakeholders include: FEMA (federal assistance, incident notification), National Weather Service (NWS), EPA (hazardous material incident notification, NRC (two nuclear power plants in Texas; Comanche Peak and the South Texas Nuclear Power Plant), National Center for Missing and Exploited Children (State AMBER Alert Program); local officials (both city/county – incident and alert notifications, requests for state assistance); law enforcement agencies throughout Texas (AMBER, Blue, Endangered Missing, and Silver Alert coordination)

SMT

The SMT provides a coordinated response through the Emergency Management Council, which consists of state agencies, volunteer organizations and private sector partners. The SMT also coordinates with various federal agencies to obtain information or resources, or coordinate emergency actions. These federal agencies include FEMA, the U.S. Department of Defense, U.S. Department of Agriculture, U.S. Department of Housing and Urban Development, the National Weather Service, the U.S. Army Corps of Engineers and other federal entities.

CIS

TDEM CIS has created and supports dozens of processes that are used for preparedness, response, and recovery at the local, regional, state and federal levels. The processes are key to being able to track all relevant data and information at all levels so that everyone has a clear common operating picture and knows what the processes are for unplanned and new sorts of incidents that must be responded and recovered to now, and prepared and trained for in the future.

State Alerts

The program coordinates AMBER Alert network resources with local media, law enforcement, Texas Department of Transportation, Texas Department of Public Safety, Texas Lottery Commission, National Weather Service, Independent Bankers Association, U.S. Federal Bureau of Investigation, U.S. Customs and Border Protection, and the National Center for Missing and Exploited Children.

RACES

The state RACES program has the ability to operate on frequencies that are outside of local Amateur Radio communications frequency bands. At the SOC, FEMA has installed radio equipment that is part of the National Warning System. As part of the MARS program, the State RACES program is able to communicate with U.S. Department of Defense entities if required. SAROS supports state agencies and local jurisdictions impacted by disasters and require emergency communications.

STEAR

Local officials (county judges and emergency management coordinators (EMCs) in 254 counties, as well as city EMCs; Nursing Home and Assisted Living Center administrations; disability stakeholders; state agencies (HHSC, DADS, TEEX-Texas Task Force 1).

Field Response

Over time, it has become apparent to small jurisdictions as well as the larger urban area jurisdictions, and state agencies that the necessary resources required to respond to a disaster are not always available or affordable. In what may be referred to as a domino effect, small jurisdictions often reach out to surrounding jurisdictions for assistance. Surrounding jurisdictions may reach up to the regional jurisdictions or Disaster Districts for assistance. Disaster Districts may reach up to state agencies or the Texas Emergency Management Council for assistance. Under the right set of circumstances, the State of Texas may reach out to another state for resources, or the State of Texas may reach out to FEMA for assistance in providing resources. Having said that, the Texas Division of Emergency Management plans for this potential need of collaboration between all potential governmental resource providers, and TDEM is engaged in bolstering these relationships on a daily basis.

EMS

Through an interlocal agreement, the city of Austin medical director provides medical direction to the department as required by state law to give medical directions to certified EMS persons. The department has an MOU in place with Texas A&M Engineering Extension Service (TEEX) to provide Emergency Care Attendant certification courses. This is the lowest level of EMS certification in the state of Texas. The unit has offered three classes to DPS employees who volunteer and want EMS training.

Water Safety

The Water Safety Program has been fortunate to support the needs of not only the Texas Department of Public Safety staff but several surrounding area public safety partners in their training and response to flooding disasters. Local jurisdictional agencies have been able to take advantage at essential life safety training at no cost to their agency and combined training events have been conducted to improve continuity of operations between our state partners. All of these are proactive steps to promote safety and preserve life across the state. Public safety partners have included the Travis County Constable, San Marcos Park Rangers, San Marcos Police Department, Tarrant County Sheriff's Office, Travis County STARFlight and Wimberley Fire Department.

TEMAT

TEMAT is responsible for maintaining liaison with partner agencies and coordinating structures; coordinating resources from state agencies and other sources to meet local and regional needs.

Emergency Management Support

- Various local units of government – sub-recipients
- Department of Homeland Security - Federal Emergency Management Agency - grantor
- Department of Transportation - grantor
- State Energy Conservation Office - grantor
- Texas Office of the Governor – grantor

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

- **a short summary of the general purpose of those contracts overall;**

These contracts were issued in order to provide the goods and services necessary for the Division of Emergency Management to carry out its duties and responsibilities.

- **the amount of those expenditures in fiscal year 2016;**
- **the number of contracts accounting for those expenditures;**
- **the method used to procure contracts;**

DPS follows the procurement method requirements as defined in Texas Gov't Code Chapters 2155, 2156, 2157, 2158, and 2161 and 34 Texas Administrative Code (TAC) Chapter 20. DPS also follows the state's Contract Management Guide and Procurement Manual that are published by the Comptroller of Public Accounts.

In FY16, DPS procured goods and services using Council on Competitive Government, Texas Correctional Institute, Texas Institute for the Blind and Handicapped, Term, Managed, and TXMAS contracts available through TX SmartBuy. These contracts are managed by the Comptroller of Public Accounts, and state agencies issue purchase orders against those contracts.

DPS also procured goods and services using DIR contracts for certain technology related procurements in FY16. These contracts are managed by the DIR, but agencies can issue purchase orders and agreements against these contracts.

DPS also procured goods and services on the open market in those instances where there was no state contract in place or where the dollar amount associated with the procurement exceeded the limits of use for the state contract. For example, in FY16 SB 20 required that any technology procurements that were over 1 million be solicited on the open market. For non-technology goods that were over 25K and services that were over 100k, DPS would be required to seek delegation from the Comptroller's office before being authorized to solicit on the open market. In some cases the Comptroller would decide to perform the solicitation on behalf of the Department.

- **top five contracts by dollar amount, including contractor and purpose;**
 - **PO- 405-16-P006001** valued at \$397,001.00 with UNIVERSITY OF TEXAS AT AUSTIN – SPAA for State of Texas Emergency Assistance Registry
 - **PO- 405-16-P004122** valued at \$250,000.00 with TEXAS A&M FOREST SERVICE for ICC for Incident Management Training

- **PO- 405-15-P001406** valued at \$234,000.00 with 1734 CENTENNIAL LLC for BL San Antonio 20337
- **PO- 405-15-P002808** valued at \$198,710.76 with URS FEDERAL SERVICES, INC. for TDEM San Antonio Warehouse Lease
- **PO- 405-15-P000929** valued at \$189,936.89 with ESI ACQUISITION INC for Emergency operations center software

- **the methods used to ensure accountability for funding and performance; and**

A three way match used requiring a valid purchase order, an invoice, and a receiving report before funding is expended. For goods, physical receipt of items is proof of performance and for services, program managers verify that services were received as invoiced.

Each contract has an assigned contract monitor from the division that has been provided with internal training and procedures for monitoring the deliverables and performance of the contract and supplying vendor performance reports. The official contract manager in Procurement & Contract Services works with the division contract monitor, OGC, and Finance to administer and manage contract and vendor performance, ensure compliance with applicable statutes, rules, and policies, and officially address any needed corrective action. Finance is responsible for maintaining compliance with payment rules based on validation from the division that goods and services were received and performance criteria were met.

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

The largest issue with contracting at DPS is the lack of delegated authority for many purchases from the Comptroller's office. Please see the Major Issue regarding delegated authority.

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

Emergency Management Support

97.042 - The Emergency Management Performance Grant (EMPG) program provides federal funding to assist states and local governments with all hazards emergency preparedness. EMPG funds are allocated by the Department of Homeland Security (DHS) to participating states on a population-share basis.

The EMPG program strengthens Texas emergency management capabilities statewide and will provide federal funds to assist state, local, tribal, and territorial emergency management agencies to obtain the resources required to support the National Preparedness Goal's associated mission areas and core capabilities.

Participating states then distribute these funds for reimbursement of applicable state and local emergency management program expenses. The EMPG is a cost match program, meaning participating jurisdictions are required to provide at least 50 percent in matching funds for expenses covered through this program. For every dollar of federal EMPG grant funding provided, local and state agency grant recipients must provide an equal amount of local or state cost share.

All cities and counties must carry out and are evaluated on all-hazards preparedness activities to enhance their capability to mitigate potential hazards, respond to and recover from disasters during their grant performance period.

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

None

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

The Texas Division of Emergency Management (TDEM) field response State Coordinators (SCs) perform advanced (senior-level), professional and supervisory work administrating all activities and programs of TDEM within their Texas Department of Public Safety (DPS) Region. Regional SCs are tasked with formulating short, mid and long-range objectives; developing guidelines and procedures, schedules, and budget proposals to achieve the objectives as well as evaluating the effectiveness of program activities. One of the primary functions of the SCs is to direct and oversee the activities and performance of TDEM personnel stationed within and/or assigned to the Region. These activities may include disaster preparedness and coordination of emergency response for the local governmental jurisdictions, and support to the designated Disaster Districts and Regions. SCs also plan, assign, and monitor the work of District Coordinators (DCs) within their Region.

Guide to Agency Programs
Administration & Services

A. Provide the following information at the beginning of each program description.***Name of Program or Function: Agency Administration******Location/Division: Administration Division******Contact Name: Division Director Jessica Ballew******Actual Expenditures, FY 2016: \$31,369,815******Number of Actual FTEs as of June 1, 2017: 529******Statutory Citation for Program: Texas Government Code §411.041*****B. What is the objective of this program or function? Describe the major activities performed under this program.**

The Agency Administration program for DPS encompasses the human capital function, facilities and fleet management, general agency services, procurement, and the agency's project management office. These functions, together with the financial management and information technology programs, serve as the backbone of the agency and provides support to all divisions of the agency.

Human Resources

The objective of this activity is to ensure compliance with all federal and state regulations as they pertain to recruitment and selection, compensation and all employment-related activities.

Functions include:

- Recruitment and Selection;
- Compensation and Classification;
- Employee Benefits (FMLA & ADA);
- Background Investigations;
- Drug Testing;
- Law Enforcement Promotions;
- 360 Leadership Program;
- Public Safety Awards – Awards of Merit, Purple Heart, Safe Driver; and
- Special Rangers – an honorary program authorized by Texas Government Code §411.023, which permits the PSC to appoint honorably retired commissioned officers and up to 300 others. The Human Resources function provides administrative support to the program and interacts with agency leadership to manage the program.

Victim and Employee Support Services

Victim and Employee Support Services (V ESS) provides specialized resources for the prevention of, response to, and resolution of crime-related, work-related, and personal crises for victims of crime, department employees, and other law enforcement agency personnel. V ESS serves clients as needed at Austin HQ and across the state.

The DPS Critical Incident Response Team (CIRT) currently includes the 18 VESS professional staff, 139 active peers (collateral duty), and 23 DPS volunteer chaplains.

VESS also participates in training for the Interdiction for the Protection of Children program. This program teaches law enforcement and other public safety entities what to look for during encounters to help identify missing and at risk children.

Facilities

The Facilities Bureau is dedicated to support the mission and goals of the Texas Department of Public Safety by providing an optimal working environment for employees and accommodating facilities to serve the public.

There are four (4) key functions within the Facilities Bureau: Mechanical/Electrical/Plumbing (MEP), Regional Facilities, Planning and Construction Management and Business Operations.

General Services

General Services is responsible for mail operations; providing printing and graphics services for DPS and other state agencies; and supply distribution. DPS forms used by the public, such as a driver license renewal form, are printed, stocked, and mailed using these in-house services.

This area is also responsible for managing and accounting for the agency's more than 82,000 capital assets, valued at almost \$1 billion.

Fleet

Fleet Operations provides the equipment specifications and acquisition of all agency vehicles. Related law enforcement equipment and connectivity for radios, lighting, and electronics are acquired and installed through this area as well.

Fleet also manages a full service automotive repair shop at the DPS Headquarters in Austin and satellite shops at Lubbock, Weslaco, Houston, and Florence. An additional location is planned to open in Corpus Christi during 2017. The department also operates an internal statewide wrecker service, a body repair shop, and installation services for law enforcement equipment including electronics, lighting, storage, and weapons security.

Additional support services include a parts unit that supports headquarters and field shops, including automotive and radio shops, with automotive and communications inventory. The parts unit is also responsible for bulk fuel supply at the DPS Headquarters complex.

Policy & Planning

The Procurement & Contract Service (P&CS) office objectives are to procure the goods and services that are necessary for the agency to operate and fulfill its mission, to effectively administer agency contracts, and to perform these activities in accordance with all applicable statutes, policies, and other applicable regulations related to procurement and contracting in the State of Texas.

The Historically Underutilized Businesses (HUB) Program objectives are to assist HUB vendors with procurement opportunities and to increase HUB participation through promoting full and equal opportunities for all HUB vendors in state contracting. The HUB program works directly with the HUB community through various outreach efforts. The HUB program also works closely with Procurement & Contract Services as well as other divisions within the agency to ensure that opportunities for HUB participation are advertised appropriately, that HUB statutory requirements that apply to the agency's HUB program are met, and that procurement and payment related processes remain compliant with HUB requirements.

The Enterprise Project Management Office (EPMO) objectives are to facilitate prioritization of projects so that resources are allocated to those projects with the highest priority and to manage the agency's enterprise projects so that project delivery is on time, on budget, and within scope. This function meets clear and ongoing objectives to assess project feasibility, prioritize agency project efforts, improve implementation, and provide enhanced transparency into project scope, schedule, and cost.

- C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.**

HR

New Hires/Retirements			
	FY 14	FY 15	FY 16
New Hire Enrollments	1280	1005	987
Retirements	203	238	220

FMLA Claims by FY			
	FY 2014	FY 2015	FY 2016
New Claims	879	934	1022

Various Leave Programs			
	FY 2014	FY 2015	FY 2016
Various Leave Programs	67	98	34

ADA Accommodations Processed by FY			
	FY 2014	FY 2015	FY 2016
New ADA Accommodations Processed	123	159	279

Employment & Contractor Backgrounds			
	FY 2014	FY 2015	FY 2016

Employment Backgrounds Processed	527	282	336
Contractor Backgrounds Processed	2,124	2,869	3,261
Information Discovery Services			880

Special Programs			
	FY 2014	FY 2015	FY 2016
Public Info Request	539	460	612
Random Drug Test	843	969	948

Special Rangers – Term Years		
	Term Year 2013 – 2015	Term Year 2015 – 2017
Special Ranger Files Handled	1024	1056

Postings Processed by FY (competitive vacancies, promotions, transfers)			
	FY 2014	FY 2015	FY 2016
Postings Processed	732	867	958

Applications Received and Processed by FY			
	FY 2014	FY 2015	FY 2016
Applications Received	80,096	85,230	90,040

Job Description Updates/Position Classification Review by FY			
	FY 2014	FY 2015	FY 2016
Job Description Updates	165	304	262

In addition, HR staff have provided various training sessions regarding HR issues at HQ and throughout the regions.

Victim and Employee Support Services

VESS Activities			
	FY 2014	FY 2015	FY 2016
New Victims Served	3,704	3,645	3,986
# Victim Services Contacts	7,060	8,417	9,090
# Child Rescue Clients (Child/Family)	N/A	161	173
IPC Basic Class	12	10	15
# of Employee Counseling Clients	117	188	275
# of Employee Assistance Service Contacts	206	244	512
# of Wellness Classes Provided	9	17	59
# of Post Shooting/Critical Incident Meetings	65	81	111
Peer Support Contacts	Unknown	64	104
Volunteer Chaplain Hours	2,045	1,633	2,063

In addition, VESS assumed the duties of pre-employment psychological testing for recruits at the end of FY 2016. In FY 2017 to date, they have conducted 1,110 psychological tests.

Facilities

The effectiveness and efficiency of the Facilities Bureau can be described in part by successful project management.

In 2016, over 150 remodels, refresh, and construction projects were authorized. Some of the key projects completed include the \$1.6M renovation of the second and third floor dormitories of the Training Academy and four other remodels at the Austin Headquarters complex, the Abilene District Office, installation of a lift station at the Del Rio Point of Entry and McAllen Area Office remodel.

Facilities Bureau project managers were assigned 26 driver license (DL) refresh/renovations across the state. Many have been completed with others in various stages including design, bidding or construction phases.

In addition to successfully managing the numerous construction projects, remodels and renovations, Facilities Bureau supports DPS employees and the public conducting business with the department by maintaining approximately 3.9M square feet of floor space, consisting of 666 state owned, leased, or shared space properties throughout the state. This includes office buildings and numerous specialized facilities such as crime laboratories, the Tactical Training Center, facilities used for aviation, marine, equine, auto shops, and the 63 acre headquarters complex in Austin.

General Services

General Services provides efficient management of the mailing operations, saving more than \$382,000 in mailing costs in FY15. The in-house supply warehouse issued more than \$6M in equipment and supplies in FY15. \$7.6M in FY16, and more than \$8.3M already in FY 17. These numbers represent an average of more than 1.2M units per year.

Fleet

Over the last four years, an average of 810 vehicles each year have been acquired, equipped, and placed in service as additions or replacements.

Installation staff was responsible for over \$966,000 in savings in 2016 by refurbishing and reinstalling equipment in patrol vehicles. Auto repair staff reclaim an average of \$50,000 in used parts each month. For example, the agency has over 600 Crown Victoria cars still in service, despite this make and model being out of automotive production since 2011. As these are placed out of service, viable parts are removed and used for replacements to keep those still in service operational.

The five Parts department locations processed over 11,000 requisition orders and issued a total inventory value of over \$1.7M in the twelve-month period beginning July 1, 2016.

Policy & Planning

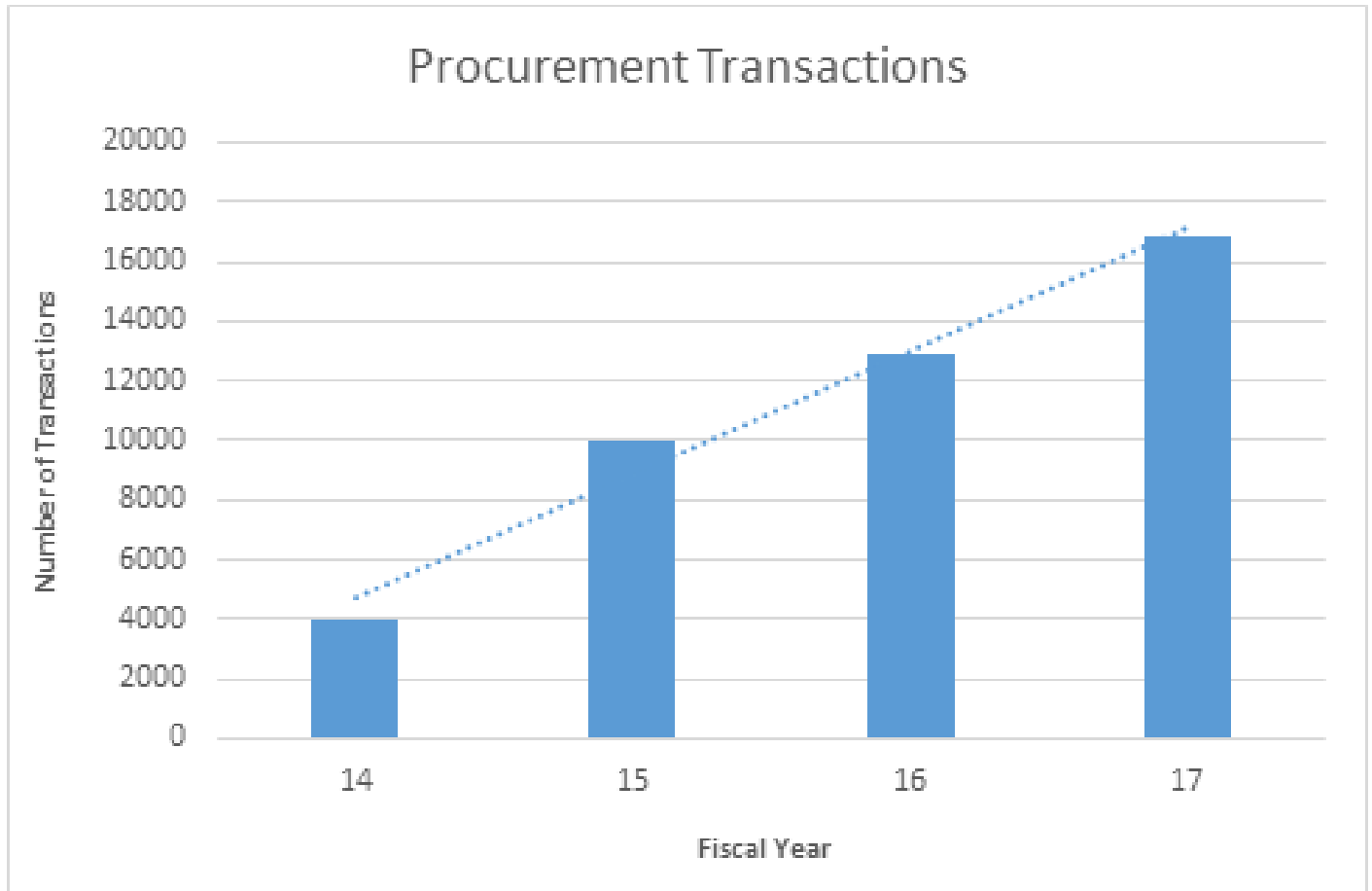
The agency tracks the number of procurements and the dollar amounts associated with those purchases. Data is entered into the system that supports analysis of on versus off contract spend. Contracts, change orders and amendments are also captured and reported to the LBB per statutory requirements.

DPS implemented an eProcurement system in FY15. The FY15 data is inclusive of 619 purchase orders (POs) that were active prior to FY15 that were migrated to the eProcurement system. In addition to standard purchase orders and change orders, the totals for fiscal years 15, 16, and 17 also include spot purchase orders and releases against blanket contracts.

The eProcurement system provided P&CS with the ability to review spot purchases for compliance. Additionally, the system provided the capability of establishing blanket contracts or POs that enable release functionality for more efficient processing and oversight.

Another significant factor contributing to an increase in transaction volume results from training DPS employees on procurement and contracting laws and policies. This training was initiated in FY14 and has continued to grow and expand in its content and audience each fiscal year.

As of 8/10/2017, over 16,183 items valued at over \$274M have been processed in FY17. There are currently around 600 requisitions with a cumulative estimated value of approximately 66M in the queue to process in this fiscal year.



The agency tracks and reports its HUB performance towards meeting the adopted Statewide HUB Goals and also tracks and reports its HUB outreach participation. Reference the HUB data included in Section XI.

The DPS enterprise roadmap tracks and reports on enterprise projects throughout their life cycles. Management of the agency’s enterprise project portfolio management and capacity planning is still not as mature as the project management process itself. As the portfolio management and capacity planning expands, it should provide additional resource planning ability and should be able to provide statistical information which could report planning, performance, and governance effectiveness.



Internal Use Only
(rev 08/2016)

Sample Project

Agency Rank: 1
Project Tier: 1
Division/Sponsor: Sponsor Name
Project Manager: PM Name

Start Date: 12/19/16 Completion Date: 04/20/2018

Last Updated: 06/01/17	Overall Project Health: YELLOW	Schedule	Resources	Budget	Scope				
Project Description: This is where the high level description of what the scope of the project encompasses as well as the high level synopsis of the objective.	Overview of Current Status: <ul style="list-style-type: none"> Planning Phase is underway Development has started working with the contractor on the Web-service. BRD and Use Cases are being amended to reflect the new requirements Major Accomplishments: <ul style="list-style-type: none"> Development is being pro-active by working with AAMVA on creating the web-service and stubs for the DLS integration. 	Prior: G	Current: Y	Prior: G	Current: G	Prior: G	Current: G		
		Milestone		Completion		Status			
				Target	Actual	Prior	Current		
		Amend BRD and Use Cases for 3.1 requirements and obtain approvals		06/09/17		G	Y		
		Complete Planning Phase		08/04/17		G	Y		
Complete Development		10/04/17		G	Y				
Complete QA & UAT- Scripts & Testing		01/31/18	03/15/18	G	Y				
Top Issues		Mitigation Strategy							
Provider informed DPS that version 3.1 needs to be implemented instead of 3.0. because version 3.0 will not be supported after Oct 2018.		DPS will implement version 3.1. This will move the project deployment date from 1/31/18 to 3/31/18. EPMD will process a Project Change Control Request. Provider has approved the March project deployment date.							

Change Control Requests	Resource Utilization	Project Financials
#1 - Implement version 3.1	Hrs. to Date: 886 Est. Remaining: TBD	Dedicated Funds: \$100000000 Est. Cost: \$980000
Project Drivers		EPN: N/A Index(es): Operational - Zero Cost
Federal Mandate		
Strategic Alignment		
<input checked="" type="checkbox"/> Combat Crime & Terrorism <input checked="" type="checkbox"/> Provide Essential Services <input checked="" type="checkbox"/> Enhance Public Safety Infrastructure Strengthen Statewide Emergency Management Human Capital		

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

Victim and Employee Support Services

Prior to 2016, VESS had a chief psychologist to oversee the area. The pre-employment psychological testing was conducted through contracted staff. In 2016, the decision was made to instead have two psychologists on staff, and to provide the pre-employment psychological testing internally as much as possible.

Facilities

In addition to managing the agency’s leased and owned spaces, the Facilities Bureau historically managed the department’s telephone services and associated equipment. In 2009, this responsibility was transferred to the Information Technology Division when integration between telephone services and computer networks was feasible. In 2012, field support services personnel were moved from the Texas Highway Patrol (THP) Division to the Facilities Bureau to allow the officers to focus on their primary duties.

Policy & Planning

In 2009, the Public Safety Commission (PSC) established the Contract Review Board (CRB), which is an internal review board, to ensure visibility into high dollar contracts, defined as those that are \$1M or more, a change order of \$500K, or a change order of \$100K that changes the value of the contract by 50% or more. Members of the CRB include:

- Division Director, Administration (Chairman, non-voting)
- Representative from the Office of General Counsel
- Representative from Finance
- Representative from Information Technology
- Representative from one law enforcement division (rotating member)
- Representative from one services division (excluding Administration) (rotating member)
- A member of the PSC serves as an advisory member.

Before the FY10-11 biennium, the agency purchasing function resided with the Financial Management program. During this time, it was moved from the Finance Division to the Administration Division.

In April 2012, Director McCraw issued the Directive on Contracting, which provided that only the Director and Deputy Directors are authorized to sign contracts over \$50,000 and centralized all contract actions/communications through P&CS, rather than being decentralized throughout the agency.

In August 2013, the Public Safety Commission established the Executive Committee of the Contract Review Board, which reviews all major contracts valued at \$500K or more and all IT staff augmentation requests at the inception of the request. The executive committee has the jurisdiction to:

- Require additional justification information from the requesting division;
- Identify additional divisions to be involved in creating the SOW or other specifications for the proposed procurement or contract;
- Recommend to Deputy Directors that the request be considered an enterprise project or be treated as an enterprise initiative;
- Recommend that the procurement or contract be resolicited rather than renewed or extended; and
- Require full CRB review of the proposed contract or procurement prior to award by the Department.

In late 2013, on the recommendation of our PSC Advisory Board member, the Contract Review Board added a requirement to review financial viability of potential DPS vendors using Dun & Bradstreet reports as part of the Contract Review Board process.

Procurement and contracting functions are centralized, and processed and administered by the P&CS. P&CS works closely with the other divisions to more effectively and efficiently plan agency procurements. Beginning in 2015, the P&CS initiated a training program for agency employees. This training continues to grow and expand.

Historically at DPS, the HUB program has been a function of the P&CS organization. The agency established a HUB program independent of the P&CS in March 2017, which will improve DPS's ability to focus on and improve this program.

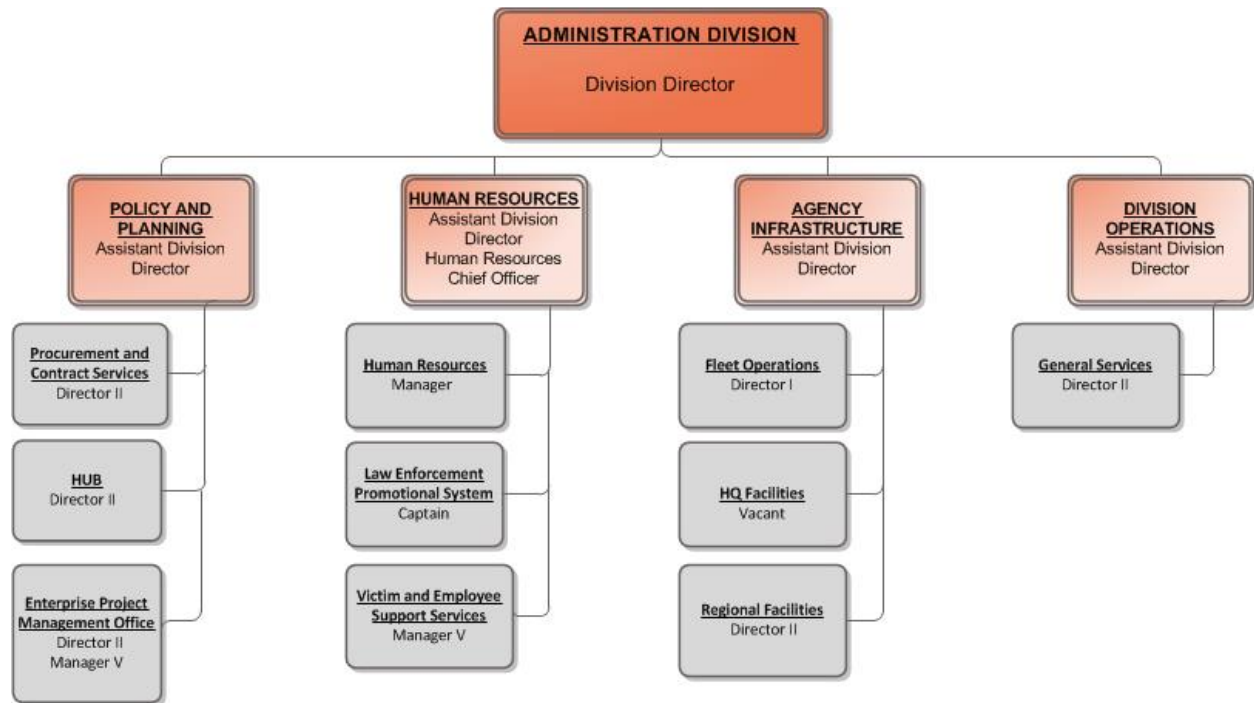
In early 2012, the DPS Director created the Policy, Projects, and Portfolio Management Office (PPPMO), which reported directly to the Deputy Director of Services, to provide visibility of the agency's significant endeavors, and some structure, consistency, and governance to the project lifecycle within DPS. The PPPMO was staffed with Program Managers who provided oversight and some control of the agency's enterprise projects and produced an enterprise roadmap to reflect the agency's project priorities. In the fall of 2015, the Project Management Office of the Information Technology Division merged with the PPPMO to create the EPMO. The EPMO is located in the Administration Division and continues to mature the Director's vision of sound project portfolio and project management practices.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The Agency Administration program staff serves all DPS employees.

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

The Agency Administration program encompasses the entire Administration Division within DPS. This division is led by one Division Director, who reports directly to the Deputy Director of Homeland Security and Services. The Division Director is aided in the supervision of the division by Assistant Division Directors – (1) Human Resource Administration (HR and VESS); (2) Agency Infrastructure and Division Operations (Facilities, Fleet, and General Services); and (3) Policy and Planning (Procurement, HUB, and EPMO). All of the executives in the Administration Division are located at the Austin HQ complex, but some agency Infrastructure staff are located in the field.



Human Resources

Potential DPS employees can engage HR through the application and selection process for employment with the agency. Services related to current employees include the law enforcement promotional services; compliance with FMLA, ADA, etc.; employee benefits administration; department driver and other agency awards; and coordination of the employee evaluation program.

Victim and Employee Support Services

Crime victims are afforded certain assistance under state and federal law. VESS employees are often contacted following major vehicle crashes, crimes, or other traumatic events to provide on-site specialized services to victims. These initial visits can be followed by other meetings to provide the statutorily required victim assistance information and services.

Agency employees can reach out to VESS to request assistance related to achieving resilience to adversity and receive professional behavioral health services.

Facilities

In addition to the leadership at Austin Headquarters, a Regional Facilities Manager (RFM) is stationed at each of the six Regional Headquarter offices and acts as the facility liaison to the Regional Commanders, building managers and internal customers. Each RFM has support staff responsible for building maintenance, repairs, custodial and grounds keeping services. Additional or supplemental services are contracted as needed where it is not feasible to utilize DPS employees.

General Services

Mail Operations processes incoming and outgoing mail for the department. There are four routes to pick up and deliver mail throughout the Austin HQ complex four Austin area DPS offices off site, and recovery of four USPS locations. This team is also responsible for administering the overnight vendors i.e. LSO and FedEx.

Reprographics is a custom print manufacturing facility located on the DPS HQ complex that services two main entities: internal customers and outside state agency customers. For internal customers, these requests are evaluated by a Reprographics Specialist for feasibility, timeline and materials. The orders are generated according to customer's specifications, packaged and delivered. Internal budget codes are charged for the materials used. Services are offered to other state agencies, where customers request bids via an email portal. If DPS is awarded the work, these requests are evaluated by a Reprographics Specialist for feasibility, timeline and materials. The orders are generated according to customer's specifications, packaged and delivered. Invoices are generated for the time and materials used and are paid against the ordering agency's purchase order number.

Asset Management employees at Headquarters staff are responsible for tracking controlled and capital assets from the time they are received until they are disposed. The assets are tracked in our internal inventory system, Virtual Asset Tracker, and in the State Property Accounting system. Regional Inventory staff assigned to field offices is responsible for conducting the annual physical inventory and reporting any discrepancies found in the property information. The inventory is conducted using RFID and Barcode Scanning. All controlled and capital assets must be inventoried each fiscal year. Each DPS division has staff designated as Property Custodians assist in keeping track of the division's inventory and perform to online asset transfers as their equipment moves around the state. There are 996 designated Property Custodians throughout the field at Headquarters.

Fleet

The Automotive Maintenance Manager is responsible for all auto repair facilities within the agency including outlying shops in Lubbock, Houston, Florence, and Weslaco. Each remote location has an on-site supervisor and provides service to field staff within their region. The supervisors at the field sites are responsible for a limited local parts inventory, a group of two to four automotive repair technicians, and processing of all locally performed work orders through the eProcurement system. The auto repair facility at Headquarters has an on-site supervisor, fourteen (14) repair technicians, and two Auto Body Repair technicians, one administrative assistant, and a surplus coordinator.

The Fleet Operations Manager is responsible for the Austin fleet administrative staff, equipment installation department, and parts/supply department. This position oversees the supervisor of the installation team and fourteen employees, the parts department supervisor and seven employees, and five administrative assistants. This group includes the supply of parts

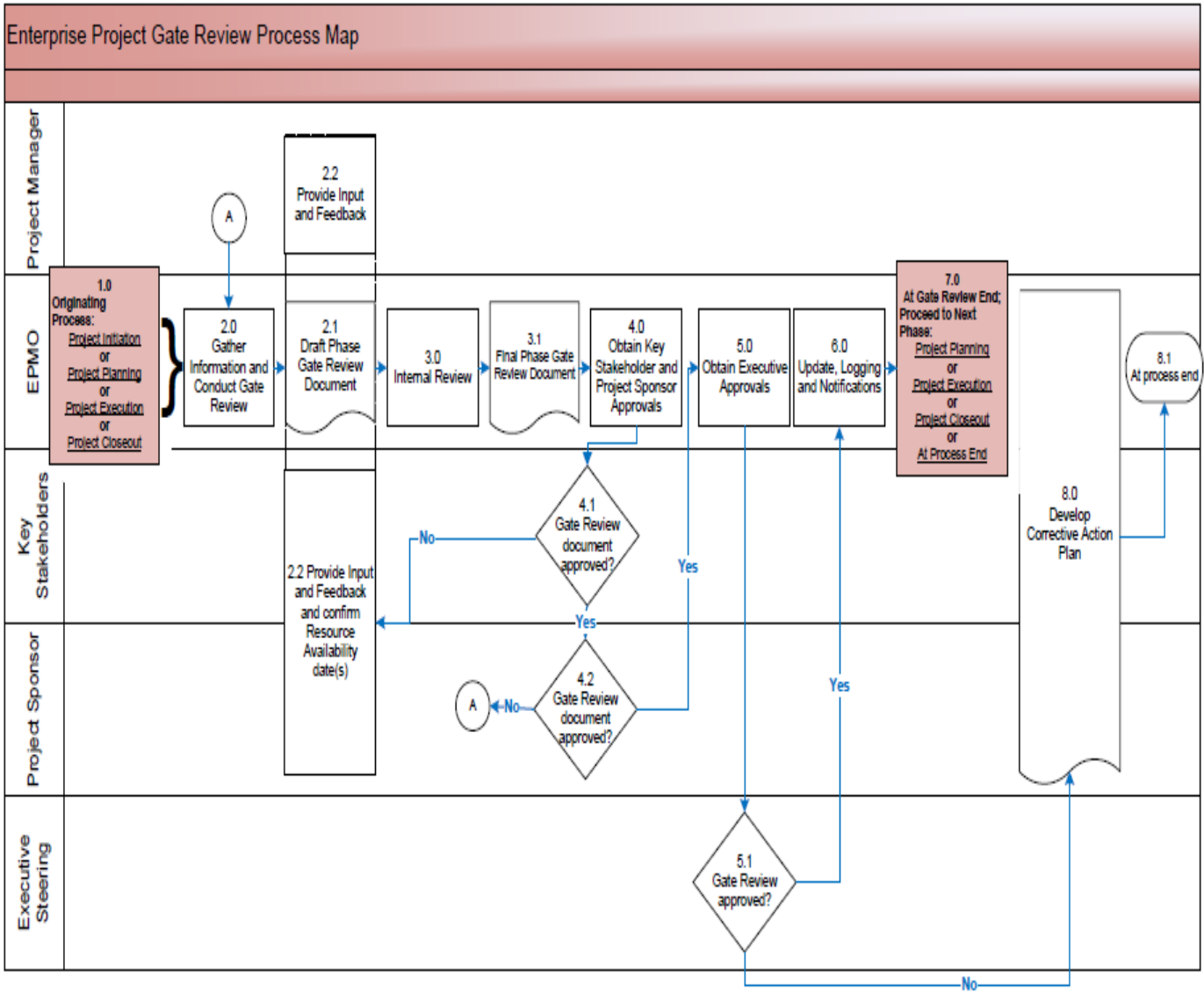
for all shop locations and components for installation into the vehicles, license and registration of all agency vehicles, and management of the fleet vehicle database.

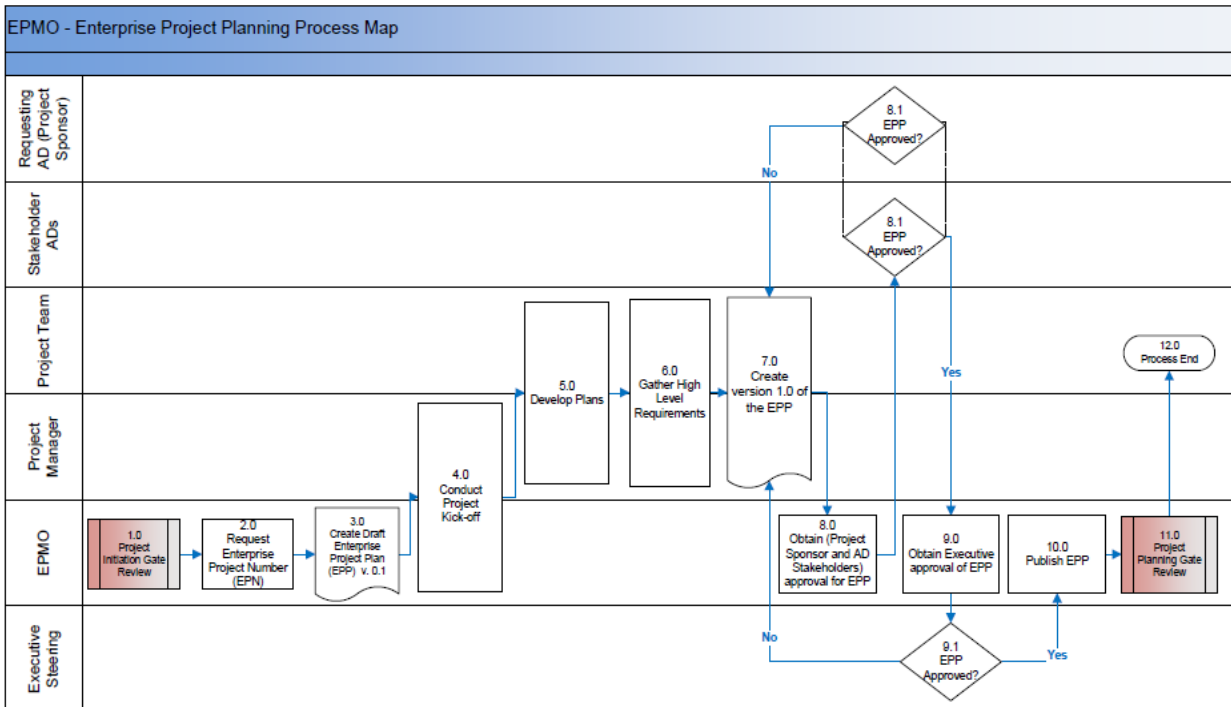
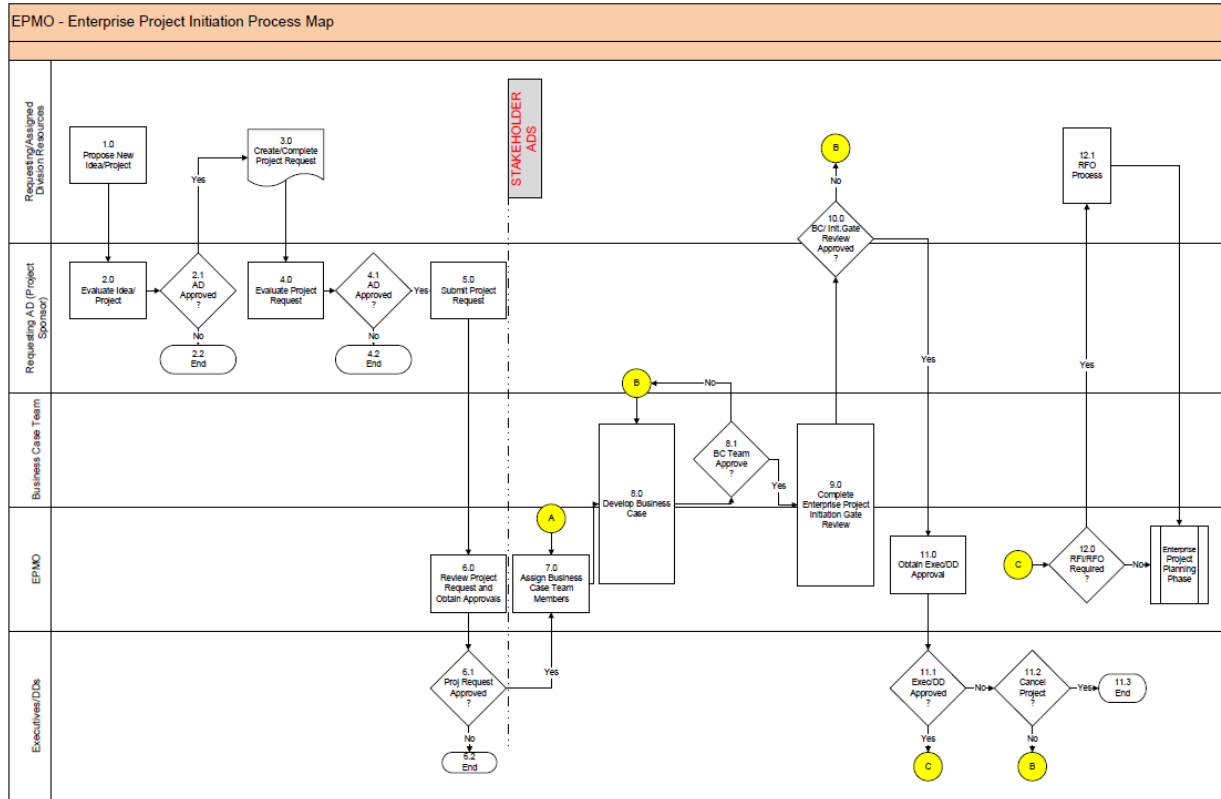
Policy & Planning

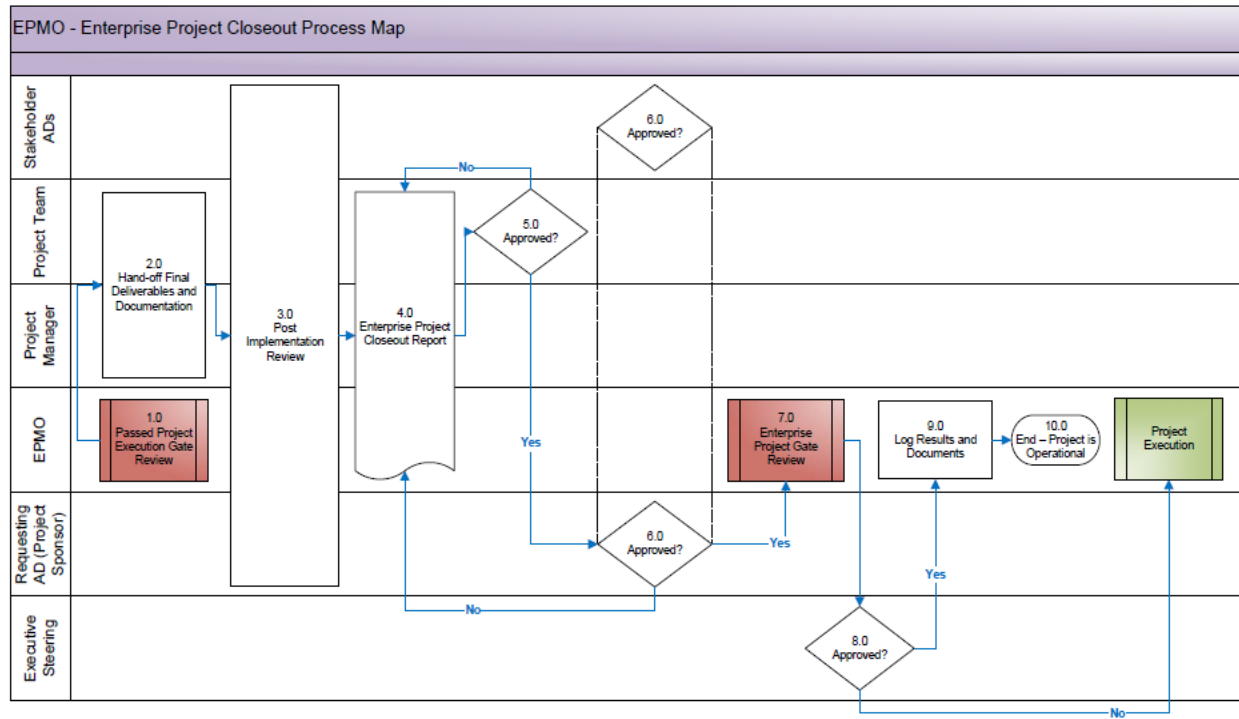
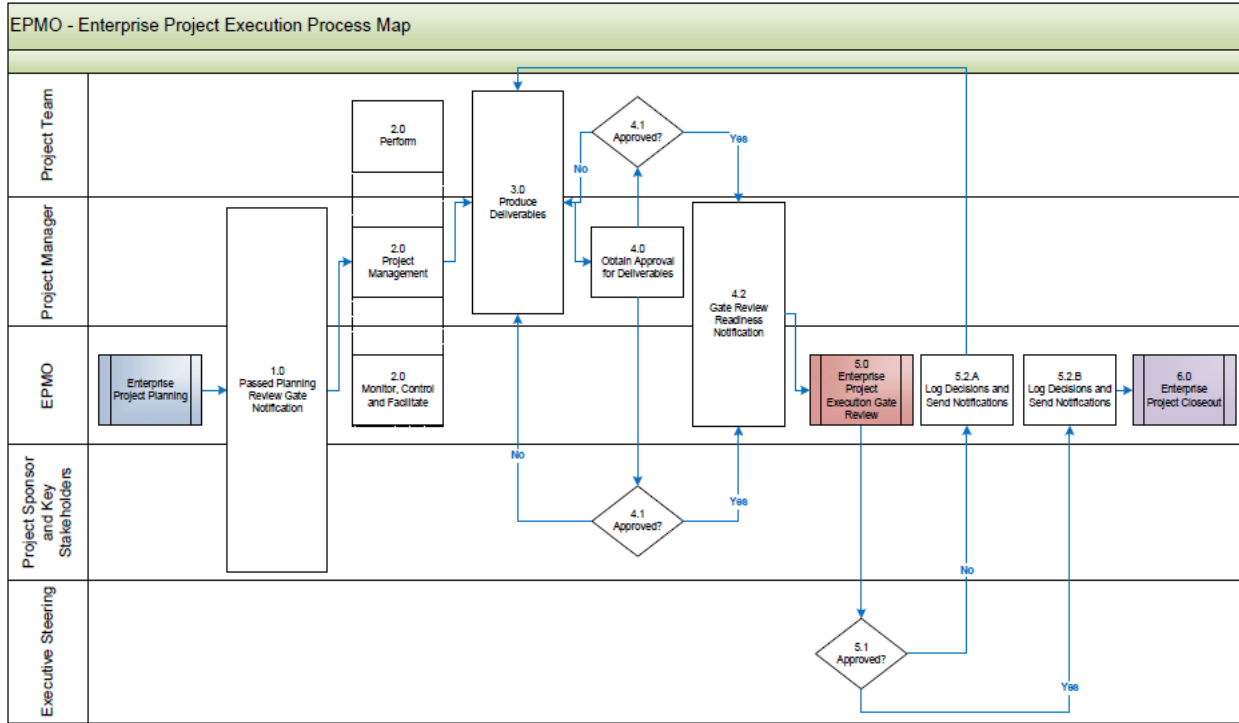
Agency procurement and contracting processes adhere to the processes described in the Contract Management Guide and Procurement Manual administered by the CPA as well as the Agencies Procurement & Contract Management Guide located here: <http://www.dps.texas.gov/docs/DPSContractMngGuide.pdf>

A DPS enterprise project follows the standard project management lifecycle and governance model.

Examples of EPMO Process maps are included for illustrative purposes. The Agile project methodology is also supported within this framework.








PM Checklist for Traditional Framework

EPMO Waterfall/MIRP Project Methodology and Deliverables

Under Analysis	Initiation	Planning	Execution	Close Out
<p></p> <p>Customer</p> <ul style="list-style-type: none"> Submits Project Request PPP2A to EPMO <p>EPMO Intake Team</p> <ul style="list-style-type: none"> Determines whether to prepare a Business Case PPP2B * If EPMO Intake Team determines to prepare Business Case PPP2B, assigns PM, requests PV and sharepoint sites. On to Initiation Phase. <p>Project Controllers</p> <ul style="list-style-type: none"> PlanView site created Sharepoint site created <p><i>Waterfall, Iterative Waterfall, or Agile methodology projects will adhere to these required deliverables across all phases.</i></p>	<p>Project Manager</p> <ul style="list-style-type: none"> Prepares/completes Business Case PPP2B [MIRP determination made during BC PPP2B development.] Initiation Gate Review document On to Planning Phase <p>DAD Policy & Planning</p> <ul style="list-style-type: none"> Approves Initiation Gate Review document (authority to start project from Deputy Directors). <p><u>MIRP documentation:</u></p> <ul style="list-style-type: none"> Business Case BC Workbook Statewide Impact Analysis 	<p>Project Manager</p> <ul style="list-style-type: none"> Project Kick-Off Presentation Enterprise Project Plan MS project workplan Project Register Planning Gate Review document On to Execution Phase <p>Technical Lead</p> <ul style="list-style-type: none"> System Design Description <p>Business Analyst</p> <ul style="list-style-type: none"> Requirements deliverable UAT Plan (with customer) <p>QA Analyst</p> <ul style="list-style-type: none"> QA Testing Approach/Plan <p>CyberSecurity</p> <ul style="list-style-type: none"> Security Requirements <p>Procurement (P&CS) *</p> <ul style="list-style-type: none"> Statement of Work (SOW) RFO Acquisition Plan Vendor selection/contract <p>* If this involves a vendor solicitation, develop SOW and RFO.</p> <p><u>MIRP documentation:</u></p> <ul style="list-style-type: none"> Project Plan Acquisition Plan 	<p>Project Manager</p> <ul style="list-style-type: none"> upd MS project workplan upd Project Register Project Scope Change Control Deployment ticket to CCB Execution Gate Review document On to Close Out Phase <p>Technical team *</p> <ul style="list-style-type: none"> Infrastructure installation Configuration Coding/unit testing <p>Business Analyst</p> <ul style="list-style-type: none"> UAT testing results <p>Customer</p> <ul style="list-style-type: none"> UAT signoff Training Plan <p>QA Analyst</p> <ul style="list-style-type: none"> Test Cases/Scenarios QA testing results QA Test Summary Report <p>CyberSecurity</p> <ul style="list-style-type: none"> Security sign off <p>Technical Lead</p> <ul style="list-style-type: none"> Operations Support Manual <p>* If this involves a solicitation, these may be vendor responsibilities.</p> <p><u>MIRP documentation:</u></p> <ul style="list-style-type: none"> Monitoring Report 	<p>Project Manager</p> <ul style="list-style-type: none"> Lessons Learned After Action Review Report Close Out Gate Review document <p>Business Analyst</p> <ul style="list-style-type: none"> Prioritized list open items outstanding (input to After Action Review report) <p><u>MIRP documentation:</u></p> <ul style="list-style-type: none"> Post Implementation Review

PM Checklist for Agile Framework

EPMO AGILE Project Methodology and Deliverables (Time Boxed)

Under Analysis	Initiation	Planning	Execution	Close Out
<p>Customer</p> <ul style="list-style-type: none"> Submits Project Request PPP2A to EPMO <p>EPMO Intake Team</p> <ul style="list-style-type: none"> Determines whether to prepare a Business Case PPP2B * If EPMO Intake Team determines to prepare Business Case PPP2B, assigns PM, requests PV and sharepoint sites. On to Initiation Phase. <p>Project Controllers</p> <ul style="list-style-type: none"> PlanView site created Sharepoint site created <p><i>Waterfall, Iterative Waterfall, or Agile methodology projects will adhere to these required deliverables across all phases.</i></p>	<p>ScrumMaster/Product Owner</p> <ul style="list-style-type: none"> Prepares/completes Business Case PPP2B Product Vision Statement (Artifact) - An elevator pitch, or a quick summary, to communicate how your product supports the department's strategies. The vision statement must articulate the goals for the product. Product Roadmap (Artifact) - The product roadmap is a high-level view of the product requirements, with a loose time frame for when you will develop those requirements. Initiation Gate Review document On to Planning Phase <p>DAD Policy & Planning</p> <ul style="list-style-type: none"> Approves Initiation Gate Review document (authority to start project from Deputy Directors). 	<ul style="list-style-type: none"> Release Plan - A high-level timetable for the release of working software. Product Backlog - The full list of what is in the scope for your project, ordered by priority. Once you have your first requirement, you have a product backlog. Backlog Refinement (Event) - The team makes preparation for taking on work in this process where details associated with the stories are fleshed out 	<ul style="list-style-type: none"> Sprint Planning (Event) - The team identifies and agrees to the work for the next sprint. This is the contract for the team. Stand-Up (Limited to 15 minutes) Sprint Backlog - The goal, user stories, and tasks associated with the current sprint. Backlog Refinement (Event) User Acceptance Tests (UAT) Sprint Review (Ceremony) Sprint Retrospective (Ceremony) <p><i>For Iterative Waterfall & Agile projects, project moves to Execution Phase when the first sprint/cycle moves to Execution. Balance of sprints/cycles work occurs in Execution Ph. for all remaining iterations.</i></p>	<ul style="list-style-type: none"> Project Retrospective (Ceremony) After Action Review

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

AY 2016

Agency Administration	0001 General Revenue	\$25,661,148
	0444 Crim Justice Grant	\$223,727
	0555 Federal Funds	\$154,810
	0666 Approp Receipts	\$386,133
	0777 IACs	\$165,562
	Total	\$26,591,381

Deferred Maintenance	0001 General Revenue	\$2,304,611
	0780 GO Bonds	\$2,473,823
	Total	\$4,778,434

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

The majority of state agencies have similar functions that provide the basic agency services of Human Resources, Facilities, and Procurement and Contracts.

For Facilities, the Texas Facilities Commission provides identical or similar services for planning, design and construction of state facilities. This includes land development/purchases. TFC oversees the project management utilizing contractors and DPS project managers for some new constructions projects, deferred maintenance projects and renovations. At times, TFC exercises their authority to grant delegated authority to DPS, which provides an opportunity to manage the project in a more timely manner.

For General Services, the State Comptroller of Public Accounts Office, Statewide Mail Operations Division provides single point delivery and pickup of mail for state agencies but does not provide the comprehensive full service provided by DPS Mail Operations.

In addition, four other state agencies run print shops.

Procurement and Contract Services works with the Department of Information Resources (DIR) and the Comptroller of Public Accounts (CPA) Statewide Procurement Division (SPD) to comply with statewide contract procurement requirements. DPS focuses on those procurement and

contracting needs that are specific to the mission of DPS, while the intent of SPD and the DIR cooperative contract programs are to solicit, award, and manage contracts that will be consumed by multiple state agencies.

Each agency is responsible for fulfilling HUB program requirements, but they must report HUB performance through the CPA.

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

Facilities

DPS Facilities Bureau meets with TFC staff regularly to discuss ongoing projects. Based on experience, successful projects included a DPS project manager for each approved project, regardless of TFC delegations. While leased facilities fall under the responsibility of TFC, DPS has two full-time leasing specialist positions who work directly with DPS staff housed in the lease facilities. The DPS leasing specialist act as liaison between the DPS field personnel, TFC and the lessor's to facilitate building related services, repairs and day to day needs. They have developed a rapport with the lessor's and successfully manage over 80 leased facilities.

General Services

With the exception of electronic certified mail, DPS does not utilize the Statewide Mail Operations Service; therefore, there is no duplication or conflict.

Work for other state agency print jobs is shared between all five print shops, including DPS, to ensure best utilization of all state resources. State agencies use a centralized job submission system (via CCG) to ensure the correct provider is selected for each job.

Procurement & Contract Services & Enterprise Projects Management

P&CS works with the Department of Information Resources (DIR) the Comptroller of Public Accounts (CPA) Statewide Procurement Division (SPD) to comply with statewide contract procurement requirements.

The HUB program works with the CPA to meet state HUB reporting requirements. The HUB program also works with other agencies to co-host or plan various outreach events and forums.

The EPMO works with the agency's IRM and the Quality Assurance Team to submit major information resources projects and comply with the associated reporting.

The interactions with other agencies and the QAT are based on statute and do not require an agreement, contract, or MOU.

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

Victim and Employee Support Services

VESS works with all levels of government criminal justice agencies to provide statutorily-mandated services to crime victims. Larger agencies may have their own victim services staff, so DPS VESS provides services to those not covered by other agencies.

Facilities

Facilities Bureau works closely with local, regional, federal units and other state agencies. Examples of the type of government entities include law enforcement, regulatory agencies, county commissioners, municipalities and cooperative utilities. In some cases, DPS shares space with local jurisdictions through a memorandum of understanding (MOU), while other relationships are based upon services received from the entity, such as a utility service.

General Services

DPS Reprographics maintains relationships with many other state agencies for printing services. Including:

- Texas Department of Motor Vehicles;
- Health and Human Services Commission;
- Texas Workforce Commission;
- Texas Commission on Environmental Quality; and
- Texas Comptroller of Public Accounts.

Fleet

DPS Fleet Operations has maintained an MOU with the Office of the Attorney General of Texas to provide vehicle repair as well as upfit services for that office.

An interagency agreement is in place with City of Denton Texas to provide maintenance and repair services at a rate lower than typical open market vendors' offer. It is also preferred due to the experience of that shop in working with law enforcement vehicles and the related electrical and electronic equipment added to them.

Policy & Planning

P&CS works with the Department of Information Resources (DIR) the Comptroller of Public Accounts (CPA) Statewide Procurement Division (SPD) to comply with statewide contract procurement requirements.

The HUB program works with the CPA to meet state HUB reporting requirements. The HUB program also works with other agencies to co-host or plan various outreach events and forums.

The EPMO works with the agency's IRM and the Quality Assurance Team to submit major information resources projects and comply with the associated reporting.

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

- **a short summary of the general purpose of those contracts overall;**
The majority of the contracts are to support the purchase of agency infrastructure needs for the agency like fleet cars, leases, and other support services.
- **the amount of those expenditures in fiscal year 2016;**
- **the number of contracts accounting for those expenditures;**
- **the method used to procure contracts;**

DPS follows the procurement method requirements as defined in Texas Gov't Code Chapters 2155, 2156, 2157, 2158, and 2161 and 34 Texas Administrative Code (TAC) Chapter 20. DPS also follows the state's Contract Management Guide and Procurement Manual that are published by the Comptroller of Public Accounts.

In FY16, DPS procured goods and services using Council on Competitive Government, Texas Correctional Institute, Texas Institute for the Blind and Handicapped, Term, Managed, and TXMAS contracts available through TX SmartBuy. These contracts are managed by the Comptroller of Public Accounts, and state agencies issue purchase orders against those contracts.

DPS also procured goods and services using DIR contracts for certain technology related procurements in FY16. These contracts are managed by the DIR, but agencies can issue purchase orders and agreements against these contracts.

DPS also procured goods and services on the open market in those instances where there was no state contract in place or where the dollar amount associated with the procurement exceeded the limits of use for the state contract. For example, in FY16 SB 20 required that any technology procurements that were over 1 million be solicited on the open market. For non-technology goods that were over 25K and services that were over 100k, DPS would be required to seek delegation from the Comptroller's office before being authorized to solicit on the open market. In some cases the Comptroller would decide to perform the solicitation on behalf of the Department.

- **top five contracts by dollar amount, including contractor and purpose;**
 - **PO-405-16-P005960** valued at \$11,706,590.20 with JOHNSON GRAYSON AUTOMOTIVE for Chevy Tahoe Law Enforcement vehicles
 - **PO-405-16-P00975** valued at \$7,526,819.43 with FLINTCO, INC. for the TFC Contract for Project 14-034-0405

- **PO-405-16-P007467** valued at \$6,464,992.60 with SAM PACK'S FIVE STAR FORD for Ford Utility Law Enforcement vehicles
 - **PO-405-16-7950** valued at \$3,420,537.60 with DEFENDER SUPPLY LLC for Chevy Tahoe Law Enforcement vehicles
 - **PO-405-15-P001480** valued at \$1,717,135.98 with INFORMATION DISCOVERY SERVICES, LLC for Background Investigations
- **the methods used to ensure accountability for funding and performance; and**

Each contract has an assigned contract monitor from the division that has been provided with internal training and procedures for monitoring the deliverables and performance of the contract and supplying vendor performance reports. The official contract manager in Procurement & Contract Services works with the division contract monitor, OGC, and Finance to administer and manage contract and vendor performance, ensure compliance with applicable statutes, rules, and policies, and officially address any needed corrective action. Finance is responsible for maintaining compliance with payment rules based on validation from the division that goods and services were received and performance criteria were met.

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

The largest issue with contracting at DPS is the lack of delegated authority for many purchases from the Comptroller's office. Please see the Major Issue regarding delegated authority.

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

Grants are not awarded under this program.

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

Fleet

Legislative approvals to increase the commissioned staff levels, and subsequently the size of the fleet operated by the agency, have not included the corresponding support staff to maintain and repair the vehicles. This is exacerbated by the rapid increase in mileage that the agency has realized due to the ten-hour workday for Troopers and border operations.

Fleet size has increased, mileage totals have increased, mileage per vehicle has risen, and vehicles are being kept in service for a longer period of time. These factors combine to create a larger issue than any single factor would pose.

Policy & Planning

The agency would benefit by having delegated authority for the procurement of all goods and services related to law enforcement, crime lab, and emergency management operations. This would enable the agency to move forward with solicitations that are needed in order to fulfill the Agency’s mission without the risk of added timelines associated with waiting for delegated authority and/or having solicitations and awards be delayed as a result of DPS requests being addressed by one Agency that is also trying to meet the needs and work the requests that are submitted by multiple other agencies.

Additionally, the agency could potentially achieve cost savings and/or have the opportunity to expend additional funds towards mission fulfillment if there were to be an option to contract independently for certain goods and services as opposed to being required to use DIR or SPD managed contracts. This is because the markup associated with administering those programs would not apply. For example, an additional 1.5% is charged for every purchase order that goes through the TX Smart Buy system administered by the CPA.

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

The DPS Procurement & Contract Management Guide located is located at: <http://www.dps.texas.gov/docs/DPSContractMngGuide.pdf>

Section XI of includes more information about the agency’s HUB program. Additional HUB program information can be located at: <http://www.dps.texas.gov/administration/hub.htm>

The Enterprise PMO project templates are attached for reference.

Attachment A – Project Request Template

This form serves as the official vehicle of record to present projects for Deputy Director approval to assign resources for business case development (PPP-2B). Contact your division’s Project Manager from the EPMO and they will facilitate completion of this document for you and take it forward for the formal approvals.

Date [1]:

Requestor and contact info [2]:

Name:	
Division:	
Phone Number:	
Address:	

Project Name [3]: Project Sponsor [4] (Lead Exec)

Requested Start Date [5]: Requested Completion Date [6]:

Project Overview [7]: What are you trying to accomplish or what problem are you trying to solve? _____

Approach [8]: What needs to be done in order to accomplish that?

Benefits/Justification [9]: Do you anticipate any efficiency will be gained by the Department as a result of the project?

(Cost savings, time savings, FTE re-allocation, etc.)

Project Alignment [10]: Does this project relate to the DPS goals? If yes, which goals does it relate to and how?

Relates To	Describe how the project will benefit or satisfy the DPS Goal.
Combat Terrorism and Crime	
Enhance Public Safety	
Strengthen Statewide Emergency Management	
Provide Essential Services	
Infrastructure	
Human Capital	

Workload Drivers [11]: Does the project relate to another workload driver such as Legislative mandates, strategic objectives, audit findings, etc.? If yes, describe. Be sure to include the specific strategic objective, bill number, and audit finding.

Relates To	Describe how the project will benefit or satisfy the item.
Agency Strategic Objectives	
Legislative Mandate	
Audit Finding	
Other	

Project Funding [12]: Did you receive dedicated funding for this effort? Yes or No If yes, describe how you are tracking the funds and explain the funding stream. If no, list the index that the request will be charged to.

Other [13]: Provide any additional information that you believe would help the Agency understand the benefits of this project and/or any key challenges.

Attachment B – Business Case Template

This form serves as a continuation to PPP-2A Project Requests that are approved by the Deputy Directors for the development of a business case. If you have not completed the PPP-2A already, then you must submit that request to PPPRequests first. A Project Manager will be assigned to facilitate completion of this business case document.

Project Name: Date[14]:

Project Manager:

Project Scope [15]: What needs to be done/what is the recommended approach to accomplish that?

Will this project be a Major Information Resources Project (MIRP)? Y or N

Project Includes: (List products or services to be addressed as part of the project)

Project Excludes: (List products or services that will not be addressed as part of this project)

Funding documentation (as validated by Budget/Grant Analyst) [16]:

<u>Name/Division of Budget Analyst:</u>	
-----------------------------------------	--

Analyst Contact Info:							
Funding Not to Exceed Authority	Index / PCA Number #	Appropriations Year (AY)	Agency Fund #	Seized Funds	Comp # or Agency Object #	Capital Budget Project #	Grant End Date
				<input type="checkbox"/> Y or N <input type="checkbox"/>			
				<input type="checkbox"/> Y or N <input type="checkbox"/>			
Will there be ongoing costs for this request?			<input type="checkbox"/> Y or N <input type="checkbox"/>	Total costs/year ongoing	\$		

Contract Requirements [17]:

Will this require a new contract?	<input type="checkbox"/> Y or N <input type="checkbox"/>	
Will this require changes to an existing contract?	<input type="checkbox"/> Y or N <input type="checkbox"/>	List existing contract number(s):
Describe the type of new contract needed or the changes to the existing contract required.		

Project Costs / Benefits [18]: Provide costs/benefits of the projected fiscal impact to the Department, program or division.

Costs	1 st Year Costs	2 nd Year Costs	Ongoing Operational / Support Costs
Example: Purchase xyz software and license			
Example: IT Staff Aug			
Total Project Cost:			
Benefits (Costs shown in parentheses indicates anticipated savings)	1 st Year Cost Savings	2 nd Year Cost Savings	Ongoing Cost Savings
Example: Reduce xyz staff by 3 FTEs			
Total Cost Savings:			

Project Stakeholders [19]: Identify individuals and organizations that will need to provide input and/or need to be informed about the project, or whose interests may be affected as a result of project execution or project completion. This can include representatives of entities external to DPS as well as DPS Divisions and business units.

Division or Entity	Role	Name

Divisional Impact or Benefit [20]: Will this project have an impact or benefit or change how another division conducts their business?

Impact or Benefit	Division	Division Contact Name
Impact:		
Benefit:		

Project Team [21]: Identify Project Team staffing by role/tasks per Division. For each Role, enter the high-level tasks that role will have in the project. Enter the estimated number of hours that is anticipated to be expended for each project phase. If the Role is not needed for a specific phase, note that by entering 0 in the appropriate project phase hours column.

Division	Role / Tasks	Est. Hours Initiation Phase	Est. Hours Planning Phase	Est. Hours Execution Phase	Est. Hours Close Phase	Out	Total Est. Hours

Total Overall Estimated Hours for Project					
--------------------------------------------------	--	--	--	--	--

Project Milestones [22]: Provide a description of the project milestones. This section should list all of the deliverables or highly visible project outputs that the customer, project sponsor or stakeholders require for successful completion of the project. Identify target completion dates.

Milestone	Phase	Target Completion Date
<i>*The following are sample Milestones that could be used for a project</i>		
Complete EPMO Business Case and Initiation Gate Review Process	Initiation	
MIRP Documentation Completed and Approved by QAT	Initiation	
RFO Process and Award	Initiation	
Review EPMO Business Case and Initiation Gate Review – Request AD and DD approval to proceed to Planning Phase	Initiation	
EPMO Kick-Off – Project Starts	Planning	
Finalize Project Requirements	Planning	
Develop Project Plan, Test Plan, Training Plan	Planning	
Complete Planning Gate Review –	Planning	
Schedule Testing, Training, Implementation	Planning	
Testing	Execution	
Training	Execution	
Implementation	Execution	
Complete Execution Gate Review - Request AD and DD approval to proceed to Close Out Phase	Execution	
Complete Lessons Learned	Close Out	
Complete Close Out Report and Gate Review – Request AD and DD approval to close project	Close Out	

Dependencies / Related Projects and Initiatives [23]: Identify project dependencies or related efforts. For example, identify any efforts that must be completed before this project can start or complete such as a dependency on other projects, procurements, or work orders.

Description of Effort	Dependency / Relationship

Procurement	Example: <i>Dependency: Hardware must be procured prior to configuration and testing of end product.</i>
Interface with ABC	Example: <i>Dependency: The ABC project must be completed and functional before the interface for this project can be developed, tested and implemented.</i>

Risks/Assumptions/Constraints [24]: List any risks, assumptions, or constraints (i.e. budget constraints, date constraints, lack of resources, shift in priorities, etc.) There should be risks, assumptions, and constraints identified for all projects.

Risk/Assumption/Constraint	Describe the risk, assumption or constraint	Describe mitigation

Project Success Factors [25]: Identify and describe the measures that will be used to determine project success after completion. Describe how the performance measurement will be captured.

Measurement	Description	Approach to Taking Measurement

Alternatives [26]: All business problems may be addressed by any number of alternative projects. While the business case is the result of having selected one such option, a brief summary of considered alternatives should also be included—one of which should be the status quo, or doing nothing. The reasons for not selecting the alternatives should also be included.

Alternative Option	Reason for Not Selecting Alternative Option

Other [27]: Provide any additional information that you believe would help the Agency understand the benefits of this project and/or any key challenges.

--

Impact Analysis [28]:

IT Impacts: Describe the technical business functions or procedures that would be modified or automated by the project

Functions/Services	Description of Modifications/Automation/Required Changes

Impacted Processes: Describe the technical processes that would be modified or the manual processes that would be automated by the project

Processes	Description of Modifications/Automation/Required Changes

Current Software: Describe the agency's existing software that will be modified or replaced by the proposed project

Software Items	Description

Current Hardware: Describe the agency's existing hardware that will be modified or replaced by the proposed project

Hardware Items	Description

Other Operational Impacts: Describe the need to create, update or modify any policies, reports, administrative rules, etc., including the General Manual, Publications, records retention schedule, or reports to the Legislature.

Operational Items	Description

Training Impacts: List anticipated training needs. In the description section, identify training expectations including who will be responsible for providing the training.

Training Need	Description
Example: User training for new application	Internal users will need to be trained on the new application before the system is implemented. External users will be trained after implementation. Internal users will receive in person training from the contractor. External users will be trained via a web-based training program.

Business Case Team Approval [29]: The Business Case (BC) team members are representatives from each of the Stakeholder divisions who are assigned to participate in the development of the BC. BC team members will be required to review the BC and provide a decision regarding the content.

**Note: If a BC team member disapproves the content of the BC, please provide a specific reason in the BC Document Review Decision column.*

Team Member	Title	BC Team Tasks	Division	Review Date	BC Document Review Decision (Approve or Disapprove)
[Enter the name of the individual who must review the Business Case]	[Enter the Title]	[Enter the role of the individual who must approve]	[Enter the Division]	[Enter the date the BC was reviewed]	[Specify a decision if the Business Case is approved or on hold for further information.]
[Enter the name of the individual who must review the Business Case]	[Enter the Title]	[Enter the role of the individual who must approve]	[Enter the Division]	[Enter the date the BC was reviewed]	[Specify a decision if the Business Case is approved or on hold for further information.]
[Enter the name of the individual who must review the Business Case]	[Enter the Title]	[Enter the role of the individual who must approve]	[Enter the Division]	[Enter the date the BC was reviewed]	[Specify a decision if the Business Case is approved or on hold for further information.]

Project Stakeholders Business Case Approval [30]: Project Stakeholders are required to provide a decision on the Business Case document and the Initiation Gate Review document. Approval of both documents signifies the Stakeholder agrees that the project can move forward. Disapproval of one or more documents signifies the Stakeholder does not agree that the project can move forward.

**Note: If a Stakeholder disapproves the content of the BC, please provide a specific reason in the Review Decision column.*

Name	Title	Role	Division	Review Date	Review Decision (Approve or Disapprove)
[Enter the name of the individual who must approve the Business Case]	Division Director	Project Sponsor	[Enter the Division]	[Enter the date the BC was reviewed]	[Specify a decision if the Business Case is approved or on hold for further information.]
[Enter the name of the individual who must approve the Business Case]	Division Director	Project Stakeholder	[Enter the Division]	[Enter the date the BC was reviewed]	[Specify a decision if the Business Case is approved or on hold for further information.]

[Enter the name of the individual who must approve the Business Case]	[Enter the Title]	[Enter the role of the individual who must approve]	[Enter the Division]	[Enter the date the BC was reviewed]	[Specify a decision if the Business Case is approved or on hold for further information.]
[Enter the name of the individual who must approve the Business Case]	[Enter the Title]	[Enter the role of the individual who must approve]	[Enter the Division]	[Enter the date the BC was reviewed]	[Specify a decision if the Business Case is approved or on hold for further information.]

Attachment C – Enterprise Project Plan Template

TXDPS - EPMO

[Project Name]

Project Number:[###]

Enterprise Project Plan

EPMO Project Manager: [Name]

Project Approval Date: [Enter the Date of Director Approval to make the project active]

Version 0.1 of this document will be produced by the EPMO and provided as part of the Kick-off. This document will serve as the boundaries and guide under which the project will execute.

The Project Manager is responsible for updating the document throughout the project lifecycle and for obtaining needed approvals.

The latest approved version of this document, or division equivalent documents, is to be stored on the Enterprise Project SharePoint site at all times.

Revision History

Version Number	Date	Description	Author	Distribution
0.1	Enter Date Produced by EPMO	This is the initial version of the EPP established and authorized through the EPMO and PPP-2A and PPP-2BB Approvals.	Insert Name of EPMO Project Manager	Program Sponsor, Project Sponsor, EPMO Proj Mgr, Stakeholder ADs
1.0	Enter Date of Revision	Describe revisions that were made to the above version	Insert Name of Program or Project Manager responsible	Program Sponsor, Project Sponsor, EPMO Proj Mgr, Stakeholder ADs, [Enter additional recipients]

Version 0.1 of this document will be produced by the EPMO. Subsequent drafts will then increase by “0.1” within the version number (0.1, 0.2, 0.3, etc.). Once all approvers have reviewed/approved the requested changes and all comments have been addressed the final version of this document will become Version 1.0. If any changes need to be made to Version 1.0, the version number will increase by “1” to version 2.0, 3.0, 4.0, etc.

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Enterprise Project Plan Approval

Seek approval from all key leadership that should provide approval. At a minimum, approval is required from the Program Sponsor, the Project Sponsor, any Division Director who will have resources assigned to the project and/or that were identified as key stakeholders for the project, the EPMO, and the Project Manager.

Approving the Enterprise Project Plan (EPP) means that the signatory agrees with the content as presented here, agrees to use this EPP as a basis for the project, and agrees to keep the information in the EPP current and relevant.

Approver Name	Approver Title	Approvers Role	Division	Approval Date	Approval Decision
[Enter the name of the individual who must approve the EPP.]	[Enter the Title]	Program Sponsor	[Enter the Division]	[Enter the approval date of the EPP.]	[Specify a decision if the EPP is approved or on hold for further information.]
[Enter the name of the individual who must approve the EPP.]	[Enter the Title]	Project Sponsor	[Enter the Division]	[Enter the approval date of the EPP.]	[Specify a decision if the EPP is approved or on hold for further information.]
[Enter the name of the individual who must approve the EPP.]	[Enter the Title]	EPMO Project Manager	[Enter the Division]	[Enter the approval date of the EPP.]	[Specify a decision if the EPP is approved or on hold for further information.]
[Enter the name of the individual who must approve the EPP.]	[Enter the Title]	[Enter the role of the individual who must approve]	[Enter the Division]	[Enter the approval date of the EPP.]	[Specify a decision if the EPP is approved or on hold for further information.]

Project Overview

Describe what the project will accomplish, what's in and out of scope.

Document Purpose

The Enterprise Project Plan (EPP) is required for all Enterprise Projects and will serve as the boundaries and guide under which the project will execute and be managed.

It identifies the processes used to manage all areas of the project and delineates responsibilities for various project stakeholders. The document explains the project team and their roles in managing and communicating the progress of project activities, as well as how to mitigate risk and address issues as they arise.

This document, through inclusion of the Project Request and Business Case, also identifies scope and resources and provides the direction and constraints the project will operate under.

This document also serves as a communication tool to provide consistent understanding among key stakeholders regarding aspects of the project. Most importantly, it illustrates what the project is, why it exists and who is impacted. It provides all the stakeholders with the same information and a basis upon which questions can be addressed.

Additional elements may be added to this document to meet the needs of the project. Existing elements may not be removed, nor can any content that exists in version 1.0 be modified without the approval of the EP MO.

The EPP must be updated and approved any time a change triggered by stakeholder request, shifting Agency priorities, deliverables are ready to be added, and/or any other reason that results in the information contained within being considered out of date or no longer valid.

Required Project Elements

These elements cannot be removed and the Responsible, Owner, Approver, and Informed Columns cannot be modified. Contributor can be adjusted based on the need of the project. Additional Deliverables can be added based on the need of the project.

Element	Responsible	Owner	Approver	Contributor	Informed
Enterprise Project Plan (EPP)	v0.1 EP MO Subsequent versions – Project Manager Final Document at closeout - EP MO	EP MO	EP MO Project Sponsor Sponsor ADs of divisions that have resources assigned to the project Project Manager	Team Members	Stakeholders
Project Schedule	Project Manager	Project Sponsor	Managers of resources assigned to tasks in the schedule	Team Members	ADs of divisions that have resources assigned to the project EP MO Stakeholders
Project Budget	Project Manager	Project Sponsor	Project Sponsor Program Sponsor AD of Finance	Project Sponsor Finance Business Lead	EP MO
Implementation Plan	Project Manager	Project Sponsor	Project Sponsor ADs whose divisions are impacted by implementation	Team Members	Stakeholders EP MO
Issue Log	Project Manager	Project Sponsor		Team Members	Stakeholders EP MO
Operations and	Project Manager	Project	Project Sponsor		Stakeholders

Transition Plan		Sponsor	ADs whose divisions are impacted by going operational		EPMO
Change Log	Project Manager	EPMO	Per Enterprise Change Management Process	Team Members Stakeholders	Stakeholders
Risk Register	Project Manager	Project Manager		Team Members Stakeholders	Stakeholders EPMO
Project Status Reports	Project Manager	EPMO	Project Sponsor		Stakeholders
Quality Management Plan	Project Manager	Project Sponsor	Project Sponsor Stakeholder ADs	Team Members	Stakeholders EPMO
Close-out Report	EPMO / Project Manager	EPMO	Project Manager Project Sponsor Stakeholder ADs EPMO Program Sponsor Director EPMO	Team Members	Stakeholders

Project Oversight

Methods for the project will be influenced by the formal standard for project management the Department of Information Resources' Texas Project Delivery Framework toolset.

A project-specific SharePoint site will be used to provide:

- Project Documentation
- Visibility into the evolution of project deliverables

The Microsoft (MS) Office Suite of desktop applications, (MS Word, MS Excel, MS Project and MS Visio) will be utilized for the development and maintenance of non-software/hardware deliverables, such as status reports, plans and risk/issue logs. Non-software/hardware deliverables such as Incident Logs and Progress Reports will be stored on the project SharePoint site. Planview Enterprise will be used by the Agency IT Department for timekeeping.

The project will be subject to TXDPS' Change Control Board (CCB) process. This requirement is mandatory for Contractor hosted and TXDPS hosted packages. TXDPS shall initiate and manage the change control process. The purpose of TXDPS IT Change Management (CM) is to ensure that Change Requests (CRs) to the TXDPS systems are properly reviewed, authorized, implemented and tracked with minimum disruption to service levels. The purpose of our change management policy is to ensure accountability, communication, transparency and visibility between the selected vendor and the business. Once the change request is approved by the business and stakeholders, what is changing and where it is changing, along with test plans, test results, and communication processes for before and after a change will be submitted in the change request to the CCB.

Project will complete a Close-Out Gate Review to complete both project management and technology-related activities and deliverables.

Project Roles and Responsibilities Matrix

Insert additional roles as needed for the project.

Role	Name	Division	Project Responsibilities
Program Sponsor	<Name>	<LE or Services>	Approves EPP, and Closeout. Monitors progress of project via EPMP. Approves funding for projects.
Project Sponsor	<Name>	<Division Name>	Approves EPP, and Closeout. Supports Project team in resolution of issues and mitigation of risks that impact the project.

EPMO	<Name>	<Division Name>	<p>Facilitates communication across divisions and coordinates dependencies between projects. Assists with resolution of escalated issues and risks. Monitors project status and health and briefs Executives on status. Facilitates closeout. Ensures program alignment, directs program management, and conducts gate reviews.</p> <p>Responsible for managing all of the project goals and objectives on time and within a set budget and scope for the project within their division. Project managers have the responsibility for the planning, execution, monitoring of any project and are accountable for accomplishing the stated project objectives within their division.</p>
Team Leads	<Name>	<Division Name>	<p>Oversees work performed by individual team members within their particular business area or functional unit.</p>
Team Members	<Name>	<Division Name>	<p>Individuals that are responsible for addressing project tasks.</p>
<List Other Roles on Additional Rows>	<Name>	<Division Name>	<p>Briefly explain the responsibilities on the project.</p>

Communication Plan

Communication between project stakeholders is critical in ensuring that all parties remain up-to-date on project tasks, activities, and the schedule. The project uses multiple tools and techniques to ensure that this communication occurs, including regular status meetings and status reports. The details of the communication tools used on the project are summarized in the sections below.

1.1 Scheduled Meetings

Complete one block of the following table for each planned meeting directly related to your project.

	<i>Kick-off</i>
Purpose	Formally introduce key players and review the EPP, scope, roles and responsibilities.
Frequency	One Time per Project
Chairperson	EPMO
Minutes by	EPMO
Required Attendees	Project Sponsor, Project Manager, Stakeholder ADs, Team Leads
Optional Attendees	
Agenda	Introductions, Roles & Responsibilities, EPP, Project Management Plan, Next Steps
Minutes copied to	Attendees
Media	The EPMO will distribute the minutes via email and store an electronic copy.

	<i>Project Team Status Meetings</i>
Purpose	Briefly define the objectives of the meeting
Frequency	Specify how often the meeting is held, and the start and stop time
Chairperson	Project Manager

Minutes by Name the person who takes the minutes
 Required Attendees Name all the other required attendee roles
 Optional Attendees List the roles that must be notified with the option to attend
 Agenda List the standard agenda items
 Minutes copied to Attendees, EPMO
 Media The Project Manager will email the minutes and store an electronic copy.

Executive Briefings

Purpose To update Executive leadership on the status of projects, issues, or wins.
 Frequency Monthly or as-needed at the discretion of the Program Sponsor and EPMO
 Chairperson EPMO
 Minutes by EPMO
 Required Attendees Director, Deputy Directors, AD
 Optional Attendees List the roles that must be notified with the option to attend
 Agenda Closeouts, New Starts, Red Projects, Major Issues, Big Wins
 Minutes copied to Name anyone who should receive a copy of the minutes
 Media Specify how the minutes are produced and distributed

Lessons Learned

Purpose Discuss and document successes and areas for improvement that future projects would benefit from referencing.
 Frequency As needed, with one meeting occurring prior to close-out.
 Chairperson EPMO
 Minutes by EPMO
 Required Attendees Team Members
 Optional Attendees Stakeholders
 Agenda Project Risks, outcomes, and lessons learned; Project Issues, outcomes and lessons learned; What led to success stories; What led to opportunities for improvement;
 Minutes copied to Attendees, Project Sponsor
 Media The EPMO will email the minutes and store an electronic copy.

Close-out

Purpose Review close-out with team and validate there are no open issues, incomplete work, etc. prior to obtaining official sponsor sign-off.
 Frequency Specify how often the meeting is held, and the start and stop time
 Chairperson EPMO
 Minutes by EPMO
 Required Attendees Project Sponsor, Project Manager, Stakeholder ADs, Team Leads
 Optional Attendees Program Sponsor,
 Agenda List the standard agenda items
 Minutes copied to Attendees
 Media The EPMO will email the minutes and store an electronic copy.

1.2 Reporting

Because the status report provides comprehensive information about the project’s progress, the content of the report includes information on all project activities, the status of progress within each phase, an update on key project events and accomplishments, and information about milestones and deliverables. As it is important to understand current as well as prospective progress, the status reports also outline the key project activities, milestones, and deliverables anticipated for the coming reporting period as well.

Complete one block of the following table for each type of regular report directly related to your project.

	Project Status Report
Purpose	To provide Executive leadership with insight into the status and progress of the project.
Frequency	See instructions located in the project status report template.
Developed by	Each Project Manager or division designee will produce a report that reflects the status of work activity within their division per the instructions in the project status report template.
Distributed to	Each Project Manager or division designee will submit the report to the EPMO per the instructions in the project status report template.
Media	The report will be stored and distributed per the instructions in the project status report template. <i>Insert location to reports here.</i>

	Corrective Action Plan
Purpose	Corrective Action Plan reports will be developed to demonstrate the plan for getting projects with a Red health status back to Green.
Frequency	Weekly until the project is green.
Developed by	Project Manager
Distributed to	Project Sponsor, Team Members, and Executive Sponsor
Media	The report should be disseminated via email. <i>Insert location to reports here.</i>

	Project Schedule
Purpose	To keep all stakeholders informed of the status of individual work tasks.
Frequency	Weekly
Chairperson	Project Manager or division designee
Distributed to	EPMO, Project Sponsor, Team Members
Media	Publish on SharePoint site

	DIR Reporting
Purpose	<i>Insert information here pertaining to required DIR, LBB, QAT reporting, etc. if applicable.</i>
Frequency	<i>Specify how often and when the report is produced</i>
Chairperson	<i>Name the person who writes the report</i>
Distributed to	<i>Name the people to whom the report is distributed</i>
Media	<i>Specify how the report is produced and distributed</i>

	Closeout Report
Purpose	This document will provide executive leadership with insight into the results of the project and serve as the vehicle to seek formal approval for closing the project out.
Frequency	One time
Chairperson	EPMO
Distributed to	Project Sponsor, Stakeholder ADs, Project Team, Program Sponsor, EPMO, Director
Media	The EPMO will work with the team members to document the information and then disseminate for approvals via email.

	Report Name
Purpose	<i>Briefly describe the purpose of the report.</i>
Frequency	<i>Define the interval for producing the report.</i>
Chairperson	<i>Person responsible for developing the report.</i>
Distributed to	<i>List the resources that will receive a copy of the report.</i>
Media	<i>Describe how the report will be delivered and stored.</i>

1.3 Other Communications

Communication with Sponsor

The Project Manager will notify the EPMO when they are planning to meet with a sponsor to provide opportunity for the EPMO to participate.

Communication between project stakeholders is critical in ensuring that all parties remain up-to-date on project tasks, activities, issues, risks, and plans. The project uses multiple tools and techniques to ensure that this communication occurs, including regular status meetings and status reports.

Issue Escalation

The Communication Plan / Escalation Plan is included in the Project Register. *(Insert Link)*

Resource Tracking

Resource hours will be tracked via Planview by the EPMO Project Manager on a weekly basis to capture the time invested by EPMO and IT staff on the project. The EPMO Project Manager must be able to provide the EPMO and project sponsor with hours invested to date, within a specific time period, and projected hours that will be required. The EPMO Project Manager will work with ADM and IT management to engage the appropriate resource managers to ensure availability of resources to execute key project tasks.

The business division is responsible for tracking resource hours and reporting the accumulative hours to the EPMO Project Manager monthly, or as requested.

Schedule Management

Schedule Management defines, sequences, and determines the duration of project activities. The process for defining activities includes identifying the tasks to produce deliverables, documenting dependencies, and estimating the number of hours required to complete each task. Effective Schedule Management is obtained by developing and managing the project schedule.

The project schedule is used to communicate the progress of a project to stakeholders. Project Managers should update their team's progress regularly. Reports will be generated from this data and should be made available for stakeholder review.

The Project Manager is responsible for keeping the schedule up to date.

The schedule must include, but is not limited to, the following information:

- Date of Schedule Revision
- A list of all tasks
- Ownership of task (listing the resource(s) that will address each task)
- An estimate of the amount of work for each task in hours
- An estimate of the duration of time (from start to finish) for each task in days
- Resources assigned to each task
- Projected start and finish dates for each task
- Dependencies between tasks
- Dependencies on external entities
- Project milestones indicators

The EPMO Project Manager, Development Lead and Test Lead shall provide documentation sufficient within a Change Request (CR) for the Change Control Coordinator (CCC) to complete a CR analysis. This information is required to sufficiently gather and identify project resources and requirements for all applications (modified and new), to validate existence of required testing environment. The Project Lead will add the project to the agenda of the weekly Change Control Board (CCB) meeting when all build and release artifacts are ready for promotion into PRD. Build artifacts will be provided in advance for review by the CCC prior to the CCB meeting.

1.4 Location of Schedule

Link to MS Project Schedule is located on SharePoint. *(Insert Link)*

Budget Management

The Project Sponsor will be responsible for developing the initial budget for the project, tracking the budget throughout the project, and handling changes made to the budget. Managing the budget appropriately helps determine the health of the project.

Operating within the constraint of a set budget and making adjustments to the budget are necessary activities for a project as certain costs may need to be added, changed, or removed from the project's budget, thus reflecting the current financial status.

The budget information is located in the TXDPS Finance System and tracked by an Enterprise Project Number assigned to each project. Project Milestones and personnel costs are monitored by the Project Manger weekly.

Procurement or Acquisition Management

The purpose of the Procurement or Acquisition Plan is to define the procurement requirements for the project and how it will be managed. The plan establishes the procurement framework for the project and serves the guide for managing procurement throughout the life of the project and will be updated as acquisition needs change. The plan should be defined enough to clearly identify the necessary steps and responsibilities for procurement from the beginning to the end of a project to ensure that the plan facilitates the successful completion of the project and does not become an overwhelming task in itself to manage.

Explain how the project's procurements will be managed here.

Link to Acquisition Plan (Insert Link)

Requirements Management

Requirements Management is conducted throughout the lifecycle of the project and includes all areas of the project. All team members have the responsibility of identifying and understanding the scope of the project requirements.

During the Planning and Design phase of the project, sessions are held with the appropriate personnel in an effort to come to a mutual understanding of the requirements and to document the business and functional requirements and processes.

This process also allows potential stakeholders insight into requirements that impact them that were not defined by them.

It is the responsibility of the project manager to ensure the information is attached and up to date.

Change Management

Change Management is a systematic approach to managing impact to cost, scope, schedule and quality throughout the project. The Change Management Process defines the process that will be used for requesting and managing changes to the project. This process defines how a change is reviewed, who has authority to approve a change, and lists the project documentation that must be changed to reflect the change to the project. Change Management also facilitates communication about project changes, including impacts, status, and resolution, to the stakeholders.

This project will adhere to the Enterprise Change Management process and procedures owned by the EPMO.

Issue Management

Issue Management involves identifying issues that can affect successful completion of the project if not resolved. This section defines how issues are identified and managed throughout the project.

Once issues are identified, they are continuously managed by the Project Manager.

Explain how the project's issues will be managed, including issue identification, owner assignment, and tracking to resolution.

1.5 Issue Log

The project issue log is used to track and communicate the status of issues impacting the project to stakeholders. Reports are generated from this data and are reviewed at project and program status meetings. The Project Manager is responsible for maintaining the log.

The log must include, but is not limited to, the following information:

- A list of all issues
- Issue ID
- Issue Name
- Date Issue Raised
- Issue Raised by (person or persons)
- Description of Issue
- Severity of Issue (JIRA Defects)
 - Blocker – Issues that stop or block the project and will cause the project to go Red

- Critical – Issues that are in the critical path or will result in causing the project to go Red
- Major – Issues that will result in causing the project to go Yellow
- Minor – Issues that may result in the project moving to Yellow status.
- Priority of Issue
 - Urgent
 - High
 - Medium
 - Low
- Owner of Issue
- Status of Issue
- Description of Status
- Date of Closure
- Reason for Closure

1.6 Location of Issue Log

Issues are logged in the Project Register located on SharePoint. *(Insert link)*

1.7 Issue Escalation

The Project Manager will notify the Project Sponsor and EP MO via email of any issues that are classified as critical within 4 business hours of identification of the issue.

The Project Manager will update the Project Sponsor and EP MO via email as updates on the issue are available. The EP MO will notify any additional AD level or above that needs to be made aware of the problem.

Risk Management

An effective Risk Management strategy identifies risks that can be accepted versus risks that can and should be avoided or transferred. This section defines how risks are identified, managed, and controlled throughout the project, and includes the following functions:

- **Risk Identification** – Identifying internal and external risks related to the project
- **Risk Assessment** – Assessing probability of occurrence and potential impact of risks
- **Risk Mitigation Planning** – Developing avoidance, mitigation, and contingency plans
- **Risk Mitigation Implementation** – Adjusting project plans to reflect risk responses
- **Monitoring and Control** – Monitoring and controlling risks throughout the project

Once risks are identified, they are continuously managed by the Project Manager.

Risks will be reported to the project manager and recorded in the Project Risks Register. When a risk is recorded, it is evaluated for probability, impact, and exposure and a draft proposed mitigation plan is documented in the tracking document.

The project manager is responsible for ensuring risks are assessed, prioritized, tracked and managed to resolution. To accomplish this, the project manager will delegate risks to appropriate project team members, monitor progress of risks, and schedule risk status meetings. Project team members will perform analysis and document on the risk analysis in the Risk Register. Once analysis and documentation are complete, the project manager will delegate risk to appropriate project team members for resolution.

The project manager will escalate complex or high priority risks to the Executive Sponsor, Technology Sponsor, and Cyber Security officer, as appropriate, in order to augment the mitigation of the risk.

1.8 Risk Register

The project risk register is used to track, plan mitigation, and communicate on risks that could impact the project to stakeholders. Reports are generated from this data and are reviewed at project and program status meetings. The Project Manager is responsible for maintaining the register.

The register must include, but is not limited to, the following information:

- A list of all risks
- Risk ID
- Date Risk Raised
- Risk Raised by (person or persons)
- Description of Risk
- Importance of Risk
 - High

- Medium
- Minor
- Owner of Risk
- Status of Risk
- Description of Status
- Description of Mitigation
- Date of Closure
- Reason for Closure

1.9 Location of Risk Register

The Risk Register is included in the Project Register document. (Insert Link)

Quality Management

Quality Management is an active component of any project that must be shared by all stakeholders. The Project Manager will work with the project stakeholders to make sure all quality expectations and measurements for the project are well known and understood. A typical quality management approach includes three key components:

- **Quality Planning** – Defines the standards and criteria to which project quality will be measured. Many of the quality standards and criteria have been established through the contract.
- **Quality Assurance** – Ensures the activities involved in the quality processes and procedures are being followed.
- **Quality Control** – Determines whether results of work performed meet the standards and criteria established during the Planning phase.

Quality reviews are important to assess compliance with contractual requirements and agreements to specifications. The review process examines products or services from the context of quality factors or categories of product and/or service attributes. Examples of quality factors include:

- **Correctness** – The extent to which a product or service satisfies the customer requirements and the stated objectives.
- **Timeliness** – The product or service is provided when required.
- **Reliability** – The extent to which a product functions accurately or service is provided on a consistent basis.

Results and lessons learned from these reviews are used in the development or revision of work processes and procedures to ensure a cycle of continuous process improvement.

A formal Quality Management Team is formed within each project team and will assist in developing project quality standards. The Project Quality Team will be comprised of the EP MO Project Manager, Quality Assurance Team Lead and Development Team Lead to ensure effective quality management of the project and ensure adherence to the documented requirements.

The Quality Management Plan is included in Project Register. (insert link)

Training Plan

Unless specified as out of the scope of the project, it is essential to document the plan for training the resources affected by the release of this project, including end-user, customer support, and call center personnel. The Training Plan may include a pilot group before training a larger audience.

The plan includes the high-level schedule, resources, audiences, and the level of training provided, as well as any preparation that is required for a successful training experience.

Having the plan in place ensures that the necessary steps are taken at the appropriate times in preparation for conducting the training, including facilities and equipment reservations or rentals.

It is the responsibility of the Project Manager to develop a training plan for any project that identifies training as being in scope.

Explain whether or not training will be part of this project. If training is in scope, explain how the plan will be addressed and the planned distribution.

When completed, insert approved plan here.

Implementation Plan

The Implementation Plan explains the steps for putting the project end result into production, or 'going live' for the users. The plan includes the high-level schedule of the steps needed to successfully implement the product, as well as any important reminders that must be documented to ensure a smooth transition into production.

The Project Manager will work with the project team members and stakeholders to develop a sound implementation plan.

The standard system development life cycle (SDLC) will be used for this project.

- Planning (Preliminary analysis, define objectives and scope)
 - Analysis (System Analysis, Requirements Gathered)
 - Design (Describe desired features and operations, business rules, process diagrams, documentation)
 - Implementation (Integration, Migration, Testing, Deployment)
 - Maintenance (Continuous evaluation of the system in terms of performance)
-

Operations and Transition Plan

In preparation for the Project Closeout Review, a final evaluation of how well the project performed in terms of project quality, product and/or service performance, scope, cost, schedule, and other aspects of project delivery will be conducted. The Project Closeout Review will be conducted between 10 and 30 days after transition to the Operations Center is complete. At this time, the Project Closeout Report will be approved.

Once the project is complete, it may be necessary to transition the knowledge of the project or product to the Operations or Support teams. This plan includes the activities and timelines for transferring the knowledge to the appropriate teams that will be supporting the product.

The Project Manager will work with the project team members and stakeholders to develop the plan.

An Operations Support Manual will be created and turned over to the OIC. This contains system overview, diagrams of the system, escalation paths, level of service, and any known issues. This manual is created by the technical lead. It is a required document in order to present the project to the Change Control Board (CCB).

Closeout

The EPMO will be responsible for working with the Project Manager, Project Team, and Stakeholders to perform a Post Implementation Review (PIR) to validate that scope was fulfilled, all required deliverables were completed, and release of resources occurs.

1.10 Closeout Report

The EPMO will also be responsible for facilitating, gathering, and documenting the following data as part of the closeout report. The purpose is to document planned (from the PPP-2A and PPP-2B) versus actual (below) for the project and to capture information that can be used to benefit future projects.

Project Benefits

List actual or current projected cost savings, time savings, FTE re-allocation, etc. realized by the project

Project Alignment

Related To	Describe how the project benefitted or satisfied the DPS Goal.
Combat Terrorism and Crime	
Enhance Public Safety	
Strengthen Statewide Emergency Management	
Provide Essential Services	
Infrastructure	
Human Capital	

Workload Drivers

Related To	Describe how the project benefitted or satisfied the item.
Agency Strategic Objectives	
Legislative Mandate	
Audit Finding	
Other	

Timeline

Planned Project Start Date: [Insert mm/dd/yyyy] Actual Project Start Date: [Insert mm/dd/yyyy]

Planned Project Completion Date: [Insert mm/dd/yyyy] Actual Finish Date: [Insert mm/dd/yyyy]

Milestone	Actual Completion Date

Funding

Actual Amount	Index / PCA Number #	Appropriations Year (AY)	Agency Fund #	Seized Funds (Y or N)	Comp/Agency Object #	Capital Budget Project #	Grant End Date

Changes

Number of Change Requests: [Insert #]

Number of Approved Change Requests: [Insert #]

Cost of Approved Change Requests: [Insert dollar amount]

Project Success Factors

Measurement	Description	Approach to Taking Measurement	Result

Lessons Learned

This is included as part of the Close-Out Report documentation.

1.11 Approval to Close

The EPMO will review the project with the Program Sponsor and Director and obtain approval to close the project.

Glossary of Terms

AD	Division Director
CCB	Change Control Board
CCC	Change Control Coordinator
CM	Change Management
CR	Change Request
DIR	Department of Information Resources
EPN	Enterprise Project Number
EPMO	Enterprise Project Management Office
EPP	Enterprise Project Plan
MS	Microsoft
IT	Information Technology
OIC	Operations Information Center
PIR	Post Implementation Review
PPP2-A	Project Request
PPP2-B	Project Request – Business Case
QA	Quality Assurance
QAT	Quality Assurance Team
SME	Subject Matter Expert
TXDPS	Texas Department of Public Safety

Attachment D – Project Register Template

Texas Department of Public Safety
Enterprise Project Management Office

Project Register for:

PROJECT NAME

Date Created:

Date of Last Update:

PROJECT CHANGE CONTROL/DECISION REGISTER

Item	Change Description	Impact Description	Date Opened	Date Closed	Owner	Priority	Status
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							

ASSUMPTIONS LOG

Item	Assumption	Notes
1	All the relevant stakeholders will review and make decisions on the project deliverables, issues and risks as per the project schedule. Any delay in sign off will affect the schedule.	
2	Subject matter experts assigned to the project will be available as per the project plan.	
3	Additional services and requirements discovered during analysis will be addressed using the Change Control Process.	
4	Procedural changes may be necessary depending on the functional requirements	
5	All business requirements have been identified	
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

QUALITY MANAGEMENT PLAN

No.	Quality Objective	Quality Standard	Tracking Tool or Measure
1	On time deliverables	On time delivery of project deliverables	Quality Control Activities
2	Process adherence	Process execution without deviation	Quality Control Activities
3	Minimize defect rework	No more than one iteration of a specific rework	Test Summary Report Defect Reports
4	Manage Change Control	Approved changes do not impact the project by more than 10% (schedule, resources, budget)	Project Risks Action Items, Issues, Decisions
5	On-Time Phase Completion	Project phase is completed by the established finish date.	Project Schedule Project Status
6	On-Budget Project	Project is completed within budget.	Project Budget Reports Project Status
7	Vendor Deliverables Controls (Contract Management)	Project reviews show vendors deliver requirements specified in the contract by due dates	Vendor Contract Final Acceptance Contract Monitoring Reports
8	Project Scope Control	Project will be completed based on the original project scope and approved scope changes.	Enterprise Project Plan Change Control Request
9	Project Schedule Control	Monthly Project Reviews show the critical path is on schedule	WBS Project Schedule Resource Allocation
10	Managed Stakeholder Expectations	Stakeholder acceptance meetings are held to verify and validate that project deliverables are within expectations	Deployment Plan Requirements Documentation Change Control Activities
11	Managed Project Risks	Go/No Go meetings are held to verify and validate that project risks are being managed in accordance with the risk response strategies	Project Risk Register Project Closeout Report Production Readiness Review
12	Issue Management	Issues will be documented within 3 days and either closed or escalated in 15 days as indicated in the communication management plans.	Issues Register Issue Management Issue Escalation Process
13	Project Close-out Management	A Project Close-Out Report is completed within 30 days after the project deployment	Closeout Plan

Glossary

Term/Acronym	Definition
AD	Assistant Director
CCB	Change Control Board
CCC	Change Control Coordinator
CM	Change Management
CR	Change Request
DIR	Department of Information Resources
EPN	Enterprise Project Number
EPMO	Enterprise Project Management Office
EPP	Enterprise Project Plan
MS	Microsoft
IT	Information Technology
OIC	Operations Information Center
PIR	Post Implementation Review
PPP2-A	Project Request
PPP2-B	Project Request – Business Case
QA	Quality Assurance
QAT	Quality Assurance Team
SME	Subject Matter Expert
TXDPS	Texas Department of Public Safety

Attachment E – Project Closeout Template

TXDPS - EPMO

Project Name

Project Closeout Report

PM Name

< date >

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Enterprise Closeout Report Approval

Seek approval from all key leadership that should provide approval. At a minimum, approval is required from the Program Sponsor, the Project Sponsor, any Division Director who had resources assigned to the project and/or that were identified as key stakeholders for the project, the EP MO, and the Project Manager.

Approving the After Action Review means that the signatory agrees with the content as presented here and agrees that the project is closed.

Approver Name	Approver Title	Approvers Role	Division	Approval Date	Approval Decision

Close out

The EPMO Project Manager will initiate when the project is ready to go into the close out phase. The EPMO Project Manager will be responsible for working with the Project Team and Stakeholders to validate that the scope was fulfilled, all required deliverables were completed, and release of resources can occur.

1.12 After Action Review

The EPMO Project Manager will also be responsible for facilitating, gathering, and documenting the following data as part of the close out report. The purpose is to document planned (from the Project Request and Business Case) versus actual (below) for the project and to capture information that can be used to benefit future projects.

Project Benefits

Project Alignment

Related To	Describe how the project benefitted or satisfied the DPS Goal.
Combat Terrorism and Crime	
Enhance Public Safety	
Strengthen Statewide Emergency Management	
Provide Essential Services	
Infrastructure	

Workload Drivers

Related To	Describe how the project benefitted or satisfied the item.
Agency Strategic Objectives	
Legislative Mandate	
Audit Finding	
Other	

Timeline

Planned Project Start Date: Actual Project Start Date:

Planned Project Completion Date: Actual Finish Date:

Milestone	Actual Completion Date

--	--

Funding

Actual Amount	Index / PCA Number #	Appropriations Year (AY)	Agency Fund #	Seized Funds (Y or N)	Comp/Agency Object #	Capital Budget Project #	Grant End Date

Changes

Number of Change Requests: 0
 Number of Approved Change Requests: 0
 Cost of Approved Change Requests: \$0

Project Success Factors

Measurement	Description	Approach to Measurement	Taking	Result

Lessons Learned

The table below records the Lessons Learned from this project; gathered throughout the life of the project and then finalized during the Close-out Phase to include feedback from all project team members and stakeholders. The Lessons Learned identified below should be recorded in SMART fashion (specific, measurable, actionable, realistic, and time-bound).

Description What went well or what did not go well, and why?	Result / Impact What was the result of this occurring, and how did it impact the cost, schedule, resources, scope or other project success factors?	Future Recommendation In the future, what actions should be taken to repeat or avoid this?
Initiation Phase:		
Planning Phase:		
Execution Phase:		

Description What went well or what did not go well, and why?	Result / Impact What was the result of this occurring, and how did it impact the cost, schedule, resources, scope or other project success factors?	Future Recommendation In the future, what actions should be taken to repeat or avoid this?

1.13 Approval to Close

The EPMO will review the project with the Program Sponsor and Executives to obtain final approval to close the project.

Date of Executive Approval:

Attachment F – Initiation Gate Review Template

INITIATION

GATE REVIEW APPROVAL

TEXAS DEPARTMENT OF PUBLIC SAFETY

{NAME of PROJECT}

(Date)

- Approval of the Initiation Gate Review indicates an understanding and formal agreement that the project is ready to proceed to the Planning phase. By approving this deliverable, the Project Sponsor and Stakeholders agree that the agency should further invest in delivery of the project and the EPMO is validating that all required deliverables for this phase have been met. Upon review and approval by the Project Sponsor, Stakeholders, this Gate Review document will be presented to the Deputy Directors for an Executive decision prior to moving to the Planning phase in the Enterprise Project Life Cycle.

Preliminary Review of Document Completed by:	Title	Date <i>mm/dd/yy</i>

- By denoting Approved/Unapproved, the following Project Sponsor and AD Stakeholders attest that they have reviewed the content of the Gate Review document and have provided their decision for moving to the next phase of the Project.

Section 1. General Information

Project Name	
Project Sponsor	
Division	
Budget Analyst	
Project Manager	

Section 2. Gate Review Deliverables

Deliverable	Approvals Received? Y or N-explain	Location of Deliverable
EPMO Business Case		
MIRP		

Section 3. Gate Review Checklist

Item	Question	Response Y or N-issue
1.	Was the Business Case completed more than 6 months ago? If “Yes”, then add a notation to Section 4, Open Issues, to include a review of the Business Case prior to Initiation Gate Review approval.	
2.	Does the project demonstrate alignment with DPS goals?	
3.	Does the project demonstrate that it solves the business problem?	
4.	Have other alternatives been considered?	
5.	Has the impact of not doing the project been determined?	
6.	Is the project justified by the expected benefits?	
7.	Is there a projection of when the project will deliver expected benefits and business outcomes?	
8.	Were opportunities for reuse of business processes and technical components maximized?	
9.	Has funding been designated and approved?	
10.	Has the impact or benefit to all divisions been considered?	

Item	Question	Response Y or N-issue
11.	Have resources or services required by all divisions been considered?	
12.	Have related workload drivers such as Legislative, Strategic, Audit, etc. been considered?	
13.	Have impacts to Operations been considered?	

Section 4. Open Issues

Describe any open issues and plans for resolution within the context of formally approving the Initiation Gate Review. Fill in a target date for resolving identified issues.

Issue	Planned Resolution	Target Date

Section 5. Project Team Resources

Validate that the project team resources will be available to continue the next phase of the project. The EPMO Project Manager will be responsible for gathering the Project Team Resource information from the EPMO Business Case and filling out the table.

Resources/Divisions – *Fill in the type of Resource Role (e.g. SME, QA, BA, etc.) and their Division. The Resources identified will represent the staff needed for the next phase.*

Estimated Resource Hours – *Fill in the estimated resource hours for the staff that will be involved in the next phase.*

AD Review of Resource availability – *The AD reviewed their list of Project Team Resources and estimated hours of effort and denoted whether resources are Available/Unavailable to participate in the next phase.*

Projected Resource Availability Date – *The date the Project Team Resources will be available to work on the next project phase.*

Resources Unavailable - *If any of the project team resources will not be available during the next phase, the AD responsible for the unavailable team resources will need to fill out this column and describe why the resources will not be available for the next phase.*

Planning Phase Time Period	Start Date	End Date

ADs will need to evaluate and document their Division’s Resource availability to participate in the project during the Phase time period listed above.

Division Director Name	Resources / Division	Estimated Resource Hours For Next Phase	AD Review of Resource Availability Choose: Available or Unavailable	Projected Resource Availability Date	Resources Unavailable (Explain)

- 1. Please do not remove or modify content in the footer area.*
- 2. Complete the entire template. Several sections contain abbreviated instructions, shown in italics, and tables for entering content. Relevant text from other project deliverables may be pasted into content areas.*
- 3. Note: Please do not remove the italicized instructions.*

Attachment G – Planning Gate Review Template

PLANNING

GATE REVIEW APPROVAL

TEXAS DEPARTMENT OF PUBLIC SAFETY

[PROJECT NAME]

[Enterprise Project Number]

[mm/dd/yyyy]

-
- Approval of the Planning Gate Review indicates an understanding and formal agreement that the project is ready to proceed to the Execution phase. By approving this deliverable, the Project Sponsor and Stakeholders agree that the agency should further invest in delivery of the project and the EPMO is validating that all required deliverables for this phase have been met. Upon review and approval by the Project Sponsor, Stakeholders, this Gate Review document will be presented to the Deputy Directors for an Executive decision prior to moving to the Execution phase in the Enterprise Project Life Cycle.
-

Preliminary Review of Document Completed by:	Title	Date mm/dd/yy
	EPMO Director	

-
- By denoting Approved/Unapproved, the following Project Sponsor and AD Stakeholders attest that they have reviewed the content of the Gate Review document and have provided their decision for moving to the next phase of the Project.

Approver Name	Title	Approved/Unapproved	Date mm/dd/yy
[Project Sponsor]			
[AD Stakeholder]			
[AD Stakeholder]			

Based upon the Gate Review, Deputy Directors will determine one of the following result sets:

Gate Review Results	Description of Result	Explanation of Review Results	Date
Pass	Proceed to next project phase		
On-hold	Project has been placed on hold		
Failed	Project is not authorized to proceed to the next phase		

Section 1. General Information

Project Name	

Division	
Budget Analyst	
Project Manager	

Section 2. Gate Review Deliverables

Deliverable	Approvals Received? Y or N-explain	Deliverable Location
Enterprise Project Plan		
Project Register		
Requirements Document		
Microsoft Project Schedule and Task Plan (Resource Plan)		
Procurement/Acquisition Plan		
Testing Plan		
Training Plan		
Project Change Control Process		

Section 3. Gate Review Checklist

Item	Question	Response Y or N- issue
1	Does the project continue to demonstrate alignment with DPS goals?	
2	Does the project continue to demonstrate that it solves the business problem?	
3	Are quantifiable outcomes measuring success defined?	
4	Is the defined scope achievable?	
5	Are the cost, schedule, and performance baselines complete and thorough?	
6	Are the project management plans well defined and accessible?	
7	Have the projects risks been identified and ranked?	
8	Have the items that are not within scope been clearly identified?	

Item	Question	Response Y or N- issue
9	Was there a representative for each division that will be impacted or will benefit, on the project team?	

Section 4. Open Issues

Describe any open issues and plans for resolution within the context of formally approving the Planning Gate Review. Fill in a target date for resolving identified issues.

Issue	Planned Resolution	Target Date

Section 5. Project Team Resources

Validate that the project team resources will be available to continue the next phase of the project. The EPMO Project Manager will be responsible for gathering the Project Team Resource information from the EPMO Business Case and filling out the table.

Resources/Divisions – *Fill in the type of Resource Role (e.g. SME, QA, BA, etc...) and their Division. The Resources identified will represent the staff needed for the next phase.*

Estimated Resource Hours – *Fill in the estimated resource hours for the staff that will be involved in the next phase.*

AD Review of Resource availability – *The AD reviewed their list of Project Team Resources and estimated hours of effort and denoted whether resources are Available/Unavailable to participate in the next phase.*

Projected Resource Availability Date – *The date the Project Team Resources will be available to work on the next project phase.*

Resources Unavailable - *If any of the project team resources will not be available during the next phase, the AD responsible for the unavailable team resources will need to fill out this column and describe why the resources will not be available for the next phase.*

Execution Phase Time Period*	Start Date mm/dd/yyyy	End Date mm/dd/yyyy
---------------------------------	--------------------------	------------------------

*The Execution Phase begins when the Planning Phase deliverables are completed as stated in Section 2, Gate Review deliverables. (It is recognized these Planning Phase deliverables are “living documents” and will be subject to some updating as the project progresses.)

For iterative waterfall or Agile based engagements, the PM will enter:

- **Start Date:** The beginning of the Execution Phase for the initial sprint/cycle (consistent with PlanView being moved to the Execution Phase);
- **End Date:** The ending of the last sprint/cycle and est. deployment of the solution.

ADs will need to evaluate and document their Division’s Resource availability to participate in the project during the Phase Time Period listed above.

Division Director Name	Resources/ Division	Estimated Resource Hours For Next Phase	AD Review Resource Availability Choose: Available or Unavailable	Projected Resource Availability Date	Resources Unavailable (Explain)

Section 6. Project Budget

Validate that the project budget/funding will be available to continue the next phase of the project. The EP MO Project Manager will be responsible for gathering the Budget Analyst information and filling out the table.

Budget Analyst must validate and confirm that the budget information is still accurate. If the budget needs to be adjusted, note this in the column “*If funding is inadequate or unavailable...*”.

[Copy and paste PPP-2B, “Funding documentation as validated by Budget/Grant Analyst [16]”, here]

Division Director Name	Budget Analyst Name	Date AD Reviewed Budget/ Remaining Funds	If funding is inadequate or unavailable, AD's Plan to obtain	AD Projected Date Funding will be available

4. *Please do not remove or modify content in the footer area.*
5. *Complete the entire template. Several sections contain abbreviated instructions, shown in italics, and tables for entering content. Relevant text from other project deliverables may be pasted into content areas.*
6. *Note: Please do not remove the italicized instructions.*

Attachment H – Execution Gate Review Template

EXECUTION

GATE REVIEW APPROVAL

TEXAS DEPARTMENT OF PUBLIC SAFETY

[PROJECT NAME]

[Enterprise Project Number]

[mm/dd/yyyy]

-
- Approval of the Execution Gate Review indicates an understanding and formal agreement that the project is ready to proceed to the Close Out phase. By approving this deliverable, the Project Sponsor and Stakeholders agree that the agency should further invest in delivery of the project and the EPMO is validating that all required deliverables for this phase have been met. Upon review and approval by the Project Sponsor, Stakeholders and EPMO Director, the project will be presented to the Deputy

Directors for an Executive decision prior to moving to the Close Out phase in the Enterprise Project Life Cycle.

- | Preliminary Review of Document Completed by: | Title | Date
mm/dd/yy |
|-----------------------------------------------------|----------------------|--------------------------------|
| | <i>EPMO Director</i> | |

- By denoting Approved/Unapproved, the following Project Sponsor and AD Stakeholders attest that they have reviewed the content of the Gate Review document and have provided their decision for moving to the next phase of the Project.

Approver Name	Title	Approved/Unapproved	Date mm/dd/yy
[Project Sponsor]			
[AD Stakeholder]			
[AD Stakeholder]			

Based upon the Gate Review, Deputy Directors will determine one of the following result sets:

Gate Review Results	Description of Result	Explanation of Review Results	Date
Pass	Proceed to next project phase		
On-hold	Project has been placed on hold		
Failed	Project is not authorized to proceed to the next phase		

Section 1. General Information

Project Name	
Project Sponsor	
Division	
Budget Analyst	
Project Manager	

Section 2. Gate Review Deliverables

Deliverable	Approvals Required? Y or N-explain	Deliverable Location
Risk Register		
Issue Log		
Schedule		
Budget		
Procurement/Acquisition Log		
Detailed Requirements		
Change Log		
Operations and Transition Plan		
Resource Utilization (to-date and planned)		
Final Acceptance of Product or Service		
<i>Specify other supporting document (ex: DIR Framework if required)</i>		

Section 3. Gate Review Checklist

Item	Question	Response Y or N- issue
1	Have the business needs used to justify the project remained consistent?	
2	Does the project demonstrate that it is aligned with business requirements?	
3	Does the project demonstrate that it meets defined technical requirements?	
4	Did the project meet planned milestones and deliverables?	

Item	Question	Response Y or N-issue
5	Has the vendor met defined performance requirements?	
6	Was there a representative for each division, who was impacted or benefitted, on the project team throughout the project?	
7	Did the Sponsor Sign-off on Final Acceptance of the Product or Service?	
8	<i>Other – please list</i>	

Section 4. Open Issues

Describe any open issues and plans for resolution within the context of formally approving the Planning Gate Review. Fill in a target date for resolving identified issues.

Issue	Planned Resolution	Target Date

Section 5. Project Team Resources

Validate that the project team resources will be available to continue the next phase of the project. The EPMO Project Manager will be responsible for gathering the Project Team Resource information from the EPMO Business Case and filling out the table.

Resources/Divisions – *Fill in the type of Resource Role (e.g. SME, QA, BA, etc...) and their Division. The Resources identified will represent the staff needed for the next phase.*

Estimated Resource Hours – *Fill in the estimated resource hours for the staff that will be involved in the next phase.*

AD Review of Resource availability – *The AD reviewed their list of Project Team Resources and estimated hours of effort and denoted whether resources are Available/Not Available to participate in the next phase.*

Projected Resource Availability Date – *The date the Project Team Resources will be available to work on the next project phase.*

Resources Unavailable - *If any of the project team resources will not be available during the next phase, the AD responsible for the unavailable team resources will need to fill out this column and describe why the resources will not be available for the next phase.*

Close Out Phase Time Period	Start Date mm/dd/yyyy	End Date mm/dd/yyyy
-----------------------------	--------------------------	------------------------

ADs will need to evaluate and document their Division’s Resource availability to participate in the project during the Phase time period listed above.

Division Director Name	Resources/ Division	Estimated Resource Hours For Next Phase	AD Review of Resource Availability Choose: Available or Unavailable	Projected Resource Availability Date	Resources Unavailable (Explain)

Section 6. Project Budget

Validate that the project budget/funding will be available to continue the next phase of the project. The EPMO Project Manager will be responsible for gathering the Budget Analyst information and filling out the table.

Budget Analyst must validate and confirm that the budget information is still accurate. If the budget needs to be adjusted, note this in the column *“If funding is inadequate or unavailable...”*

[Copy and paste PPP-2B, “Funding documentation as validated by Budget/Grant Analyst [16]”, here]

Division Director Name	Budget Analyst Name	Date AD Reviewed Budget/ Remaining Funds	If funding is inadequate or unavailable, AD’s Plan to obtain	AD Projected Date Funding will be available

7. *Please do not remove or modify content in the footer area.*
8. *Complete the entire template. Some sections contain abbreviated instructions, shown in italics, and tables for entering content. Relevant text from other project deliverables may be pasted into content areas.*
9. *Note: Please do not remove the italicized instructions.*

Attachment I – Closeout Gate Review Template

CLOSE OUT

GATE REVIEW APPROVAL

TEXAS DEPARTMENT OF PUBLIC SAFETY

[Project Name]

[Enterprise Project Number]

[mm/dd/yyyy]

-
- Approval of the Close Out Gate Review indicates an understanding and formal agreement that the project is ready to proceed to the Close Out phase. By approving this deliverable, the Project Sponsor and Stakeholders agree that all required deliverables for this project have been met. Upon review and approval by the Project Sponsor, Stakeholders, this Close Out Gate Review document will be presented to the Deputy Directors for an Executive decision to Close Out the project.
-

<i>Preliminary Review of Document</i>	<i>Title</i>	<i>Date</i>
<i>Completed by:</i>		<i>mm/dd/yy</i>
	<i>EPMO Manager</i>	

-
- By denoting Approved/Unapproved, the following Project Sponsor and AD Stakeholders attest that they have reviewed the content of the Gate Review document and have provided their decision to Close Out the Project.

Approver Name	Title	Approved/Unapproved	Date mm/dd/yy

Based upon the Gate Review, Deputy Directors will determine one of the following result sets:

Gate Review Results	Description of Result	Explanation of Review Results	Date
Pass	Proceed to Close Out the Project		
On-hold	Project has been placed on hold		
Fail	Project is not authorized to proceed to the next phase		

Section 1. General Information

Project Name	
Project Sponsor	
Division	
Budget Analyst	
Project Manager	

Section 2. Gate Review Deliverables

Deliverable	Approvals Received? Y or N-explain	Deliverable Location
Final Resource Utilization		
Final Schedule		
Final Budget		

Deliverable	Approvals Received? Y or N-explain	Deliverable Location
Final Requirements		
Final Change Log		
Final Issue Log		
Final Risk Register		
Close Out Report		
Final EPP (or equivalent)		
<i>Specify other supporting document (ex: DIR Framework if required)</i>		

Section 3. Gate Review Checklist

Item	Question	Response Y or N- issue
1	Did the project align to DPS goals and objectives?	
2	Did the business needs used to justify the project remain consistent?	
3	Does the project demonstrate that it met business requirements?	
4	Did the project meet planned milestones and deliverables?	
5	Has the vendor met defined performance requirements?	
6	Was there a representative for each division, who was impacted or benefitted, on the project team throughout the project?	
7	<i>Other – please list</i>	

Section 4. Open Issues

Describe any open issues and plans for resolution within the context of formally approving the Planning Gate Review. Fill in a target date for resolving identified issues.

Issue	Planned Resolution	Target Date

Issue	Planned Resolution	Target Date

Section 5. Operational Resources

Validate that the project team resources will be available to continue to support/maintain the end product after close-out, if applicable. The EPMO Project Manager will be responsible for gathering the Project Team Resource information from the EPMO Business Case and filling out the table.

Maintenance/Support Resources/Divisions – *Fill in the type of Resource Role (e.g. SME, QA, BA, etc...) and their Division. The Resources identified will represent the staff needed for maintaining or supporting the end product.*

Estimated Resource Hours – *Fill in the estimated resource hours for the staff that will be involved in the maintenance or support of the end product.*

AD Review of Resource availability – *The AD reviewed their list of Project Team Resources and estimated hours of effort and denoted whether resources will Available/Unavailable to maintain or support the end product.*

Projected Resource Availability Date – *The date the Project Team Resources will be available to maintain or support the end product.*

Resources Unavailable – *If any of the project team resources will not be available, the AD responsible for the unavailable team resources will need to fill out this column and describe why the resources will not be available for the end product.*

Maintenance and Support resource information will be supplied by each AD.

Division Director Name	Maintenance and Support Resources/ Division	Estimated Resource Hours For Maintenance or Support	AD Review Resource Availability Available/Unavailable	Projected Resource Availability Date	Resources Unavailable (Explain)

Section 6. Project Budget

Division Director Name	Budget Analyst Name	Date AD Reviewed Ongoing Budget/ Remaining Funds	If funding is inadequate or unavailable, AD’s Plan to obtain	AD Projected Date Funding will be available

Validate that any ongoing costs identified for the project budget/funding will be available for maintenance and support of the end product. The EPMO Project Manager will be responsible for gathering the Budget Analyst information and filling out the table.

Budget Analyst must validate and confirm that the budget information is still accurate. If the budget needs to be adjusted, note this in the column *“If funding is inadequate or unavailable...”*.

-
- 10. Please do not remove or modify content in the footer area.*
 - 11. Complete the entire template. Several sections contain abbreviated instructions, shown in italics, and tables for entering content. Relevant text from other project deliverables may be pasted into content areas.*
 - 12. Note: Please do not remove the italicized instructions.*

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

Name of Program or Function: *Crime Laboratory Services*

Location/Division: *Law Enforcement Support Division*

Contact Name: *Division Director Mike Lesko and Assistant Division Director Brady Mills*

Actual Expenditures, FY 2016: *\$29,951,785*

Number of Actual FTEs as of June 1, 2017: *425.5*

Statutory Citation for Program: *Texas Government Code §411.141; Code of Criminal Procedure §56.065; Texas Government Code §420.034 as passed by the 85th Texas Legislature; Texas Transportation Code §724.003 and §724.016; and Texas Government Code Chapter 411, Subchapter G.*

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

The key function of the Crime Laboratory Service is to provide local and state law enforcement agencies with high quality scientific analysis of evidence and to provide law enforcement and prosecutors with analytical reports for criminal investigations. Expert witness testimony is also provided at trial when requested. Scientific analysis of evidence is currently conducted in these areas:

- Controlled Substances;
- Serology/DNA;
- Trace Evidence/Gun Shot Residue;
- Latent Fingerprints;
- Firearms/Toolmarks;
- Blood Alcohol Analysis/Toxicology;
- Breath Alcohol Analysis/Toxicology; and
- Questioned Documents and Digital Evidence/Video.

All 14 DPS crime laboratories are accredited by the American Society of Crime Laboratory Directors/Laboratory Accreditation Board to ISO/IEC 17025 standards. ISO/IEC 17025 is the international requirements for the competence to carry out tests and/or calibrations, including sampling in laboratories. This set of standards allows our quality systems to be tested to the highest set of standards in the international forensic community.

All forensic services, including expert witness testimonies, are provided free of charge.

Beginning September 1, 2009, when a sexual assault kit (SAK or kit) is collected from the adult survivor of a sexual assault, the individual has the choice to submit the evidence to law enforcement (LE) for analysis and possible prosecution, or they can have the SAK sent to DPS to be put in storage. The non-reported SAK is stored for two years to give the survivor time to decide if they want to pursue charges against the perpetrator. The collected evidence (SAK) is

forwarded to the local LE agency if the survivor wishes to follow through and have it analyzed. After two years of storage, DPS will destroy the kit if there has been no contact from the survivor.

DPS is required to pay the medical facility for the forensic evidence collection if the survivor decides to go the non-reported route. If they submit to law enforcement for analysis then the LE agency pays. For the non-reported kits, DPS pays the medical facility invoice then submits the documentation to the Office of the Attorney General (OAG) for reimbursement from the Crime Victim's Compensation Fund.

The Department is also the state's repository for DNA profiles and the Texas Combined DNA Index System (CODIS). The CODIS Laboratory is responsible for analysis and searching DNA profiles from offenders and other qualifying individuals against unsolved crimes in Texas and throughout the nation through the FBI's CODIS Program.

Two DPS laboratories also have a National Integrated Ballistic Imaging Network (NIBIN) unit for the entry of cartridge cases from seized firearms and spent cartridge cases into the national database.

The Breath Alcohol program certifies evidential breath alcohol testing instrumentation, manages the Department's Technical Supervisors, and certifies and administratively regulates Technical Supervisors employed by other agencies. Duties of the Office of the Scientific Director include certification of 380 breath testing instrument locations, more than 5,000 breath test operators, and the approval and regulation of six breath operator schools.

The 85th Legislature passed legislation requiring DPS to implement a statewide electronic evidence tracing system for sexual assault evidence. Evidence must be tracked from collection at a medical facility to receipt and storage at a law enforcement agency to submission to an accredited crime laboratory, back to storage, and through to eventual destruction.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.

The following information for Calendar Year 2016 denotes the effectiveness and efficiency of the DPS Crime Labs.

Type of Case	Number Received	Number Examined
Controlled Substance	42,739	46,281
Blood Alcohol	32,757	32,096
Toxicology	9,194	8,597
Serology	6,570	4,690

DNA	4,474	3,915
Firearms	1,267	1,106
Trace Evidence	555	658
Gunshot residue	158	174
Latent Fingerprints	1,977	1,878
Questioned Documents	57	65
AFIS	1,610	1,838
Digital Evidence	105	63
Totals	101,896	101,741

The number of cases examined in 2016 includes cases submitted before 2016 and does not include evidence submitted in 2016 that was processed and analyzed after the end of 2016.

Hours Spent on Court Preparation, Appearance, and Testimony: 9,251

The chart below provides information related to sexual assault kits collected from survivors who initially indicated they did not wish to pursue a criminal investigation.

Year	Number of Submissions	Number of Releases to LE	Number of Kits Destroyed
2009	47	2	0
2010	126	2	0
2011	150	10	0
2012	213	3	74
2013	223	7	0
2014	269	20	0
2015	522	26	603
2016	414	15	140
Totals	1964	85	817

Since the CODIS program was created in 1995, the laboratory has collected and analyzed almost one million DNA samples that have been uploaded to the state and national CODIS databases. The program has been responsible for aiding in 21,714 unsolved cases in Texas and an additional 1,235 unsolved cases outside of Texas through matches made against Texas offenders and other qualifying individuals.

Aside from the offender samples the laboratory analyses and searches, the CODIS lab is also responsible for collecting and searching forensic sample data from crime laboratories in Texas and then uploading them into the national database. There are currently over 70,000 forensic samples in the Texas database. These forensic samples have provided over 2,000 case to case matches at the state level. Some of the cases entered into the database have a suspect linked to the case. A case to case match may be able to assist investigators with an investigative lead when a solved case matches to an unsolved case. A match occurs when one person is responsible for more than one offense.

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

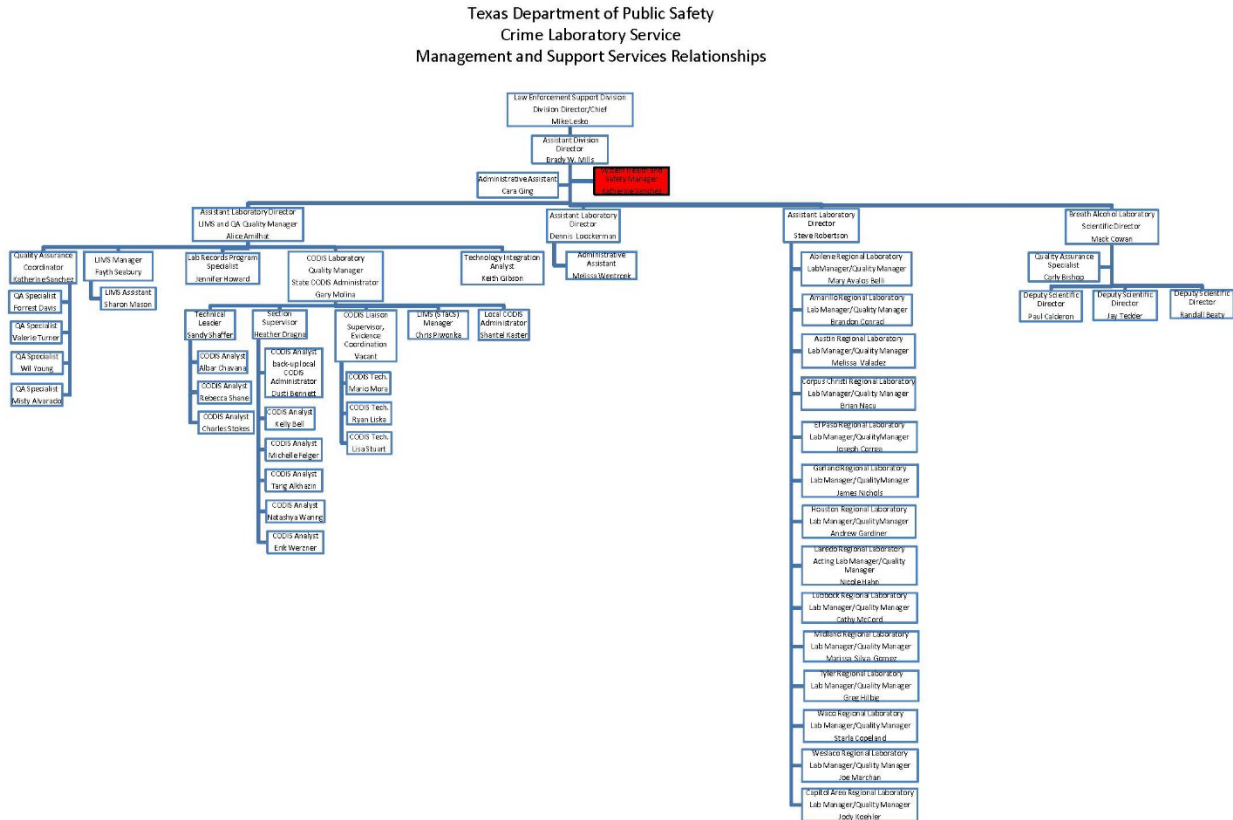
N/A

- E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.**

The Crime Lab program serves local, state, federal, and international law enforcement and prosecutorial entities and crime victims. In a larger sense, the services provided by the labs and the information generated from forensic analysis and the related systems have an almost unlimited potential to impact the general public.

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

The Crime Laboratory Service falls under the Law Enforcement Support Division (LESD) of the agency.



8/17/2017

All laboratories located throughout the state have the capability to analyze controlled substance evidence, and all but the Amarillo and Laredo labs can analyze blood/urine evidence samples for blood alcohol content.

The laboratories in Austin, Corpus Christi, El Paso, Garland, Houston, Lubbock, Tyler, Waco, Weslaco, and our Capitol Area Laboratory can examine biological evidence for DNA typing. The Capitol Area Laboratory is our only biological evidence for DNA typing only laboratory. This laboratory service the Austin Police Department through an MOU partnership.

The Austin, Garland, and Houston laboratories can examine various types of trace evidence (including hair, fibers, paint, glass, gunshot residue, shoe prints, and tire impressions), firearms and toolmarks examinations, including distance determinations and serial number restorations, are conducted in the Austin, El Paso, Garland, Houston, Laredo, Lubbock, Tyler, and Weslaco laboratories. The Austin and Garland laboratories also have a NIBIN unit.

The Austin, Garland, Lubbock, and Weslaco laboratories can examine and process evidence for latent prints (fingerprints).

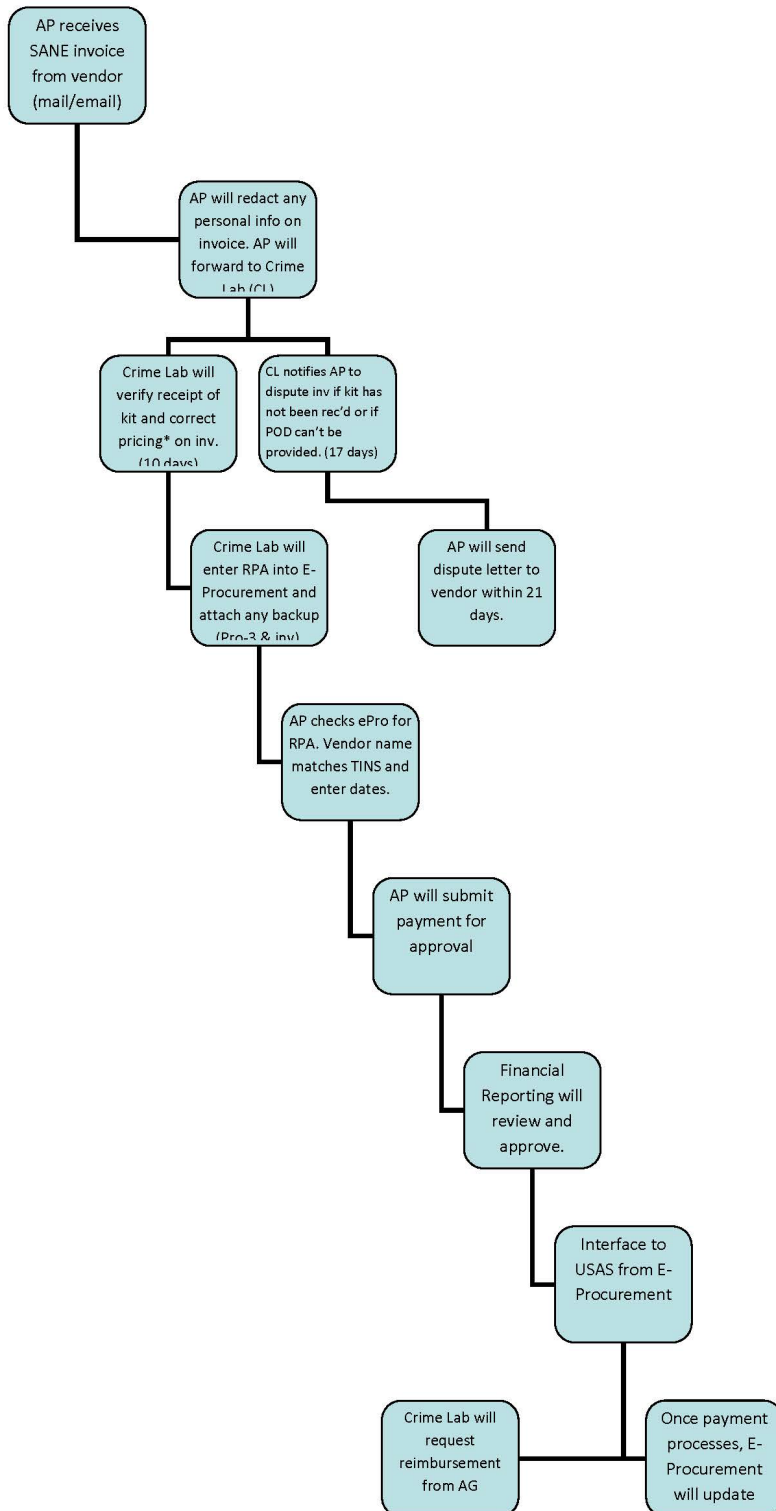
In addition, the Austin laboratory also provides services in the areas of toxicology, Automated Fingerprint Identification System (AFIS), questioned documents, and digital multimedia evidence which includes computer forensics and video and audio enhancement and recovery.

The chart below reflects the process for the non-reported SAKs.

DPS Finance AP

SANE Invoice Flowchart

Note: Interest starts 30 from the invoice receipt date or the receipt of the service/good whichever is later. Invoice must be disputed within 21 days of the invoice receipt date. *Pricing is set by form NRSA-LAB-02, which can be found at <http://www.dps.texas.gov/CrimeLaboratory/NRSA.htm>



3-21-2017

For the BALs, the state is divided into four regions administered by the Scientific Director of the BALs, three Deputy Scientific Directors, and four Regional Managers. These administrators oversee a statewide breath test program that regulates 47 technical supervisors who are assigned to 36 separate technical supervisor areas. Of the 47 technical supervisors, 30 work for DPS, the other 17 technical supervisors work for various cities, counties and private laboratories. The technical supervisors oversee the breath alcohol testing activities of more than 5,000 certified breath test operators. About half of the certified operators are DPS Troopers; the other half work for police agencies all over the state.

To operate the state's CODIS database and offender DNA laboratory, ten DPS casework DNA laboratories upload casework DNA profiles to the database. Five non-DPS forensic DNA casework laboratories from other governmental agencies also upload DNA profiles to the state database. Weekly searches of the DNA profiles are conducted by the CODIS laboratory and any matches are provided back to the local, submitting laboratory for review.

Weekly uploads of the Texas data are also submitted to the National DNA Index System (NDIS) database maintained by the FBI. Weekly searches of the NDIS database are run and any matches are sent back to the state and local laboratories responsible for the data.

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

AY 2016

Crime Laboratory Services	0001 General Revenue	\$26,343,770
	0666 Approp Receipts	\$1,834,941
	5010 Sexual Assault Prog Fund	\$1,773,073
	Total	\$29,951,785

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

City and county crime laboratories provide similar services within their city or county, as follows:

- Austin Police Department Forensic Science Services;
- Southwestern Institute of Forensic Sciences (Dallas County);
- El Paso Police Department Crime Laboratory;
- Fort Worth Police Department Crime Laboratory;
- Tarrant County Medical Examiners Crime Laboratory;

- Houston Forensic Science Center;
- Harris County Institute of Forensic Sciences; and
- Bexar County Criminal Investigation Laboratory.

The forensic laboratory services provided in some of these labs are limited, and all serve only their local jurisdictions, whereas DPS labs serve the remainder of the state.

The statewide breath alcohol testing program is divided into 36 technical supervisor areas. Twenty-six of the areas are supervised by 30 DPS forensic scientists/technical supervisors and the remaining 10 areas are supervised by 17 non-DPS forensic scientist/technical supervisors who work for various cities, counties, and private laboratories.

The non-DPS forensic scientist/technical supervisors are certified and regulated by the agency and perform the same breath alcohol testing duties as the DPS forensic scientist/technical supervisors, but they are not employed by the DPS. The non-DPS technical supervisors are primarily located in large metropolitan areas.

There is some overlap with the drug analysis laboratories operated by the Drug Enforcement Agency (DEA). The DEA does not provide forensic services to local law enforcement agencies unless the crime being investigated is a Federal offense. In many cases, the DEA does not have the resources to work all of the evidence in Federal cases so they ask DPS to work the evidence for them.

No other Texas state agencies perform scientific analysis of forensic evidence for state and local law enforcement.

Neither of the Breath Alcohol Laboratory's key functions overlap or duplicate those of another state or federal agency because Texas statutes specifically give the authority to the DPS.

The CODIS Laboratory is the federally recognized central point of contact for the FBI's CODIS program in Texas. All other participating laboratories in Texas funnel their data and communications through the CODIS Laboratory.

Each State has one designated CODIS laboratory which acts in that role based on each State's specific statute.

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

The DPS Regional Crime Labs each serve a geographical area as described in our [Physical Evidence Handbook](#). Generally, DPS labs do not serve the cities and counties listed in H above,

unless the local laboratory does not provide a service that DPS does provide. For example, the El Paso Police Department lab does not perform DNA testing, so those cases are examined by the DPS lab in El Paso.

The CLS has MOUs with Montgomery County, the San Antonio Police Department, and Williamson County for forensic services. Additional MOUs with other customers are in the works.

BAL has two MOUs to provide breath alcohol services, one with Harris County (\$300,000 annually) and the other with League City (\$100,000 annually). The Harris County MOU includes funding for three technical supervisors and the League City MOU includes funding for one technical supervisor.

MOUs are in place between the FBI and all participating Texas laboratories for the CODIS program, including the DPS CODIS lab. The Texas DPS CODIS laboratory also has an MOU in place with each of the Texas participating labs to ensure that they follow federal procedures and Texas law.

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

Other than those mentioned in Sections E, H, and I above, the agency gets reimbursed by the OAG for evidence collection expenses after they have been paid by DPS.

Certified breath test operators are employees of hundreds of governmental units including federal, state, county and city agencies.

Six of the 10 non-DPS Technical Supervisor areas discussed in H are units of governmental agencies:

1. Alamo Forensic Services (private laboratory)
2. Aransas, Nueces and San Patricio Counties
3. Ector County
4. El Paso PD
5. Fondren Forensics (private laboratory)
6. Jefferson County Regional Crime Laboratory
7. Rio Grande Valley Breath Test Services (private laboratory)
8. Southwest Institute of Forensic Sciences
9. Tarrant County Medical Examiner's Office
10. Technical Supervisor Area 022 (private laboratory)

There are six approved breath alcohol test operator schools in the state. All are governmental except one.

1. Alamo Council of Governments
2. DPS
3. El Paso PD
4. Fondren Forensics (private laboratory)
5. Midland College
6. Tarrant County College

All of the approximately 380 certified evidential breath alcohol testing instruments are located in government facilities, primarily city and county jails.

There are more than 5,000 certified breath test operators in Texas. About half of the certified operators are DPS Troopers; the other half work for hundreds local police agencies from all over the state.

The FBI Laboratory is in charge of the national CODIS Program and is responsible for procedures and policy which the Texas Labs must follow.

Local agencies collect DNA samples from qualified individuals and send them to the CODIS Laboratory for processing.

Texas Department of Criminal Justice collects DNA samples from convicted offenders entering incarceration, and sends them to the CODIS Laboratory for processing.

Federally approved laboratories in Texas send their data to the CODIS laboratory for storing, searching and uploading to the national lab.

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

- **A short summary of the general purpose of those contracts overall;**

The CLS has contracts for DNA outsourcing, Drug Analysis outsourcing, a contract for accreditation services, service contracts for software maintenance, service contracts for instrumentation, two contracts for document imaging, a contract for document destruction, a contract for biohazard waste disposal, a contract for hazmat waste disposal, contracts for evidence incineration, and contracts (including blanket orders) for Lab consumables.

- **the amount of those expenditures in fiscal year 2016;**
- **the number of contracts accounting for those expenditures;**
- **the method used to procure contracts;**

DPS follows the procurement method requirements as defined in Texas Gov't Code Chapters 2155, 2156, 2157, 2158, and 2161 and 34 Texas Administrative Code (TAC)

Chapter 20. DPS also follows the state's Contract Management Guide and Procurement Manual that are published by the Comptroller of Public Accounts.

In FY16, DPS procured goods and services using Council on Competitive Government, Texas Correctional Institute, Texas Institute for the Blind and Handicapped, Term, Managed, and TXMAS contracts available through TX SmartBuy. These contracts are managed by the Comptroller of Public Accounts, and state agencies issue purchase orders against those contracts.

DPS also procured goods and services using DIR contracts for certain technology related procurements in FY16. These contracts are managed by the DIR, but agencies can issue purchase orders and agreements against these contracts.

DPS also procured goods and services on the open market in those instances where there was no state contract in place or where the dollar amount associated with the procurement exceeded the limits of use for the state contract. For example, in FY16 SB 20 required that any technology procurements that were over 1 million be solicited on the open market. For non-technology goods that were over 25K and services that were over 100k, DPS would be required to seek delegation from the Comptroller's office before being authorized to solicit on the open market. In some cases the Comptroller would decide to perform the solicitation on behalf of the Department.

- **Top five contracts by dollar amount, including contractor and purpose;**
 - **PO-405-15-P000861** valued at \$2,008,508.00 with THE BODE TECHNOLOGY for DNA Testing Services
 - **PO-405-16-P004281** valued at \$1,605,211.33 with LIFE TECHNOLOGIES for Crime Lab Consumables
 - **PO-405-15-P003587** valued at \$510,359.00 with NATIONAL MEDICAL for Drug evidence outsourcing
 - **PO-405-15-P001873** valued at \$445,730.00 with UNIVERSITY OF NORTH TEXAS HEALTH SCIENCE CENTER for DNA Testing Services
 - **PO-405-16-P006789** valued at \$288,395.00 with NEUBUS, INC. for Document Imaging Services

- **the methods used to ensure accountability for funding and performance; and**

Each contract has an assigned contract monitor from the division that has been provided with internal training and procedures for monitoring the deliverables and performance of the contract and supplying vendor performance reports. The official contract manager in Procurement & Contract Services works with the division contract monitor, OGC, and Finance to administer and manage contract and vendor performance, ensure compliance with applicable statutes, rules, and policies, and

officially address any needed corrective action. Finance is responsible for maintaining compliance with payment rules based on validation from the division that goods and services were received and performance criteria were met.

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

The largest issue with contracting at DPS is the lack of delegated authority for many purchases from the Comptroller's office. Please see the Major Issue regarding delegated authority.

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

This program does not award grants.

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

Demand for forensic evidence analysis continues to increase each year while resources do not increase at the same pace. The Crime Laboratory has adjusted to this challenge in several ways. First we have implemented case acceptance policies that limit the number of items that can be submitted or limit the number of items that will be tested. Second, we have used agency funding to outsource backlogged cases to private laboratories in order to have more cases completed. Third, we have entered into MOUs with counties that wish to fund the salary and operating expenses of one or more Forensic Scientists to work their cases more quickly.

The challenges for the non-reported SAKs are a lack of resources. Since no funding and limited FTEs were provided to accomplish the program, the Crime Lab has had to use existing resources to perform the duties required and funding needed to accomplish the goals.

The statewide breath alcohol testing program would be more efficient and cost effective if all breath alcohol testing operations, including operator training and technical supervision, were consolidated under the DPS Breath Alcohol Laboratory. The number of fixed schools could be reduced to the one at the DPS Training Academy and a mobile school that would travel around the state could replace the other five schools. The 17 non-DPS technical supervisors could be reduced to 13. Ten would perform routine breath test area supervision and three would operate the mobile breath test certification school.

The Breath Alcohol Laboratory continues to recommend amending the current law to define the offense of driving while intoxicated as having an alcohol concentration of 0.08 or more at the time the specimen(s) of blood, breath or urine are taken. The current law requires the state to prove the defendant was intoxicated at the time the defendant was driving. This requires an expert witness to calculate the defendant's alcohol concentration at a previous time. To

accurately perform this calculation the expert needs a number of facts, many of which are known only to the defendant. These facts include the following:

1. drinking pattern
2. tolerance to alcohol (drinking experience)
3. amount of alcohol consumed
4. type of alcohol consumed
5. duration of drinking
6. time last drink finished (very important)
7. food consumed

The DWI laws in two-thirds of the states are based upon the time the specimen was taken rather than at the time of driving. This change in the law would significantly reduce prosecutorial problems and greatly simplify DWI cases in general. S.B. 27 (79R) is an example of this type of bill that was filed but did not pass.

The only barriers that affect the CODIS program's performance is the ability for probation agencies to collect DNA samples from qualifying individuals in a timely manner.

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

DPS Crime Laboratories perform laboratory work for city, county, state, and federal law enforcement agencies. Evidence is submitted to one of the 14 DPS labs. The evidence is analyzed, a report is issued, and then, the agency retrieves the evidence. A forensic scientist testifies in court when the criminal case goes to trial.

Additional information needed to gain a preliminary understanding of the Breath Alcohol Laboratory along with all of the major documents and forms used in the breath alcohol testing program are available at <https://www.dps.texas.gov/CrimeLaboratory/BAT/index.htm>.

The Texas District and County Attorney's Association has a 30-minute video that provides a good overall understanding of breath alcohol testing and the Texas Breath Alcohol Testing Program. <https://www.tdcaa.com/video/breath-alcohol-testing>

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

Name of Program or Function: *Crime Records Service*

Location/Division: *Law Enforcement Support Division*

Contact Name: *Division Director Mike Lesko and Assistant Division Director Angie Kendall*

Actual Expenditures, FY 2016: *\$21,663,822*

Number of Actual FTEs as of June 1, 2017: *290.5*

Statutory Citation for Program: *Texas Government Code Chapter 411, Subchapter F and Code of Criminal Procedure Chapters 60, 61, and 62.*

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

The Crime Records Service (CRS) manages the operations of the statewide repository of several types of Texas criminal history data. CRS collects the data, audits the submitting entities, and provides criminal history record information to authorized individuals or entities. They also maintain a public website, which provides ready access to public information such as name-based conviction and deferred adjudication criminal history record information, and a secure website for use by DPS, other criminal justice agencies, and other identified entities.

CRS provides state and national fingerprint-based criminal history record results to authorized criminal and non-criminal justice entities, and includes a clearinghouse which provides subscription services notifying authorized entities if a person of interest is re-arrested in the future. Current subscription services are limited to Texas only. They are working diligently to have the national subscription and notification services ready during the last quarter of 2017. Additional features in the clearinghouse include: photographs used as an additional biometric identifier, worklists to clearly separate the work for authorized entities, search feature to identify and subscribe to a person if the entity is authorized, and the Clearinghouse is fully electronic.

Through the competitive procurement process in 2015, a vendor was selected to create and maintain a statewide electronic fingerprinting network, the Fingerprint Applicant Services of Texas (FAST), for criminal and non-criminal justice applicants. There are currently over 140 fingerprinting locations throughout the state for applicants to utilize and the vendor provides an online schedule module for customers to select the location and time they want to be fingerprinted; electronic fingerprints and a digital photograph are captured; total appointment time is generally less than 10 minutes; and fingerprints and photographs are transmitted electronically to DPS. Mobile sites transmit the data once daily and permanent locations transmit in near real-time.

CRS provides criminal history record audit services to entities receiving name and fingerprint-based criminal history record information. Audits are completed in person or online covering

the access, use, storage, dissemination and destruction of criminal history record information. Entities are audited on the DPS and FBI security policies.

They provide training to entities receiving name and fingerprint-based criminal history record information. Trainings are completed online using our online training modules and onsite as requests are received. The trainings cover the access, use, storage, dissemination, and destruction of criminal history record information. Additionally, the trainings cover how to use the secure website, clearinghouse, and other processes. The Rap Back program provides updates to records when new activity is reported to DPS. The Rap Back program is fingerprint-based and uses the Clearinghouse as a platform for delivery. Currently, Rap Back is for Texas records only. National Rap Back will be fully operational in the last quarter of 2017.

CRS also manages the operations of the statewide repository of Texas criminal history data in the Computerized Criminal History (CCH) system. The system is comprised entirely of data reported to DPS by local criminal justice agencies under the requirements of Chapter 60, Code of Criminal Procedure, regarding arrests, prosecutions, adjudications and supervision of accused persons. In addition to providing positive identification of arrested persons, the criminal history file processes non-criminal justice applicants for licensing and employment.

As a component of the Crime Record Service, the fingerprint processing systems are part of CRS and include the Multimodal Biometric Identification System (MBIS). MBIS is composed of two interdependent subsystems: the ten print (i.e., criminal identification) subsystem and the latent (i.e., criminal investigation) subsystem. Each subsystem operates with a considerable amount of autonomy, and both are vital to public safety. The latent print or criminal identification subsystem is tasked with solving crimes through the identification of latent prints developed from crime scenes and physical evidence. The ten print system provides near-real time identification of arrested persons to law enforcement agencies. These functions are critical to complete, accurate, and timely search response of Texas and national fingerprint files. Searches of Texas and national automated fingerprint systems provide law enforcement agencies with the ability to quickly identify and hold wanted subjects who have utilized false identification to avoid prosecution for current or previous criminal acts.

The Texas Law Enforcement Telecommunications System (TLETS) and the Texas Crime Information Center (TCIC) programs ensure the immediate delivery of accurate, timely, and valid information, such as driver license, vehicle registration data, theft reports, warrants, missing person reports, and other law enforcement information. TLETS provides intrastate interconnectivity for criminal justice agencies to a variety of local, state, and federal database systems. Additionally, TLETS' link with NLETS, the International Justice and Public Safety Network, facilitates an exchange of information between criminal justice agencies across the state of Texas to their counterparts in other states. TCIC is a statewide, computerized, information system established as a service to all criminal justice and law enforcement agencies by providing and maintaining a computerized filing system of accurate and timely criminal justice information, such as wanted person, missing person, unidentified, stolen property, etc.

1. TCIC Training: Biennial training is required by FBI policy. Training is performed by DPS trainers. To accommodate the training need statewide, an associate training program has been established where local agency personnel are trained to provide TCIC/TLETS Training to local agency staff. These associate trainers are trained by DPS Trainers to ensure compliance with state and national policies and procedures.
2. TCIC Auditing: Triennial auditing of all local agency participants (1,273 agencies in Texas) is required by FBI policy. TCIC auditing is performed by the TCIC Audit staff through on-site and online audit software audits where local agency records are compared with TCIC/NCIC records to ensure compliance with policy and procedures regarding training and to compare local agency records system with TCIC to ensure accuracy, completeness, timeliness, security, and dissemination of the information contained within TCIC.
3. TCIC Control Room: A 24/7 support operation, the TCIC Control Room performs a variety of duties, such as, quality control review of records entered into TCIC by local law enforcement agencies, "help desk" support for agencies, and enforcement of FBI and Nlets policies regarding "hit confirmation" on records. Operators work with all local agencies monthly to validate active TCIC/NCIC entries to comply with FBI guidelines and to ensure records are still valid. In addition, the Control Room assists the Department of Family and Protective Services by entering families into TCIC Child Safety Alert file when they are unable to locate families they are providing service to. They assist the Texas Human Health Services Commission to provide verification of the wanted status of applicants for services with their agency that have self-identified as a fleeing felon.

The Texas Gang Intelligence Index (TXGANG) is a database of persons associated with street gangs as reported by criminal justice agencies within Texas as required by Chapter 61 of the Code of Criminal Procedure. Access to this index is restricted to criminal justice agencies as defined by 28 CFR Ch. 1.

The License Plate Reader (LPR) database consists of shared data from all participating local, state, and federal agencies, including DPS, of information associated with a license plate captured by LPRs. The captured information includes license plate numbers; latitude and longitude coordinates indicating where the plate read was captured; date/time of the capture; and the Originating Agency Identifier (ORI) information of the agency capturing the information.

CJIS Audit

As CJIS technical auditing program relates to the overall security and performance of the LE network our objective remains in high focus. Protection of LE data encompasses life safety issues for the public as well as officers. Protection of sensitive CJI data and systems also has a major part of the overall infrastructure for the State and the nation as a whole. Failure to ensure protective measures are in place would result in key information and systems being compromised. The potential costs to life and property are increasing as our technology services continue to grow.

The Texas Sex Offender Registration Program (SOR) manages the record-keeping functions of the statewide Sex Offender Registration Program and to act as the central registry in Texas for persons who are required by statute to register as a sex offender in Texas. The SOR provides these records and documents to the public, law enforcement, and other criminal justice and non-criminal justice associates through a statewide information system.

The Texas Data Exchange (TDEx) program offers a method for local and state law enforcement agencies to share data pertaining to incidents, suspects, booking and incarceration records, and other criminal justice information. This data is then made available to all law enforcement and criminal justice personnel to use in criminal investigations and background checks on prospective employees.

The Uniform Crime Reporting program (UCR) produces reliable crime statistics for law enforcement administration, operation, and management. This information is also available as a measure of the fluctuations in the type and volume of crime in Texas.

- C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.**

A&D

Effectiveness and efficiency can be demonstrated through the number of audits performed; number of applicants utilizing the FAST Program; number of name-based searches completed using the Public and Secure Websites.

Number of Audits performed: Number of entities=17,952/Number of completed audits=14,419. $14,419/17,952 = 80.3\%$ as of June 2017. In November of 2011 we only had 18.2% audited. There were 13,460 entities and 2,454 audits completed at that time. This is tremendous improvement, but the agency wants to audit 95% or greater.

Year	Number of Entities	Number of Audits Completed	Percentage Completed
2011	13,460	2,564	19%
2012	14,431	4,330	30%
2013	15,396	6,061	39.4%
2014	16,286	8,209	50.4%
2015	16,711	10,799	64.6%
2016	17,600	12,996	74.9%
2017*	17,952	14,419	80.3%

*as of June 2017

Number of Applicants utilizing FAST: In 2005 there were 11,407 applicants printed. As of June 2017, there have been 6,780,247 applicants printed using FAST. Over the last 13½ years the applicants fingerprinted for employment and licensing has increased significantly. Much of the increase has to do with the passage of legislation since 2005 requiring additional populations to be fingerprinted.

Year	Number of Fingerprints Taken
2005	11,407
2006	68,011
2007	183,102
2008	536,922
2009	678,161
2010	613,822
2011	519,453
2012	583,467
2013	701,573
2014	799,012
2015	814,477
2016	922,653
2017*	414,466
Total	6,846,536

*as of June 2017

Average number of Public Website checks completed per month: 130,000. Total number of checks in a CY/12 months.

Average number of Secure Website checks completed per month: 470,000. Total number of checks in a CY/12 months.

Year	Public Website Checks	Secure Website Checks
2011	1,326,654	4,345,634
2012	1,767,104	4,224,349
2013	1,484,591	5,421,039
2014	1,641,390	5,982,831
2015	1,838,263	5,932,009
2016	2,069,802	6,271,308
2017*	1,056,175	3,188,956

*as of June 2017

The CCH compiles the criminal histories for all individuals arrested in Texas for Class B misdemeanors and above. The CCH currently contains records for some fifteen million individuals. These records are used by criminal and non-criminal justice users alike to assist them in tasks ranging from magistrates setting appropriate bail amounts, police investigations of criminal activity, judges sentencing of defendants, to non-criminal justice agencies

conducting employment suitability determinations. CRS publishes an annual compliance report that summarizes all the dispositions reported to the CCH file that are associated with previously reported charges. The "Total Charges Reported" column includes those charges originated by the arresting agency and those added by the prosecutor. The "Disposition Completeness Percentage" column represents the percentage of charges that were reported to the DPS as having been brought against persons in the county - either through the arresting agency or the prosecutor - that were subsequently disposed, either by the prosecutor or by the court. The statewide disposition reporting completeness rate for 2015 adult arrests is 78% and for juvenile arrests is 89%. Completeness rates for 2016 reporting will not be available until 2018.

Fingerprint

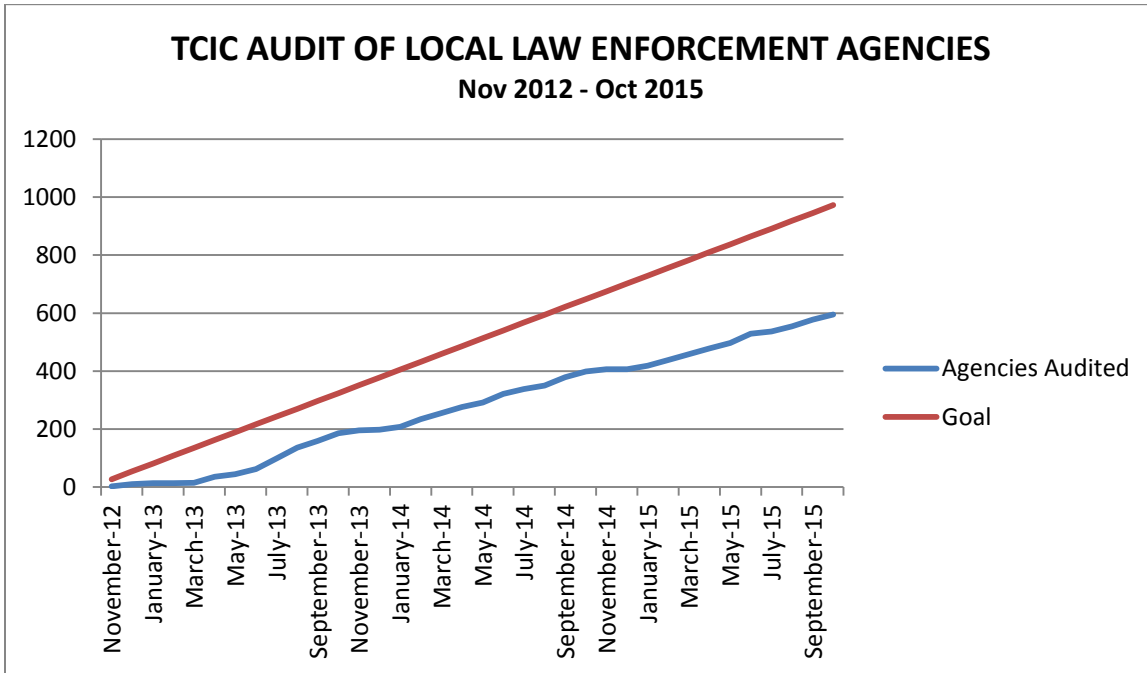
As MBIS is in transition from the ten print phase to the ten print and latent capable system, the measurement of the improved latent print matching is currently pending. However, the ten print processing clearly exceeds the performance of legacy systems. Processing of print submissions within the agency required two hour return time occurs in well over 90% of all submissions. An example of MBIS effectiveness was seen during a nine month period of 2016, where MBIS processed approximately 600,000 CNA transactions in addition to daily statewide criminal and civil transactions.

Year	Fingerprints Processed
2011	1,536,695
2012	1,542,370
2013	1,685,145
2014	1,652,330
2015	2,029,714
2016	3,877,927
2017	1,847,591

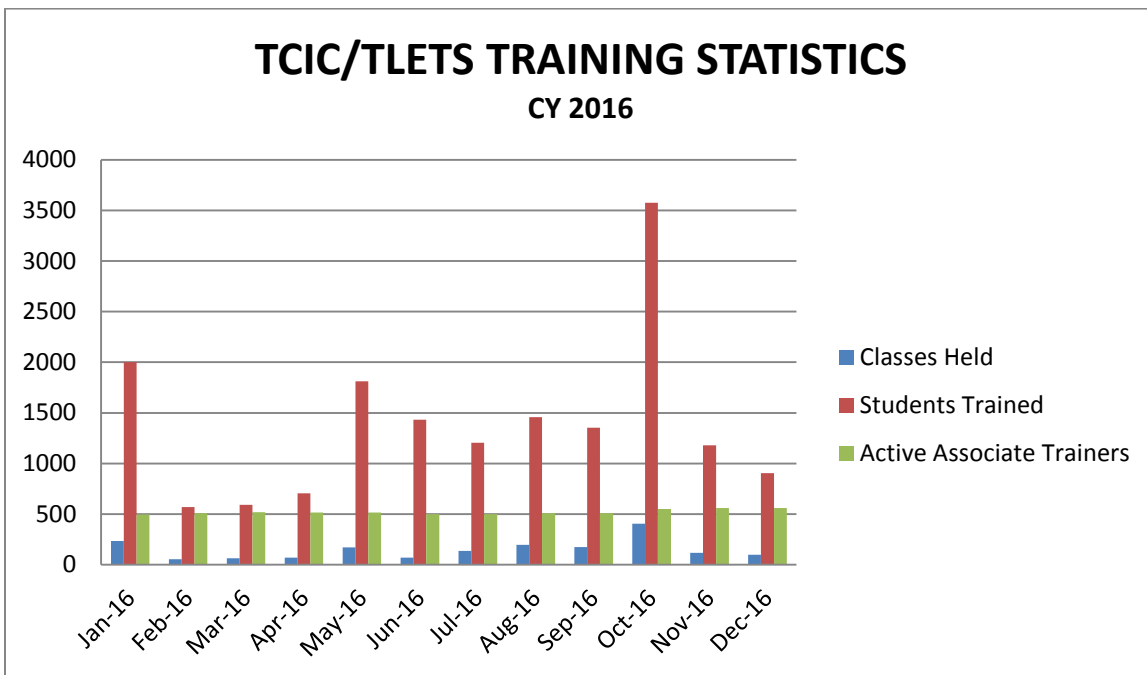
CIB

While the programs do not have any performance measures, statistics are collected on each area as they work to achieve their objectives. The TCIC Audit Unit follows a federal triennial schedule to audit all agencies within that three year timeframe. For the last audit cycle that ended October 2015, 1273 agencies were audited. With the three-year schedule and our current limited staff, we were not able to visit all agencies in person. However to accomplish the objective, the Audit staff have enlisted the use of a vendor supported audit software tool for both onsite and online audits, to provide agencies with the required audit questionnaire to ensure compliance. With the use of the online tool, Auditors still gather information about each agency and utilize the online questionnaire to focus on areas that need improvement while onsite with the agency. This allows the ability to audit more agencies per day as we are still required to compare records to TCIC entries, request information on the criminal history inquiries, review training records, and make observations about physical security and other general compliance issues. Auditors compile their findings within the audit software and return audit results to the chief or sheriff, requesting follow-up. We send additional correspondence if

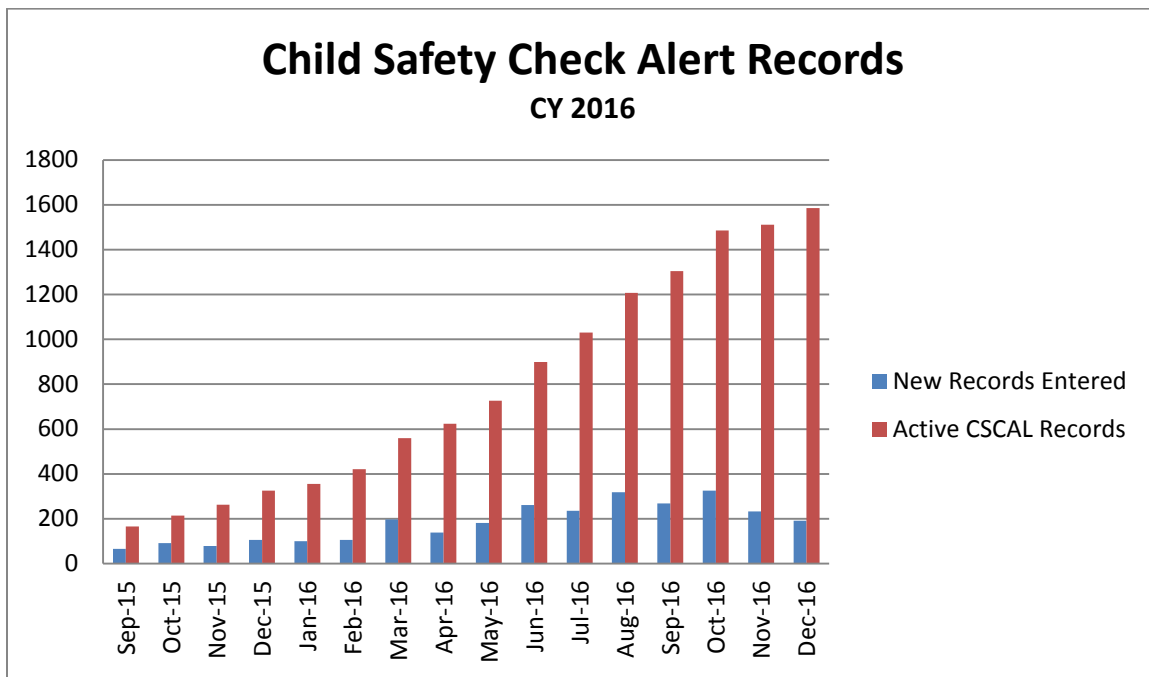
we do not receive a timely response. Compliance is good, and additional correspondence about policy is not normally required.



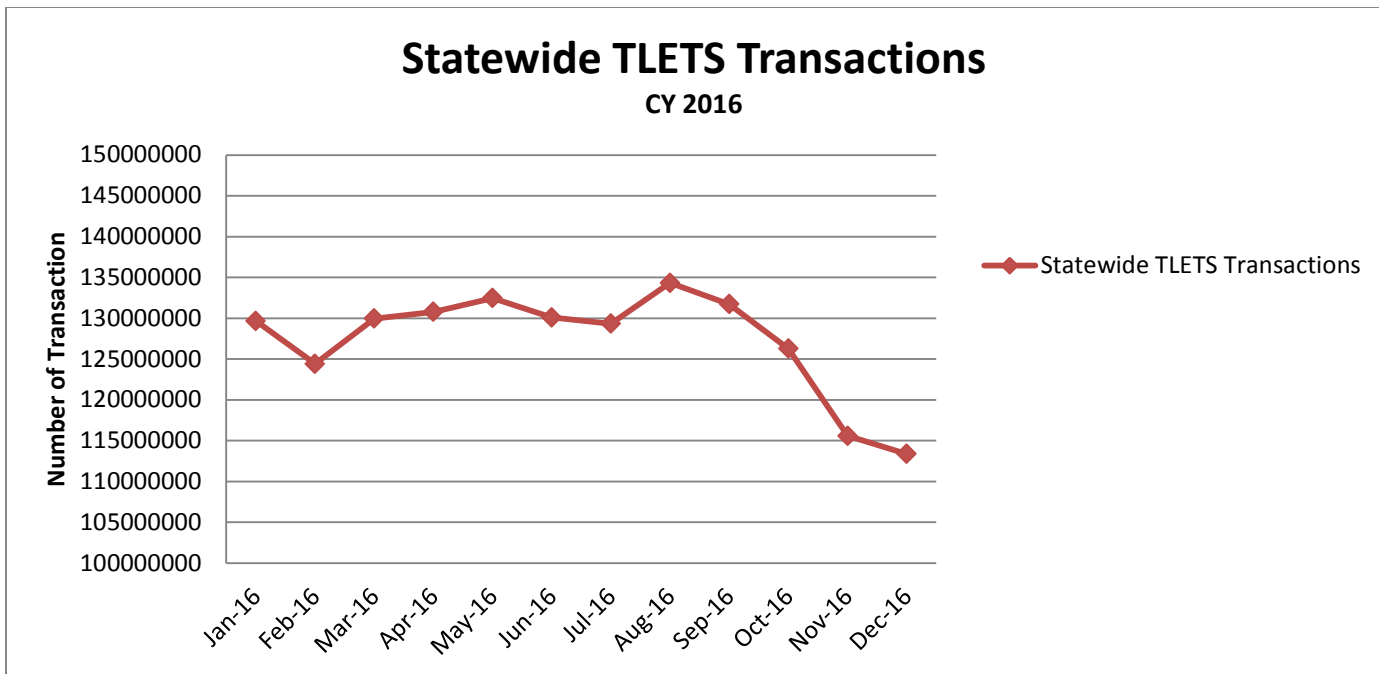
The TCIC/TLETS Training function is fulfilled through direct classroom instruction by Crime Records trainers as well as through the associate trainers that we train through our “train the trainer” classes. The Crime Records Trainers are also responsible for creating and maintain the TXGANG training.



In 2015, the 84th Texas Legislature amended Section 2631.3022 of the Family Code, directing DFPS to contact the Department when they are unable to locate children of families they are providing service to. TCIC Control Room Operators enter the child and the child’s family into the TCIC Child Safety Check Alert List (CSCAL). By entering this information into the CSCAL we are able to share this information with law enforcement agencies state wide. When a peace officer conducts a routine traffic stop it is customary to conduct a general search with TCIC/NCIC, when this search returns a CSCAL, the peace officer is alerted and follows procedures to contact DFPS.



TLETS provides intrastate interconnectivity for criminal justice agencies to a variety of local, state, and federal data base systems. Additionally, TLETS’ link with Nlets, the International Justice and Public Safety Network, facilitates exchange between criminal justice agencies across the state of Texas to their counterparts in other states. The link with Nlets allows DPS to provide critical information to the national criminal justice community and allows TLETS operators to obtain information from a variety of data base services from other states, Canada, Interpol, and private companies.



CJIS Audit

The CJIS Technical Audit program established a triennial audit schedule for all agencies which connect to the state TLETS system as prescribed by the FBI CJIS Policy. The initial cycle of audits was conducted in 2007/2008 timeframe and we have completed audits of all agencies within every three year cycle since. Each site has been audited at least twice since this time with agencies and connectivity expanding to include a total of over 1300 sites. Training and education of agencies throughout the state as it relates to the FBI CJIS policy and security best practices are a focal point of all auditor visits. Each agency is reviewed to ensure security measures and compliance for securing CJI data. As it relates to evidence of effectiveness the potential costs of data compromise and loss to individual agencies includes life safety as well as financial costs. A single instance of compromise could result in the disruption of life safety services and response as well as the damage to integrity of the agency and system as a whole.

SOR

A high public interest in sex offender registration continues to result in a large number of inquiries within the public sex offender registration website. We are accommodating these inquiries by ensuring the website has maximum availability with short periods of downtime for maintenance.

A key service we have provided to enhance that timeliness is the use of a secure sex offender website. Through this website, local reporting agencies do not have to mail in paper forms to report updates, but can update the sex offender records immediately, via the web. This has been a good success. For FY 16, we have determined the following:

Total number of changes made to records by DPS:	39,694
<u>Total number of changes made to records by local law enforcement:</u>	<u>137,864</u>
Total number of changes made by both locals and DPS	177,508

In FY 2016 the average number of Sex Offender records viewed by the public monthly was approximately 1,607,916, with a peak of 3.3 million views. Trends reflect an increase in public website searches during periods associated with back to school, Halloween and media reports related to sex offender crimes.

We are undergoing a major enhancement to the sex offender registration database and website that will incorporate upgrades requested by the users. These changes should shorten the length of time it will take a contributor to update information required for registration and give them access to additional data fields not previously available.

TDEx

As evidence of our program's effectiveness, we are able to provide "Success Stories" submitted by users of N-DEx. Users provide summaries about how the data in N-DEx assisted with their work.

Key statistics for our program would be the number of agencies participating and the amount of data we have pushed to N-DEx.

See [Crime Records Appendix 1 – TDEx Overview](#).

UCR

Currently the performance measure that is used by the LBB to measure DPS/UCR effectiveness is the Index Crime Rate. This rate is derived by dividing an agency, or whole county or whole state, index offense count (murder, rape, robbery, aggravated assault, burglary, larceny-theft or motor vehicle theft) by the state's population as supplied yearly by the FBI, and multiplying by 100,000. This formula allows for a consistent way to measure crime in any community regardless of their population size.

The problem with this performance measure is that it shows the reporting agency's performance but not the effectiveness of the UCR Program. Since UCR in Texas is a voluntary program, this performance measure has the potential to vary from year to year. Fluctuations of the rate is completely out of the control of DPS/UCR and therefore not an effective measure of our performance. Additionally, as this is a measure of crime that occurs within the local jurisdictions, the Department has no way to indicate the increase or decrease in the rate.

To effectively gauge the Bureau's performance towards achieving its objective, a better measure would be to show the number of agencies that have made the migration to IBR. For example, when HB11 was signed into law (June 9, 2015) the bureau had 62 NIBRS reporting agencies; however, by the end of that year, the Bureau showed a total of 74 IBR agencies. In

2016, the Bureau added 28 more NIBRS agencies, and so far in 2017 we have seen 23 more agencies begin reporting for a total of 126 NIBRS reporting agencies.

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

A&D

- The Access & Dissemination Bureau took on the duties of the Support Bureau due to many of their functions surrounding the financials of the Public and Secure Websites. These financial functions include invoicing, reconciliation and collection. The Support Bureau was a better fit under Access & Dissemination.
- The continued growth of the Clearinghouse to include criminal and non-criminal justice applicants. Results are now electronic and has eliminated the cumbersome manual process and FTP.
- The addition of national Rap Back that is in the final testing stages and will be operational by the last quarter of 2017. We provide Texas Rap Back now and have done so for years.
- The audits and trainings have added electronic functionality to assist with increasing compliance. In the past this was a manual, in person process. This has helped us reach out to our partners more frequently and also increase our compliance rate.
- The continued growth and significant expansion of hours of operation of the FAST program. Originally, there were approximately 80 locations. Today, there are over 140 locations located around the state. Hours in the past were typically 8 AM to 5PM Monday through Friday. Now we have added evening hours and weekends to at least 50% of the locations.

CHR Processing

- The Criminal History Record Information Processing bureau originally started out a manual operation. Through the years it has been gradually automated from paper files and fingerprint cards to electronic records and digitized fingerprint image processing. Without this automation migration, the DPS would not be able to meet the demands that are now being placed on the system. Additionally, the bureau originally addressed only the needs of the law enforcement community. However, as laws changed and access rights to criminal history data were given to non-criminal justice agencies, the workload has shifted to the point where non-criminal justice uses comprise about half of the work performed by this bureau.

Fingerprint

- In 2016, Crime Records significantly increased the biometric services offered to the State of Texas through the transition from the Automated Fingerprint Identification System (AFIS) to the Multimodal Biometric Identification System (MBIS). Throughout the decades of automated fingerprint services prior to 2016, the department's automated system improved to the last version of AFIS wherein the system capabilities increased to 12,000 ten-print and 400 latent transactions daily. The last version of AFIS had a functional storage capability of 15 million unique fingerprint records. Additionally, AFIS and mobile ID systems functioned as two separate systems.
- During January 2016 the transition to MBIS was completed with an increase in biometric services available to the State of Texas. Not only were service levels significantly increased, the system now incorporates unique fingerprint and mobile ID functions within a single system. Additionally, the system could be enhanced to include iris searches and facial recognition should the state elect to pursue these avenues in the future. The current MBIS service the system is capable of 18,000 ten-print, 500 latent inquiry, and 150 latent palm-to-palm inquiries daily. Fingerprint records storage has increased to 20 million ten-print and 250 thousand latent prints. Further, the palm database increased from 2 million to 7 million records, and latent palm database increased from 50,000 to 100,000 with the implementation of MBIS.

CIB

- While the NCIC began in 1967, TCIC did not start until the mid-seventies. The original intent of indexing local police theft reports and warrants statewide and nationally has not changed. The mission has been enhanced and expanded as the scope and nature of crime has evolved across the decades. The Missing Persons Clearinghouse and Missing Persons file received significant emphasis during the 1980's. The NCIC Gang file was added in the 1990's with ancillary terrorist organization capability that became instantly relevant in 2001. The Department was mandated by the Texas Legislature in 1999 to encourage and expedite the exchange of criminal intelligence information between and among law enforcement agencies. We responded to the mandate with the creation of the TXGANG database, which provided an interface for regional and local gang databases to enter information into TXGANG. The Department has subsequently promoted TX gang data to NCIC for situational awareness for out of state agencies.
- By working with non-criminal justice and criminal justice state agencies we are able to provide information to law enforcement personnel that are pertinent to ensuring their safety and the safety of individuals that they may come into contact with. The Continuity of Care (CCQ) File provides local and county jail personnel with information to assist jail and Local Mental Health Authority personnel care for offenders that have been diagnosed with mental impairments. Entries into the CSCAL file assist officers that may encounter families that need to be routed back to DFPS for assistance. There are various situations that can occur when an officer encounters someone listed on the

CSCAL. An officer may need to take temporary possession of the child due to reasons unrelated to CSCAL. An officer may need to release the child to DFPS. An officer may need to release the child back to the custody of the legal guardian.

- The systems and shared responsibility continue to succeed remarkably well at the core function of sharing law enforcement information in real time to the officers who need the information immediately.

CJIS Audit

- Upon establishing the triennial audit, the 80th Legislative Session provided a total staff compliment of 10 auditors, not including the Manager position. Upon creation of the auditor process the initial focus was on the establishment of the three year audit cycle and the secure configuration of connected terminals/agencies. Due to staff promotions and changes the overall staffing level has been limited for the most part with current plans to fill all remaining vacancies within the coming months. Technology growth and expansion of capabilities for connectivity to the TLETS system has increased greatly. From the initial physical connection to include smart phones, tablets and continuing changes with mobile devices, auditors have likewise expanded the scope of the secure audits to meet the ever changing landscape. Advances in areas to include the secure processing and storage of criminal justice data has resulted in a growing need by law enforcement to access and process larger amounts of data and for extended lifecycles to maintain the content. Larger data sets have resulted in more adaption of cloud technologies to assist in the storage, infrastructure and processing of data off-site from the physically secure locations. These challenges continue to impact the mission of securing CJI to meet the FBI CJIS Policy.

SOR

- The Texas Legislature has enhanced various aspects of the Texas Sex Offender Registration Program every legislative session. In recent sessions, emphasis has been placed on modifying the duties imposed upon registrants rather than enhancing information required for registration or the methodology or mechanism that is used to report or forward that information to the state repository.

UCR

- The UCR Program was created in 1929. Since that time, the Program has seen very little in the way of change. The IBR reporting methodology was introduced in the 1980s; however, agencies were slow to adopt it. However, despite this lack of change, the demand for the statistical output of UCR data has continued to increase over time and the level of detail of crime incident data requested is also increasing.
- Local agency reporting of UCR data is largely voluntary. Voluntary contribution of data to the state is not a priority to the local agencies, as they struggle with resource constraints and mandates.

- UCR reporting by the local agencies is tied to grant funding by the Office of the Governor.
- HB11 (84th) provided a goal; however, the legislature also appropriate approximately \$16 million dollars to assist agencies with the migration from SRS to IBR.
- Federal initiatives to fund migration to IBR reporting have also taken place in the state, with the National Crime Statistics eXchange (NCSx) identifying agencies within the state that met eligibility criteria to receive federal funding to convert to an IBR reporting methodology.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

A&D

The program affects anyone needing to have access to criminal history record information, whether name or fingerprint-based. To receive access to the Secure Website you must pass a name-based criminal history record check. We currently have 18,833 active users and a total of 39,585 authorized users. Active users are using the Secure Website to search for criminal history record information. Authorized users may only have supervisory functions, access only or there may have been a long period of time since their last use of the site. They are not active, but continue to be authorized.

CHR Processing

This program affects most criminal justice practitioners in the state and those segments of out of state law enforcement that have a need for Texas criminal history data to conduct their duties. Additionally, non-criminal justice agencies identified in Chapter 411 of the Texas Government Code have access to the data as does the general public for criminal history that concern convictions or deferred adjudications.

Fingerprint

The identification processes within MBIS impact virtually all Texas law enforcement, judicial, detention, probation/parole, community supervision, non-criminal justice agencies and citizens.

CIB

By FBI and DPS policy, both NCIC and TCIC are available to criminal justice agencies for criminal justice purposes with a very few exceptions. "Criminal Justice Agency" is defined in federal regulations with an almost identical definition in Ch. 411.082(3) Government Code. "Criminal justice purpose" is defined in Ch. 411.082(4) in a similar manner to federal regulations, as well. As such, TCIC serves approximately 1,200 police departments, sheriffs' offices, constables, prosecutors, probation and parole offices, the Texas Department of Criminal Justice, the juvenile justice agencies, and others via the Texas Law Enforcement Telecommunications System (TLETS), as well as law enforcement agencies across the nation via Nlets. As an example

of the rare non-criminal justice access, the federal Adam Walsh Child Protection and Safety Act of 2006 created a mandate to share information with child protective agencies who are investigating allegations of child abuse. DPS provided the personnel who have received appropriate training and background screening within the Department of Family and Protective Services direct on-line access.

CJIS Audit

The audit functions are in place to ensure the secure handling of criminal justice information. This impacts the public as well as law enforcement and ensures the data and records are maintained securely, shared effectively and limited as required to only those persons with need for access. Access to the CJIS data is limited to those who have a genuine need for the access and meet both Federal and State requirements for the access. Fingerprint based background checks, security awareness training and the ability to effectively manage the information is the focus and purpose for the audit process. Technical requirements to include the safeguarding of the data, the segmentation between non-law enforcement access and networks, the effective boundary and limits of the access as well as the technical controls needed to effectively manage and process criminal justice information are all key areas of focus.

SOR

The Texas Sex Offender Registration Program affects the victims, families of the victims, the offenders, the registration agencies, the criminal justice system, and the general public, among others. The public makes almost 1.6 million inquiries per month on the public website, clearly demonstrating interest. The victims, offenders and others are all affected by after-effects of the underlying offense and the different role that the registration program plays in each of their lives. Registration agencies are continuously challenged to find adequate resources to comply with the administrative requirements of registration, and the investigative resources to search for and apprehend the offenders that do not comply (approximately 2702 identified non-compliant registrants).

TDEx

This program affects law enforcement and criminal justice personnel. It provides them with a tool to better fulfill their assigned duties. Having arrest, incident, citation, and booking data all in one place not only saves time in investigations and background checks, but also keeps them better informed about subjects they encounter on the job.

Currently there are 12,409 users Texas users within the National Data Exchange (N-DEx).

UCR

The UCR Program affects local, state and federal agencies, media, academia, and the general public. Local agencies contribute the incident data that occurs within their jurisdictions to the state's UCR repository, which then promotes that data to the FBI and publishes the statistics within the Crime in Texas publication. The FBI establishes reporting guidelines and publishes the Crime in United States publication. The general public, media, academia and all other

requestors of the statistical output is affected by the collection and publication of data as they strive to understand crime and crime trends in identified jurisdictions.

Data collected by UCR affects:

- Grant funding for Texas law enforcement agencies
- Informs the Legislature
- Assists with determining effectiveness of law enforcement operations

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

A&D

- The Access and Dissemination of criminal history record information centers on statutory authority, Government Code §411.042, Bureau of Identification and Records.
- The Secure Website and Clearinghouse access require statutory authority for use and DPS approval. The program is administered through a secure website and only authorized individuals may have access. The Secure Website and Clearinghouse both have program supervisors leading the programs.
- Public Website does not require statutory authority and can be used by the general public. The program is administered through a secure website that provides conviction and deferred adjudication records. A CCH Internet Coordinator leads the program.
- The FAST program is statewide and covers the entire state, both metropolitan and rural areas. DPS has a vendor that was selected to capture electronic fingerprints and digital photographs. The program is administered in the Fingerprint Services Unit and is led by a program supervisor.
- The Audit program ensures authorized entities are obtaining, using, protecting and destroying criminal history record information according to state and national statutes. We do have auditors located in the field and headquarters. This program is administered through online applications and in-person. A program supervisor leads the area.
- The Training program ensures authorized entities understand how to obtain, use, protect, disseminate and destroy criminal history record information according to state and national statutes. This program is administered through online training modules and in-person. A program supervisor leads the area.

- The Rap Back program provides updates to criminal history record information as it's received by DPS. An entity subscribed to a record will receive notification via email to access the Clearinghouse to view the updated information. The program is administered on a secure website and led by a program supervisor.
- The Billing and Support program ensures invoices are generated and delivered to the right entities, reconciliation completed and fees collected. The program is administered through an online billing system, with some manual processes. The unit is led by a program supervisor.

CHR Processing

- The program is administered as described above, under the following authority: Chapter 60 of the Code of Criminal Procedure provides guidance for the administration of the Criminal History Processing bureau. The Department, where authorized by statute, has developed administrative rules to address specific policy concerns regarding operation of the repository. The Department does provide field auditors to assist local users concerning the submission, updating and dissemination procedures associated with the criminal history information maintained by the Department.

Fingerprint

- The Fingerprint Processing Bureau is staffed 24-hours a day by trained fingerprint technicians who evaluate electronic, faxed and manual fingerprint submissions in the Multimodal Biometric Identification System (MBIS). Research in multiple databases is required to communicate the results with strict accuracy and time frames to internal and outside agencies.

CIB

- The TCIC Audit Unit follows a triennial schedule to audit all 1,273 agencies in the cycle that closed in October 2015. With the three-year schedule, the use of our vendor supported audit software and our current staff; we have been able to audit all agencies. The auditors gather data about each agency before traveling, to include the previous audit cycle report, a list of records in TCIC to be compared to local agency records, a list of any problems reported to or noted by the Control Room, such as lack of response to hit confirmation requests, and a list of criminal history inquiries made by the agency. Agencies are assigned an online audit questionnaire which is required to be completed before the auditor travels to conduct an interview with the Terminal Agency Coordinator. Auditors will compare records to TCIC entries, request information on the criminal history inquiries, review training records, and make observations about the physical security and other general compliance issues while onsite. Auditors compile their findings into a report, which is sent to the chief or sheriff, requesting follow-up. We send additional correspondence if we do not receive a timely response. Compliance is good, and additional correspondence about policy compliance is not normally required. The auditors are also responsible for investigating allegations of misuse of CJI.

If misuse is discovered it is the responsibility of the agency where the misuse occurred to provide confirmation of actions taken to ensure CJIS will be kept in accordance with policies and procedures established for use.

- The TCIC Training function is fulfilled through direct classroom instruction by Crime Records trainers, as well as through the associate trainers (571) that we train through “train the trainer” classes. The Crime Records Trainers are also responsible for creating and maintain the TXGANG training.
- The TCIC Control Room is a physical location within the Crime Records Service with 24-hour staff that answer phone calls and teletypes from local agencies on TCIC transaction questions and other compliance issues. A high priority is the follow-up on “hit confirmation” requests. The inquiring agency must contact by phone or via teletype—the entering agency to confirm that they have the right person and that the warrant is still valid. This is a critical fail safe function that all agencies across the country must follow within 10 minutes on high priority hits. If the entering Texas agency does not respond, the inquiring agency will send a teletype to the Control Room, who will contact the entering agency via phone and elicit a response. The Control Room also performs a physical review of records entered by local agencies into TCIC, looking for logical or other apparent errors. Messages are sent on perceived errors, with requests for correction or other follow-up. Operators work with all local agencies monthly to validate active TCIC/NCIC entries. TCIC Control Room Operators also enter the child and the child’s family into the TCIC Child Safety Check Alert List (CSCAL). By entering this information into the CSCAL we are able to share this information with law enforcement agencies state wide. Operators work with the Texas Human Health Services Commission to provide verification of the wanted status of applicants for services with their agency that has self-identified as a fleeing felon.

CJIS Audit

- All agencies with connectivity to the State and Federal repositories are subject to a three year audit cycle. Beginning with cycle 0, each agency is subject to the audit process to ensure effective controls are in place to protect criminal justice information from exposure, loss or compromise. Once an agency has been identified for audit they are contacted by a team member for an introduction and verification of point of contact with the agency. The FBI CJIS Policy is discussed with the agency along with a high level discussion of the overall connection points and network overview for the agency. During the call an introduction letter is prepared along with any required sample policies or documents which may be needed at the time of the actual audit. The audit schedule is agreed upon between the auditor and the agency along with any responses to questions the agency may have. The notification letter along with any follow up documentation is then submitted to the agency for preparation of the upcoming audit. The auditors, upon arrival introduce themselves and go through the audit questionnaire with the agency. Auditors will also perform a walk-through or physical tour of the facility and key

network areas to ensure appropriate safeguards and configurations are in place. Upon completion of the site audit the auditor will discuss any findings and expected results with the agency. The auditors will also advise what any corrections are needed along with an expected timeframe for any follow up or agency response. After completion of the audit process and network review the results are submitted back to the agency for any needed corrective action.

SOR

- The Sex Offender Registration Bureau oversees the management of the statewide registration database. We are not involved in the enforcement of non-compliant registrants or the investigation of missing or absconded offenders. The registration law, Chapter 62, Code of Criminal Procedure, has explicit requirements for the administration of the registration process. There are three basic registration functions: initial registration, subsequent verification and change of status.
- Offenders released from incarceration are initially registered by the Texas Department of Criminal Justice or Texas Juvenile Justice Department prior to release from incarceration; Courts or their designee (probation officer) register offenders upon being placed on community supervision. Those initial registrations must include a fingerprint submission to Crime Records to establish positive identification within the Texas Computerized Criminal History (CCH). The CCH and Sex Offender Registration (SOR) database are interfaced so that the fingerprint card establishes the base identification record in the SOR database. Initial registration information is then manually entered into the database by bureau staff. From that point forward, verification of registration and change of status changes to the individual record can be accomplished by submission of a form to the bureau for manual entry, or the information can be entered directly into the registry by the contributor through a secure website. These verifications and change of statuses will occur for the duration of the person's duty to register, which, for the majority, will be for life.
- The SOR database ensures that certain information it contains on registered sex offenders is submitted into the National Sex Offender Registry (NSOR) file of the FBI. All new records as well as any changes in existing registration information will be forwarded to NSOR. Information contained in NSOR can be accessed thru the Texas Crime Information Center (TCIC) and National Crime Information Center (NCIC). Information is updated twice a day to ensure that criminal justice agencies have the most up-to-date information on Texas reported registered sex offenders.
- The staff of eight field representatives assists local agencies with an understanding of the reporting requirements. Data quality and adherence to statutory requirements in regards to registration information is a priority, and bureau staff spends significant time and resources to identify and communicate with registering agencies regarding the

incompleteness of data submissions which may prohibit or delay the creation of a registration record or update of existing information.

- The Department is responsible for determining whether an offense under the laws of another state, federal law, the laws of a foreign country, or the Uniform Code of Military Justice contains elements that are substantially similar to the elements of an offense under the laws of this state. These determinations may invoke the requirement to register and identify the associated length of duty to register. These determinations are made by the Office of General Counsel staff after a significant evaluation of the elements of the out of state offense as compared to elements of Texas offenses. The Bureau creates, maintains and provides the listings of these determinations to local registrars, prosecutor offices, courts and to individuals that request the list of determinations.
- Statute also mandates that when a person, subject to registration is due to be released from a penal institution, has been placed on community supervision or juvenile probation, or intends to move to a new residence in this state, that the Department shall verify the person's numeric risk level. If the person is assigned a high risk or is designated as a sexually violent predator then the Department shall, not later than the seventh day after the date on which the person is released or the 10th day after the date on which the person moves, provide written notice mailed or delivered to at least each address, other than a post office box, within a one-mile radius, in an area that has not been subdivided, or a three-block area, in an area that has been subdivided, of the place where the person intends to reside. This function is accomplished through a contract with a private vendor. We provide the vendor with the residence address data of affected registrants and the vendor uses that data to identify addresses subject to publication; create the notice in the form of a post card that includes all public registration data, as well as, a picture of the registrant; and subsequently mail the notice/postcards via the United States Postal Service to all affected addresses.

TDEx

- Participation as a data contributing entity is voluntary and requires that the contributing agency have either a records management system (RMS) and/or a jail management system (JMS). Under the current contract, the vendor makes the initial contact with an agency to solicit participation and submission of local agency crime incident data to TDEx. If an agency is not receptive to the request from our vendor, they need verification regarding the legitimacy of the request, or have further questions; the TDEx Bureau will engage the agency.
- Once an agency has made the decision that they will be a data contributor, we provide them with a specification sheet which lists data available for collection and ask the agency to provide the Department's vendor with a list of data elements they wish to

share. We also provide them with a User Agreement (UA) to complete. The UA covers the responsibilities of the agency and of the Department of Public Safety.

- Once the Department has the UA and specification document, the TDEX Bureau will work with the agency and the vendors (Department's and Agency's) to test the data submissions. This is done to ensure that TDEX is receiving only the data that the agency specified that it would share and that the data is mapped correctly before being pushed to N-DEX.
- At times, records submitted to TDEX and N-DEX requires modifications. Perhaps it is to add or remove a charge. Sometimes, records are expunged by the courts. When this happens, those records must be removed from TDEX and N-DEX. If records need to be modified, the record is completely removed by the agency and it is re-ingested when the agency makes the required changes to their records management system.
- The records are removed from N-DEX by the TDEX Bureau. If the records are housed on our vendor's database, the TDEX Bureau will grant access to agency-appointed Expunction Administrators. This allows the agency to remove the record from our vendor's database. The vendor then pushes a "delete" request to the FBI to have the record removed from N-DEX.
- Access to N-DEX in the state of Texas is given through an IDP that is under our direction. It is our task to provide access to the local agencies and to provide them with training and support. We also engage local law enforcement agencies about becoming data contributors, and work with them and our vendor to get the data to N-DEX.

UCR

- The Uniform Crime Reporting Program provides support and collects data from approximately 1,100 law enforcement agencies in Texas. Currently agencies have the ability to report summary data (SRS) or incident based (IBR) data. Agencies collect data according to their reporting methodology and reports that data to the Department.
- SRS agencies currently enter agency online via the Department's UCR website or by submitting paper to the Program for entry by Department staff into the UCR website. Data is cross checked and validated to ensure compliance with data collection and reporting policy and procedure. Agencies can correct any data that is in error, as indicated by the edit validations, either through the UCR website or by correcting their paper submissions. Once corrected, data can be submitted to the UCR Repository.
- IBR agencies currently upload data to the UCR System where the data is staged in a working area. Data validation edits are applied to the data as it is uploaded. The System will accept and push to the Repository data that is found not to contain any errors. Any data found to be in error will be rejected and returned to the contributing

agency. Contributing agencies would need to correct the data within their local records management system and resubmit the electronic file with the corrected data. Once all edit validations are passed, data will be submitted to the Repository.

- When the data is moved to the Repository, it is available for data reporting and submission to the FBI UCR Program. The FBI UCR Program also submits the data through a set of edits and provides a detailed error data sheet (EDS) to the Department illustrating what the errors were so that they may be researched and corrected.
 - A statistician is on staff to compile and publish an annual Crime in Texas (CIT) publication. The CIT publication shows all data (including Incident-based data) in the Summary format for an even representation of crime from jurisdiction to jurisdiction. All end-of-year reports that feed both the CIT and general data requests are run once the NIBRS data has been converted to Summary and validated.
 - The conversion of Incident-based (IBR) data to the legacy Summary Reporting System (SRS) includes a variety of changes to the incident-based data. For one, incident-based data includes all details of the incident including all offenses perpetrated in the incident. Summary, on the other hand, employs a hierarchy of offenses where only the offense highest on the hierarchy is reported. So in the case of an incident containing a robbery, rape and homicide, only the homicide would be reported in Summary.
 - The conversion process applies this “Hierarchy Rule” to the NIBRS data and shows the single offense in Summary once converted. The conversion process also simplifies the wide variety of locations, property, weapons and other incident details to a smaller set of details. For example, incident-based reporting has a total of 54 property types and Summary has 11. The conversion process will convert all data elements within the incident to the simpler Summary data set.
 - A staff of field representatives trains law enforcement agencies across the state, training on both reporting methodologies. Trainers address data quality issues, as well as, identify and discuss with agencies that have not reported for every month in the reporting year, as this could impact the statistical publication for both the state and nation and may adversely impact their grant opportunities.
 - Our office staff is available between 8:00 am and 5:00 pm to answer questions via phone and email, monitor the online system, keep track of delinquent agencies, and assist in remote training using telephone and webinar support.
- G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).**

AY 2016

	0001 General Revenue	\$802,295
	0666 Approp Receipts	\$20,835,623
	5010 Sexual Assault Prog Fund	\$25,904
	Total	\$21,663,822

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

A&D

- There are no other programs, internal or external, that provide identical or similar services or functions to the targeted population.

CHR Processing

- The FBI maintains the Interstate Identification Index (III), which serve as the Federal counterpart of CCH. The system utilizes fingerprint identification as a means to access and update criminal history information. The major difference between the systems is that the III contains records from other states as well as the Texas record, however, a copy of all of the Texas records are not housed at the FBI.

Fingerprint

- The federal government under the FBI's CJIS Division operates and maintains the Next Generation Identification (NGI) system which replaces their existing Integrated Automated Fingerprint Identification System (IAFIS). NGI provides the criminal justice community with the world's largest and most efficient electronic repository of biometric and criminal history information. NGI and MBIS share commonality of electronic storage of biometric data. However, while NGI contains records from other states including Texas, not all MBIS biometric data is housed within NGI.

CIB

- TLETS and TCIC are required by statute to be created and maintained by the Department of Public Safety; and therefore, are the only statewide systems that disseminate information across the state and nation. All criminal justice agencies know that TCIC and NCIC provide this statewide and nationwide service through the TLETS interconnectivity. There is no duplication of a statewide telecommunication system or database for wanted and missing persons, etc. Certain regions or groups of local agencies have banded together to create regional database to facilitate information sharing across the smaller network of agencies. These regional systems have been developed to serve specific needs of that region and group of local agencies, such as class C misdemeanor warrants. These local and regional systems complement TCIC and TLETS rather than duplicate.

- The FBI has assigned the Department as the Criminal Justice Information System Agency (CSA) for the state of Texas and the Legislature requires the Department to serve as the control terminal for the entry of records (411.042(b)(9)(B)). As the CSA, the Department is required to implement timely and secure access to Criminal Justice Information (CJI) for stopping and reducing crime. The Department has been held responsible to oversee agencies accessing CJI and ensure they are following the policies and procedures for access.

CJIS Audit

- In conjunction with a CJIS Technical Audit agencies are also subject to other audit process. These include a TLETS audit, possible non-criminal audit as well as others. Each of the audits involve portions of duplication with the technical audit process, however they have focus on access to the systems in question and particular processes. The CJIS Technical audit focuses on the overall technical aspects of connectivity and how the information is processed to ensure the technical safeguards and best practices are being implemented to meet the FBI CJIS Policy.

SOR

- There are numerous local agencies that publish and track agency-level sex offender registrants via a locally sponsored sex offender registration web site. These systems are not duplicative, but are rather the local presentation of the data they send to the DPS Sex Offender Registry.
- The FBI has a central sex offender file (NSOR - National Sex Offender Registry) in the National Crime Information Center (NCIC) that is available only to law enforcement agencies. This file is created from information submitted by each state, territory or tribe's sex offender registry, so it is a national compilation of the states' data and serves as a national law enforcement resource. It is not duplicative.
- The Department of Justice (DOJ) created a National Sex Offender Public Website (NSOPW) that is a public website that accesses and searches public sex offender records from each state, territory or tribe. Search results are displayed and users can click links to access the reported registration record directly from the contributing state's public website. Again, it is a national compilation of state level data and serves the beneficial purpose of giving U. S. citizens a single location to perform a nationwide search, rather than having to individually search each state's public registry.

TDEx

- The local contributing agencies house their incident data and provide that data to their users. However, this is local data that is shared with a small local user base. TDEx is a statewide system that collects data from participating contributing agencies that forwards that collected data to N-DEx.

- N-DEx collects data from all of the participating states and agencies. While N-DEx also stores the data submitted, N-DEx provides a front end user interface that allows users to gain access to TX and national data.

UCR

- Local agencies, as the source agencies, maintain jurisdictional crime data and some agencies produce jurisdictional crime statistical information. However, these jurisdictional databases are not duplicative as they cannot provide the statewide view that the state Program does.
 - With the Crime in the United States (CiUS) publication, there is the potential for duplicative data reporting as all of our data is forwarded on to the FBI for inclusion in their CIUS. In most cases this would only duplicate the publishing of index crimes (homicide, rape, robbery, etc.) It is important to note, that data can error out at the FBI, causing it not to be published. The state Program researches and attempts to resolve data quality questions and issues; however, data still may not make it into the CiUS publication. Therefore, there may be instances where the state publishes data in CIT and that data is not represented within CiUS.
 - There are also differences that are inherent to how TX views the data. For instance, Texas views 17 year old arrestees as adults; the federal program views them as juveniles. This can mean quite a change in year-end data of clearances of crime by minors, data that is widely used by advocacy groups and governments to set state and local policy.
 - Another significant difference is that the national program does not produce property data (types, values and crime-types) in the CiUS. Texas produces a very detailed list of Summary-based property types and values and breaks that property out to the type of crime it was stolen in.
 - Additionally, state statute requires the submission of sexual assault, family violence and drug seizure data by the contributing agencies to the state Program. Since this is state mandated, that data is not forwarded to the national program for inclusion into CiUS.
- I. **Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.**

A&D

- We have MOUs and Interagency Agreements with state agencies and other entities. This ensures both parties know what the fees are for obtaining criminal history record information and the expectations for payment.

CHR Processing

- The FBI requires that all Texas records be identified and recorded in Texas prior to submission to the III. The FBI system maintains a synchronization process with the CCH for reconciliation. The DPS and the FBI have executed an MOU regarding the collection of Federal fees associated with the Federal checks that are passed through the state to the FBI.

Fingerprint

- The FBI requires that all Texas criminal records be identified and recorded in Texas prior to submission to the III. The FBI system maintains a synchronization process with the Texas Computerized Criminal History system (CCH) for reconciliation. The DPS and the FBI have executed an MOU regarding the collection of Federal fees associated with the Federal checks that are passed through the state to the FBI.

CIB

- Each TLETS agency signs a TLETS Users Agreement that affirms they will follow all TLETS rules and the rules of the systems accessed via TLETS, which of course includes TCIC. The training and auditing process as well as other correspondence over the years has established a clear understanding among all users of the respective roles of TLETS, TCIC, NCIC and all associated systems. Conflict and duplication are not problems because of the nature of the systems as statewide and nationwide repositories of local data.
- By signing the Texas Gang Intelligence Index (TXGANG) User agreement, participating agency acknowledges and agrees that all submissions of criminal intelligence information on individuals and organizations submitted to TXGANG are the property and responsibility of the submitting agency, not DPS. Participating agency acknowledges it has a duty to adhere to, if applicable, 28 CPR Part 23 and Chapter 61 of the Code of Criminal Procedure requirements including proper ID criteria for a gang member, proper criminal predicate for the gang, lawful acquisition of the information being submitted, effective control of dissemination only on a right and need to know basis and maintaining proper records for each dissemination.
- The License Plate Reader (LPR) User Agreement sets forth the duties and responsibilities of the User Agency in order to gain access to the Texas Automated License Plate Reader (LPR) Database administered by the Texas Department of Public Safety (TXDPS). The User Agency is required to be a criminal justice or law enforcement agency.

CJIS Audit

- The timeframes in place for the Technical Audit group are designed to match that of the triennial audit conducted by the Federal CJIS auditors. Although multiple audits may occur for a particular agency the timeframes and scheduling involved prevent the effective coordination of these events. Communication between these groups has been limited in the past but future changes to include the automation of scheduling and the addition of a software solution in advance of these goals will result in more effective sharing of information and timelines.

SOR

- Coordination with local agencies is facilitated through the field representatives, Sex Offender Registration Conferences, correspondence and phone calls. There is no conflict with the local agencies regarding the DPS registry or website because it is statutorily designated as the state repository and the agencies are statutorily required to report the registration, verification and updates to the Department's registry. Due to this requirement, there are no MOU's for the agencies to submit data to the DPS.
- Coordination with FBI and the DOJ for the national sex offender files exist and serve the singular purpose of making the state level data easily available nationwide. As such there is no problem with duplication of purpose, even though it is an extract of certain data elements. We have a user's agreement with the FBI for operation of all of the Criminal Justice Information Services Division (CJIS) systems, including the NCIC Sex Offender file. We have also signed an MOU with DOJ regarding our willingness to keep the NSOPW file updated with Texas data.

TDEx

- Since the Program collects data from the state and promotes that data to N-DEx, there is no duplication at the local level.
- Despite sharing the same data, TDEx and N-DEx are different in that Texas has leveraged the N-DEx user interface to serve as the gateway to the collected data, removing redundancy in points of access.

UCR

- There is inherent duplication, as the state is required to submit state UCR data to the national program, and both are producing statistical breakdowns based on that data. However, all of the other activities are not duplicative, such as training and local agency support.

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

A&D

- The Access & Dissemination Bureau works with state agencies, criminal justice agencies, cities, counties, private contractors, volunteer groups, other states and the FBI

pertaining to criminal history record information. Our relationship involves the access and Dissemination of criminal history record information.

CHR Processing

- The criminal history information is initiated by fingerprints submitted by the local law enforcement agencies. Subsequent disposition information is generated and forwarded to the DPS by local prosecutors and courts. The DPS transfers the data submitted by the locals to the FBI for inclusion in III.

Fingerprint

- As part of the Crime Records Service biometric data is submitted to DPS primarily in the form of fingerprints, these are submitted by local law enforcement agencies to initiate the identification process for updating or inquiries of criminal history information. Disposition information is generated and forwarded to the DPS by local prosecutors and courts. The DPS Crime Records Service transfers the data submitted by the locals to the FBI for inclusion in III.

CIB

- Local agencies enter their data and access the files within TCIC in compliance with DPS training and FBI policy.
- The TXGANG system is a database index of persons associated with street gangs as reported by criminal justice agencies within Texas which are promoted to NCIC.
- The LPR Database consists of shared data from all participating local, state, and federal agencies, as well as TXDPS captured data, of information associated with a license plate captured by a License Plate Reader machine.

CJIS Audit

- The CJIS Security Policy integrates presidential directives, federal laws, FBI directives and the criminal justice community's Advisory Policy Board (APB) decisions along with nationally recognized guidance from the National Institute of Standards and Technology. The Policy is a result of agreement with law enforcement and criminal justice agencies for protecting the sources, transmission, storage, and generation of Criminal Justice Information (CJI).

SOR

- The Texas Sex Offender Registration Program works with local law enforcement and criminal justice agencies in Texas. These agencies include penal institutions, police department and sheriff's offices, as well as probation and parole offices. The Program also works with the US Marshal's Service. All of these entities are either involved with the registration or compliance of individuals required to register in Texas. Their offices will have access to all of the information contained in the Texas Sex Offender

Registration database. Many local police department and sheriff's offices utilize the database as their own local database for registered sex offenders within their jurisdiction.

- The Sex Offender Registry is comprised of data submitted by local agencies and that data is subsequently forwarded to the FBI. SORNA, the federal sex offender registration law, requires that jurisdictions submit registration information or updated information to the NSOR, which is a subfolder of the NCIC. NSOR is operated and maintained by the FBI's CJIS division. We take the data from the Texas registration database and convert it into a transaction format that NCIC accepts. Those transactions are picked up by TCIC and then, if successful, are forwarded to NCIC's NSOR file. NSOR specifies the mandatory and optional data fields it requires for its file. Texas submits all mandatory data fields and most of the optional data fields NSOR require which include personal and physical identifiers, offense, residence, and vehicle registration information.
- Texas sex offender registration information is also accessible to DOJ for participation in NSOPW. SORNA also requires jurisdictions to participate in the NSOPW. The NSOPW is the only government system to link public state, territory, and tribal sex offender registries from a national search site. NSOPW uses web services to perform real time searches of the state's public registries and provides links to the state's registry to access those registration records. Texas participates by allowing NSOPW access to the public sex offender registration website. NSOPW is managed by the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART) Office and is federally funded through the DOJ.

TDEx

- Local Agencies – The data we make available is contributed by local law enforcement agencies (i.e. Sheriff's Offices and Police Departments). The data is made available to law enforcement and criminal justice agencies.
- Federal Agencies – The data contributed by local law enforcement is promoted up to the FBI's N-DEx system. This is where the data is accessed by our users.

UCR

- Local law enforcement agencies (Police and Sheriff) are the contributors of crime incident data to the Department and are the Department's primary customer. Field Representatives deliver all the UCR training (both NIBRS and SRS), offer well qualified and knowledgeable insight for questions that arise from agencies, understand the communities of their assigned agencies and are able to develop relationships with the agencies.
- Regionally, we work to provide outreach to organizations and groups that have a vested interest in crime reporting and statistical data. Field reps and management provide in-

person presentations to bring greater understanding of our mission to diverse groups such as regional Council of Governments (COGs), organizations like multiple chapters of the Texas Law Enforcement Records Association and annual gatherings such as Texas Criminal Justice Information Users' Group. We are regularly asked to speak to groups as small as 10 to conferences that hold 200+ attendees. This outreach has been indispensable when it comes to the state's migration to all-NIBRS reporting.

- Nationally, we interact with the FBI. We work with the FBI on data quality issues as well as assist in discussions on policy and changes to the UCR system. We work directly with the Bureau of Justice Statistics regarding grant funding opportunities through the NCS-X program. We also work with the Association of State Uniform Crime Reporting Programs to help develop clearer policies and procedures alongside the FBI.

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

- **a short summary of the general purpose of those contracts overall;**

These contracts support the various crime records applications, and provide for fingerprinting services.

- **the amount of those expenditures in fiscal year 2016;**
- **the number of contracts accounting for those expenditures;**
- **the method used to procure contracts;**

DPS follows the procurement method requirements as defined in Texas Gov't Code Chapters 2155, 2156, 2157, 2158, and 2161 and 34 Texas Administrative Code (TAC) Chapter 20. DPS also follows the state's Contract Management Guide and Procurement Manual that are published by the Comptroller of Public Accounts.

In FY16, DPS procured goods and services using Council on Competitive Government, Texas Correctional Institute, Texas Institute for the Blind and Handicapped, Term, Managed, and TXMAS contracts available through TX SmartBuy. These contracts are managed by the Comptroller of Public Accounts, and state agencies issue purchase orders against those contracts.

DPS also procured goods and services using DIR contracts for certain technology related procurements in FY16. These contracts are managed by the DIR, but agencies can issue purchase orders and agreements against these contracts.

DPS also procured goods and services on the open market in those instances where there was no state contract in place or where the dollar amount associated with the procurement exceeded the limits of use for the state contract. For example, in FY16 SB 20 required that any technology procurements that were over 1 million be solicited

on the open market. For non-technology goods that were over 25K and services that were over 100k, DPS would be required to seek delegation from the Comptroller's office before being authorized to solicit on the open market. In some cases the Comptroller would decide to perform the solicitation on behalf of the Department.

- **top five contracts by dollar amount, including contractor and purpose;**

- **PO-405-16-P003027** valued at \$8,918,848.71 with MORPHOTRUST USA for Fingerprint Applicant Services of Texas
- **PO-405-16-P005608** valued at \$8,189,174.00 is an MOU with the OFFICE OF THE GOVERNOR for National Incident Based Reporting System grant funds
- **PO-405-16-P003485** valued at \$1,976,870.04 with MICROASSIST, INC. for Applications Maintenance and Support for various Crime Records applications
- **PO-405-16-P006984** valued at 1,320,000.00 with MORPHOTRUST USA for Livescan Scanner Replacements
- **PO-405-15-P001540** valued at \$1,171,434.00 with MORPHOTRUST USA for Livescan System Maintenance and Support Services

- **the methods used to ensure accountability for funding and performance; and**

Each contract has an assigned contract monitor from the division that has been provided with internal training and procedures for monitoring the deliverables and performance of the contract and supplying vendor performance reports. The official contract manager in Procurement & Contract Services works with the division contract monitor, OGC, and Finance to administer and manage contract and vendor performance, ensure compliance with applicable statutes, rules, and policies, and officially address any needed corrective action. Finance is responsible for maintaining compliance with payment rules based on validation from the division that goods and services were received and performance criteria were met.

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

The largest issue with contracting at DPS is the lack of delegated authority for many purchases from the Comptroller's office. Please see the Major Issue regarding delegated authority.

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

No grants are awarded for this program.

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

CIB

- The NCIC Violent Person File (VPF) contains records of persons with a violent criminal history, which includes persons who have previously threatened law enforcement. Texas had implemented a similar file prior labeled the Threat Against a Peace Officer (TAPO) File per Texas Government Code 411.048. The TAPO legislation requires a criminal justice agency to enter a report into the TCIC database when an individual expresses intent to inflict serious bodily injury or death to a Peace or Detention Officer. This file is a Texas Only File, which means it is not shared with agencies across the nation. It is recommended and encouraged by TCIC/TLETS Trainers and TCIC Auditors that entries entered into the TAPO file are also entered into VPF. We consistently find agencies, due to time constraints and the responsibilities placed upon them for timely entry, will only enter primarily into the TAPO file. Agencies are mandated to enter into this file; therefore, they enter information into the TX only file. However, this information would significantly increase situational awareness and improve officer safety not only for TX law enforcement but for national law enforcement officers as well, if the mandate to enter the information into TAPO was amended to require entry into NCIC.
- Article 61.02 of Chapter 61 of the Code of Criminal Procedure, requires a law enforcement agency in a municipality with a population of 50,000 or more or in a county with a population of 100,000 or more to compile and maintain a local or regional intelligence database relating to criminal street gangs within their jurisdiction. Information may be compiled on paper, by computer, or in any other useful manner by a criminal justice agency, juvenile justice agency, or law enforcement agency. The TXGANG database can be utilized by agencies to compile the vital information they are required maintain. Due to the statute not providing any consequence for failing to create, maintain or contribute to the TXGANG database we see many agencies not complying with this statute.

SOR

- A significant challenge is the timeliness of the updates by local agencies to the website. The media have focused on the fact that the statewide website is not always up to date with the status in the local records. The initial entry of initial registration reports are more timely than subsequent updates of address changes, but we have recently initiated a more focused effort to identify means of improving overall timeliness and accuracy. Of course, a key component is the resources of the local law enforcement agencies who must report the data to the Crime Records Service (CRS).
- Submission of registration information to the registry is required by Chapter 62, Texas Code of Criminal Procedure, however, the statute does not provide any penalties or sanctions if an agency fails to report a registrant or update the record as appropriate.

- Mandatory electronic submission of registration information by the locals could be explored. The entry of all registration information directly into the database by the locals would significantly increase the timeliness of information available to the public and criminal justice agencies as well as reduce the number of contributions that are rejected as the registering agency would be aware of the data problems and have the opportunity to correct them prior to submission to the registry.
- Lack of access to certain local criminal history/court records or Bureau of Vital Statistic (Death) records impede the facilitation of a person's determination for continued duty to register. Free copies of death certificates are not readily available for sex offender registration purposes and registrars, as well as, DPS are faced with the payment of fees to obtain such certificates. Local registrars or DPS could experience difficulty in obtaining copies of court documentation (adult and juvenile); encounter fees for the acquisition of such information; or discharge from supervision confirmation from state supervising entities in order to establish a statutory requirement to register or determine the duty to register has expired.

UCR

- Voluntary reporting presents challenges to obtaining complete crime incident data and adversely impacts the ability to provide an accurate and complete statistical breakdown of crime incident data within the state.

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

CIB

- TLETS/Nlets and TCIC/NCIC, together serve as critical components of the state and national infrastructure to achieve the objective of supporting law enforcement and criminal justice agencies in the performance of their duties. These systems directly serve officer safety and public safety every day.
- The TXGANG system is a database index of persons associated with street gangs as reported by criminal justice agencies within Texas. This centralized database facilitates information sharing of gang members across the state and nation, informing agencies of an individual's status as a gang member.
- The LPR Database consists of shared data from all participating local, state, and federal agencies, as well as TXDPS captured data, of information associated with a license plate captured by a License Plate Reader. Retention of records is an ongoing legislative concern, as the legislature has tried to address it during multiple sessions. At the onset of the creation of this database, the Department crafted a Privacy Impact Assessment and utilized the guidance from the international Association of Chiefs of Police (IACP)

and the National Sheriffs Association to create a retention schedule that allows local agencies to create their own retention, not to exceed three years.

TDEx

- The Texas Data Exchange (TDEx) is a system that compiles law enforcement incident records and other non-intelligence criminal justice information into a central state repository for sharing across jurisdictional lines. The information is available through the National Data Exchange (N-DEx) for law enforcement and criminal justice purposes. The greatest value of TDEx is realized in the wealth of information it brings to criminal investigations. Data pertaining to incidents, suspects, booking and incarceration records, and other criminal justice information is contributed by Texas law enforcement agencies.

UCR

- Our fundamental mission is simple:
 - Collect high quality, accurate data from law enforcement agencies.
 - Help the agencies to understand the methodologies for reporting the data.
 - Assist agency personnel with any issues they may encounter during the data submission process.
 - Assist the FBI with any identified errors found in the state's data submissions.
 - Compile collected data into an annual statistical publication. Assist with requests for data from the media (through our Media and Communications office), academia, government (including legislators when in or out of session), law enforcement, and the general public.
 - Educate all on the benefits of accurate data to show where crime has come from, where it is now and where it can be in the future.

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

Name of Program or Function: *Driver License and Identification Services*

Location/Division: *Driver License Division*

Contact Name: *Division Director Amanda Arriaga*

Actual Expenditures, FY 2016: \$131,941,884

Number of Actual FTEs as of June 1, 2017: 2,421.3

Statutory Citation for Program: *Texas Transportation Code Chapters 521, 521A, 522, 523, 524, 545, 548, 550, 601, 703, 706, 708, 724, 730; Texas Government Code Chapter 411; 49 CFR 383 and 384, Alcohol and Beverage Code 106, Family Code 51, 52, 54 and Health and Safety Code 161, 232, 481, and 484.*

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

The Driver License and Identification Services program is responsible for issuance of driver licenses and related documents and ensuring only competent drivers are authorized to operate vehicles on Texas roadways. Customer Service Representatives throughout the state interact with thousands of Texas residents daily and work to ensure the authenticity of application related documents and accuracy of the license or identification card.

Major program activities include:

- Issuance services, which confirm identity, lawful presence, and residency;
- Verifying the eligibility of applicants;
- Managing enforcement and compliance efforts;
- Administration of the Driver Responsibility Program;
- Maintaining accurate driver records; and
- Maintaining a Customer Service Center to assist citizens with driver license related questions and concerns.

Issuance Services: DLs, IDs, CDLs, EICs

The Department is the Texas issuing authority for Commercial Driver Licenses (CDL), Driver Licenses (DL), Personal Identification Certificates (ID) and Election Identification Certificates (EIC). Approximately 685,000 CDLs, 19 million DLs, 3.8 million IDs, and 879 EICs were in circulation in FY 2016. Customers visit one of the 235 offices throughout the state for original issuance and other services such as duplicates, renewals, examinations, upgrades, and endorsements. There are 1,195 processing stations in offices that include Driver License Centers, large and medium capacity offices, and rural county offices. Additionally, a county and municipality issuance program includes 11 processing stations within and operated by local governmental offices. Most offices are open Monday through Friday, 8:00am to 5:00pm. Driver License Centers and larger offices have extended hours and many offices are open until 6:00pm on Tuesday. Several rural offices are open on a scheduled basis utilizing staff that

travels from other locations. When possible, new office locations are based on transaction metrics and population demographics.

[Search for Driver License Offices](#)

The number and location of driver license offices fluctuates due to business changes and customer demand. The information provided is current as of June 1, 2017.

Issuance services are performed by Customer Operations and Headquarters Operations (HQ Operations) personnel. Customer Operations personnel are the primary point of contact for Texans seeking in-person driver licensing services. In addition to the application process, these employees administer knowledge and skills examinations and represent the Department in administrative hearings, Medical Advisory Board (MAB) investigations, and other enforcement related activities. HQ Operations, along with issuance support activities, manages several high-profile programs related to state and federal licensing systems. HQ Operations ensures the eligibility of all Texas DL, ID, and EIC transactions conducted through alternative transaction methods prior to mailing. The Driver License System (DLS) confirms eligibility of the license when creating the file to mail the card to the customer. HQ Operations staff reviews all cards to ensure production quality and accuracy and automated programs allow employees to correct and reproduce a card without inconvenience or delay to the customer.

[Customer Service Center](#)

The Customer Service Center (CSC) is the call center for the Driver License Division (DLD). Established in 1995, it centralizes dissemination of driver license-related information to customers via phone and email. The CSC is also responsible for the DPS Headquarters switchboard.

The CSC focuses on assisting customers with driver license issues by reviewing driver histories to provide the necessary information. Calls and emails range in subject matter from driver license issuance questions, to more complex matters concerning the suspension and reinstatement of Texas driver licenses.

[Maintain Driver Records](#)

Another major function of Driver License and Identification Services is managing and maintaining all records associated with the identity of a customer and the issuance of a DL, ID, or EIC along with data related to traffic convictions, enforcement actions and vehicle crashes. The DLS contains over 32 million electronic driver records and HQ Operations staff is responsible for providing driver records and photographic images to the general public, law enforcement personnel, private entities, governmental agencies, commercial driver license employers, and any other authorized agents completing a request.

[Driving and Motor Vehicle Safety](#)

Primary functions in Driving and Motor Vehicle Safety help ensure the safety of all licensed Texas drivers and promote responsible driving behavior on Texas roadways. The Department has the statutory authority to suspend, revoke, disqualify, or cancel driving privileges. When

applicable, statute also provides options to Texas drivers to restore driving privileges. Driving and Motor Vehicle Safety staff collect reinstatement fees paid to the Department for withdrawing driver license suspensions; process all compliance items related to crash, departmental, and/or mandatory suspensions; and manage proof of insurance certificates (SR-22) filing.

A major task in Driving and Motor Vehicle Safety is administration of the Driver Responsibility Program (DRP), enacted by the 78th Texas Legislature, which requires the Department to assess a surcharge based on certain traffic offenses. The DRP applies to offenses that occurred on or after September 1, 2003 and does not replace administrative suspension, cancellation, or revocation actions resulting from the same convictions. The Department contracts with a third party vendor for the collection of surcharges and statute allows the vendor to collect service fees in addition to the base surcharge amount.

Texas participates in the Driver License Compact (DLC) and Non-Resident Violators Compact (NRVC), which include all but five states. Enforcement information for Texas drivers is submitted by Texas courts and participating out-of-state jurisdictions. This interstate cooperation assists in combating fraud, ensuring unsafe drivers are held accountable for their actions, and maintaining accurate records.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.

See [Driver License Appendix 1 – Objective Outcomes Definitions 2016-2017](#).

The Department reports a number of outcome measures to the Legislative Budget Board that indicate effectiveness and efficiency. A number of key statistics are also collected as efficiency, explanatory, and output measures.

Percentage of Accurate Licenses Issued

- This outcome measure reports the percentage of driver licenses, commercial driver licenses, identification cards, and election identification certificates produced and mailed that are accurate and do not require reissue due to a clerical or technical programming error.
- The method used is to divide the number of licenses produced and mailed not requiring reissuance by the total number of licenses issued, expressed as a percentage.
- Since FY 2012, the targets have been 97 percent with an average of 98.71 percent. In FY 2018, this measure will increase to 98 percent.

- The Department completed over 7.7 million transactions in FY 2016. Customers completed these issuances through visiting Driver License Offices, completing transactions online, by telephone, and by postal service. This number will continue to increase each fiscal year.

Percentage of Duplicate or Renewal Driver License and Identification Card Applications Completed at an Office within Thirty (30) Minutes

- This outcome measure reports the percentage of replacement or renewal non-CDL and ID card applications completed at select high-volume offices, representing a geographic sampling, within a target time of thirty (30) minutes from when the customer walks in the door and joins the queue in a driver license office.
- The method used is to divide the number of sample applications completed by the target time at select high-volume office by the number of sample applications that should have been completed, expressed as a percentage.
- Since FY 2012, this measure's targets have varied. In FY 2016 and 2017, the targets are 34 percent and 38 percent respectively. The average since FY 2012 is 48.93 percent. In FY 2018 and 2019, the target will be 50 percent.

Percentage of Original Driver License and Identification Card Applications Completed at an Office within Forty-Five (45) Minutes

- This outcome measure reports the percentage of original non-CDL and ID card applications completed at select high-volume offices, representing a geographic sampling, within a target time of forty-five (45) minutes from when the customer walks in the door and joins the queue in a driver license office. The measure does not include the time to take any written or driving examination.
- The method used is to divide the number of sample applications completed by the target time at select high-volume office by the number of sample applications that should have been completed, expressed as a percentage.
- This measure's targets have varied since FY 2012. In FY 2016 and 2017, the targets are 80 percent and 82 percent respectively. The average since FY 2012 is 49.97 percent. In FY 2018 and 2019, the target will be 60 percent.

The Department sees approximately 19 percent of the Texas population in DL offices each year on average. The Department has been able to add processing stations and FTEs each fiscal year. With the two percent rate of population growth the Texas Demographic Center continues to project, the Department will see a two percent growth in demand for services each year.

Percentage of Driver Licenses and Identification Cards Mailed Within Fourteen (14) Days

- This outcome measure reports the percentage of original, duplicate, or renewal driver licenses and identification cards (DLs/IDs) produced and mailed within a target date of fourteen (14) calendar days from the time a customer has completed the application requirements.

- The method used is to divide number of DLs/IDs mailed by the target date by the number of DLs/IDs that should have been mailed by the target date, expressed as a percentage.
- Since FY 2012, the targets have been 100 percent with an average of over 99.68 percent. Only 3 fiscal year quarters did not meet the target since FY 2012. The Department mailed 6,752,962 cards in FY 2016.

Percentage of Driver Records Mailed Within Fourteen (14) Days

- This outcome measure reports the percentage of driver records produced and mailed within a target date of fourteen (14) calendar days from the time the Department receives a qualified application.
- The method used is to divide the number of driver records mailed by the target date by the number of driver records that should have been mailed by the target date, expressed as a percentage.
- Since FY 2012, the targets have been 96 percent with an average of 100 percent. In FY 2018, the target will increase to 98 percent.

Driver Records

- The Department maintains 32,873,414 driver records. The number of records increases each year. Last year, 15,713,539 records were prepared, collecting \$14,508,178 in fees for driver record sales.
- Within the scope of maintaining driver records, the Department also manages a number of enforcement actions through the Driving and Motor Vehicle Safety program. In FY 2016, there were 432,847 driver improvement suspensions and 77,611 safety responsibility suspensions. The Department issued 18,362 occupational driver licenses. The Department completed compliance and reinstatement processes within 19 calendar days on average and collected \$19,351,684 in reinstatement fees.

Percentage of Driver Responsibility Program Surcharges Collected

- This outcome measure reports the amount of surcharge assessments collected compared to the amount of surcharges assessments billed for the DRP.
- The method used is to divide the amount of surcharge assessments collected by the amount billed, expressed as a percentage.
- The targets have been 45 percent and average of 50 percent since FY 2012. In FY 2018, the target will increase to 50 percent.

Additional DRP Statistics

- In FY 2016, the DRP assessed 1,253,801 surcharges. The total revenue billed was \$331,091,545 and the total revenue collected was \$147,013,012.87. It is important to note that total revenue billed is only for that particular fiscal year; however, the total revenue collected encompasses money collected since inception of the program, as individuals are paying for surcharges assessed in previous years.

- By November 30, 2016, the 3,082,627 drivers have been assessed 16,505,923 DRP surcharges, including drivers who have complied and defaulted on payments.
- Approximately 1.4 million drivers are currently suspended for non-payment.
- 1,015,077 people have failed to pay or enter into an installment agreement since FY 2004
- 378,099 people have defaulted on an installment agreement since FY 2004
- The DRP has billed \$4,218,204,587 since its inception in FY 2004. In that time, the program has collected \$1,729,270,167.69 and waived \$612,981,551.06 through waiver programs.

Customer Service Center

- The CSC completes a key requirement in the Department's ability to provide services to customers, having 7,777,025 requests for service in FY 2016.
- An average of 65 CSRs per day enabled the CSC to respond to 977,133 calls and managed another 137,507 switchboard calls.
- An additional 87,362 customers were assisted by the CSC's Interactive Voice Response system (IVR).
- The CSC also manages customer emails and responded to 60,454 in FY 2016.
- Customers averaged 14 minutes on hold and 5.79 minutes speaking to a CSR.

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

The 82nd Texas Legislature provided funding to support the material expansion for Driver License Division (DLD) services in fiscal years 2012-2013 (FY12-13) through the Driver License Improvement Plan (DLIP). The initial iteration of DLIP enabled DLD to build six high-capacity leased offices (Driver License Centers – DLCs) and hire 270 additional full-time equivalent employees (FTEs) in areas identified by a study conducted by Texas State University's Government Partnership Program. The DLIP funding also included additional leadership and management training to supervisors and managers around the state and the deployment of queuing technology and upgrades to DLS that ensures capturing the duration of the individual transaction. As a result of the investments made during FY12-13, wait times* in DL offices dropped from a median of 52 minutes to a median of fewer than 21 minutes.

- It is important to note that the time between when a customer receives a ticket in an office until the time the transaction completes is only included in the transaction time. It does not capture the time a customer must wait in line to enter the queue, if they have not already done so by phone or internet.

Driver License Improvement Plan – 83rd and 84th Texas Legislature

During the 83rd Legislative Session, an additional \$30.8 million in exceptional item funding was appropriated to DLD to expand customer service capacity. Office capacity characterizations are

based on the number of processing stations as follows: DLCs have 21 or more; large offices have 11-20; medium offices have 4-10; and small offices have 1-3. Four new leased facilities were opened, which included two DLCs and two large capacity offices. Additionally, DLD hired 30 FTEs and piloted a program for county offices to conduct renewal transactions to address driver license needs in rural areas.

The 84th Texas Legislature appropriated an additional \$40 million in exceptional item funding to support DLIP expansion. DLD hired a total of 170.3 FTEs and opened seven new facilities that included four DLCs, two large capacity offices, one medium capacity office, and a total of 18 CDL skills testing lanes. Eight new rural county offices were opened, 14 offices were relocated to increase both capacity and efficiency, four offices were remodeled, and 25 offices were updated to improve the service.

Based on Federal mandates published by the Federal Motor Carrier Safety Administration (FMCSA), the commercial driver license (CDL) skills testing standards changed, requiring DLD to consolidate resources and build CDL skills testing lanes at select locations throughout the state. As a result of these new testing standards, 92 FTEs were required to be transferred from customer service functions at our offices in order meet minimum staffing levels and specialization requirements for the 25 CDL skills testing facilities in the state.

DLD added additional capabilities to serve customers in FY16-17:

- Added ability for customers to “Wait Anywhere” in more offices. This ability allows customers to reserve a place in line without having to be in the office, reducing the amount of time a customer waits at the office.
- Adding capability of setting appointments online to all offices which offer drive tests around the state, which enables customers to have a consistent way of scheduling drive tests.

The exceptional item process has allowed DLD to add improvements and capacity for the last three biennia in the geographic areas (mostly metropolitan areas) where the population growth over the past two decades had over-shadowed the expansion rate of service capacity; however, it remains inadequate. In short, the population demand is out-pacing DLD’s ability to provide timely service consistent with acceptable customer service performance levels. Federal mandates have further degraded service capacity. DLD operational and strategic planners have sought to add service capacity in geographic areas to maintain pace with population growth – all to spread the available resources appropriated to address acute and emerging service capacity gaps.

Issuance Services: DLs, IDs, CDLs, EICs

- Passage of SB14 by the 82nd Texas Legislature resulted in issuance of a new document, the Election Identification Certificate (EIC). The legislation created TRC Chapter 521A, which prescribes the qualifications for EIC issuance. These cards are issued at no cost to the applicant and may only be used as voter identification. The Department works

closely with the Texas Secretary of State (SOS) to provide mobile issuance solutions to accommodate EIC applicants.

- The 82nd Legislature also enacted lawful presence requirements for DL/ID applicants. This statutory change added elements to the application process and necessitated the use of the Systematic Alien Verification Entitlement (SAVE) program and additional training for CSRs to confirm lawful presence for applicants who are not citizens of the United States but are here lawfully.
- A review by the Federal Motor Carrier Safety Administration (FMCSA) in 2013 determined that existing commercial skills test procedures were an inadequate reflection of the skills required for today's commercial drivers. FMCSA modified the 2005 CDL requirements to better reflect the changing commercial driving environment and to promote one national standard for CDL testing. With support from the 84th Texas Legislature, the new testing standards were implemented statewide in 2016. The standards include additional scoring criteria, a visual vehicle inspection, and a third basic maneuver (off-set backing).
- All CDL holders are required, by FMCSA, to certify to the type of commercial operation they expect to perform, interstate or intrastate. The Department is required to post to CDLIS each driver self-certification type and provide the medical examiner information related to that certification when required by law. If a driver fails to provide the required information, the CDL is downgraded and the driver is no longer authorized to operate a commercial vehicle. The Department introduced the Medical Certification program in 2013 and began downgrading licenses in 2015.
- The Department developed the Impact Texas Drivers (ITD) program in 2014 with the goal of saving lives through awareness and education. The intent of the program is to educate drivers in an effort to reduce the risk of being involved in automobile crashes, particularly those caused by distracted driving. The ITD program released the Impact Texas Teen Drivers (ITTD) video with a target audience of new drivers between the ages 15 and 17 in September 2014. With the success of ITTD, the Impact Texas Young Drivers (ITYD) was introduced in May of 2017 with a target audience of those ages 18 through 24 who completed the Adult Driver Education course. Each video shares real life stories of people and their families who were impacted as a result of distracted driving. The department is currently developing the Impact Texas Adult Driver (ITAD) course targeting an audience of new drivers over the age of 25.
- The Class C Third Party Skills Testing (TPST) program authorizes licensed driver education schools that meet requirements set by the Department to administer the driving skills examination for a non-commercial Class C driver license, this program was implemented in September of 2015. As more driver education providers join this program, the wait time to schedule a skills test will continue to decrease.
- The 84th Legislature consolidated responsibility for all driver education programs at the Texas Department of Licensing and Regulation (TDLR). The Department was responsible for the Parent Taught Driver Education Program (PTDE) and the change moved 5 FTEs and the funding for PTDE to TDLR.

- The 84th Texas Legislature enacted SB 1934, which codified the final requirements to comply with the federal REAL ID Act. These requirements resulted in changes to the DLS and the appearance of the CDL, DL, and ID. Texas began issuing REAL ID compliant cards in October 2016, which ultimately increases security of the cards and helps protect the identity of the card holder. REAL ID compliance also ensures Texas CDL, DL, or ID card holders will be able to continue to board domestic flights and enter secure federal facilities.
- The Texas CDL TPST program was implemented April 3, 2017. This program authorizes qualified companies certified by the Department to administer the driving skills examination for Class A, B, and C CDL applicants. The CDL TPST program is essential in reducing exam demand and wait times in driver license offices.

Customer Service Center

- In December 2013, the DLD began forwarding calls received in DL offices to the CSC through the roll out of the Multi-Protocol Layer Switch (MPLS). To date, telephone calls from more than 120 DL offices have been forwarded. These transfers to the CSC have resulted in an additional 20,000 calls received per day. Eventually, the MPLS roll out is expected to transfer calls from an additional 42 offices. This will continue to increase the number of calls to the CSC, without ensuring adequate staffing measures have been taken to off-set the upsurge in calls received.

Maintain Driver Records

- The Driver License System (DLS) was implemented in 2009 and allows for the electronic storage of all applicant demographic information, images, documents, transactions, and related information for driver license or ID processing in the driver record in a single database. Prior to implementation of an electronic records system, driver records were stored on microfilm and microfiche. The type of record and storage is based on the date of transaction and technology available at that time. These records are utilized by law enforcement and DPS personnel for obtaining correct historical record information, response to subpoenas and investigative information.

Driving and Motor Vehicle Safety

- The intent behind Driving and Motor Safety has not changed, but DLD has reorganized internally to combine services that encompass the processes of removing driving privileges with those services offered for reinstatement, creating greater efficiencies and aligning organizational goals.
- Similarly, the DRP and its intent have not changed. However, the 80th Texas Legislature and every Legislature since has amended the DRP law to add opportunities for individuals to reinstate driving privileges as many people cannot afford the surcharge fees. These programs include:

- **Amnesty:** The period is determined by the Department to provide a reduction to drivers in default. DPS provided an amnesty program to eligible drivers in 2011. Less than 15 percent of the overall number of eligible drivers participated.
- **Court Approved Indigence:** Waives all surcharges related to a particular conviction that occurred in a particular court, provided that the individual proves indigence to the court.
- **DPS Indigency:** Provides a reduction to drivers living at or below 125 percent of the federal poverty level.
 - Initiated in 2011, those accepted into the program were required to pay 10 percent of their reduced surcharge amount(s) from DRP inception until 2015, when the 84th Texas Legislature amended the program to allow these drivers to have their surcharges reduced to a zero balance.
- **DPS Incentive:** Provides a reduction to drivers living above 125 percent but below 300 percent of the federal poverty level. Customers have the surcharge lifted for a period of six months and their surcharges reduced by 50 percent.
- **Point Reduction:** Reduces a point from a driving record for each year a person goes without a point's conviction appearing on his/her record.
 - The number of convictions reported by courts has not shown any decline since inception of the surcharge program. We have seen fewer Points surcharges due to Point reductions for drivers who go a full year without having a moving violation added to their record.
- **Surcharge Reduction:** Allows a 50 percent reduction of DRP Surcharge to those drivers who have received a No Driver License ticket or a No Insurance ticket and have complied with applicable insurance and driver license laws within 60 days of the date of offense.
- **Military Deferral:** Defers assessment of surcharges, for a maximum of 36 months, until after a person is no longer deployed. Applicable to any offense committed before or during deployment, if the deployment is outside of the continental United States.
- **Single Advance Payment:** Allows individual to pay for all three years of surcharges in a single up-front payment. Advance pay applies to first year surcharges assessed on and after November 23, 2014. The only surcharges eligible for a Single Advance Pay are: Driving While Intoxicated (DWI), No Insurance, Driving While License Invalid (DWLI), and driving without a license.
- **No DL Reduction:** Allows individuals to reduce their No Driver License surcharge to \$50 per year, if they obtain a driver's license no later than 60 days from the date of offense. To receive reduction, individuals must submit a copy of the temporary permit to the Department of Public Safety's Enforcement and Compliance Service. Valid driver license also includes an occupational, commercial, and interlock/restricted.
- **No Insurance Reduction:** To allow individuals to reduce their No Insurance surcharge to \$125 per year, if they obtain a motor vehicle liability insurance policy and prepay six months of insurance. The insurance policy must be obtained no later

than 60 days from the date of offense. To receive reduction, individuals must provide evidence of both to the Department.

- **SB1187 (85th Legislative Session):** Prohibits the Department from assessing a surcharge for a no insurance offense if the person provides proof that they had insurance at the time the offense occurred.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

Driver License and Identification Services affect all Texas residents who require a DL, ID, or EIC. Applicants must prove eligibility by providing documentation confirming identity, citizenship, residency, and other requirements applicable to specific products. Applicants for original licenses must also demonstrate the knowledge and skills to safely operate a motor vehicle on Texas roadways.

Transaction Type		Number of Individuals Served in FY16
	Original DL	824,486
	Renewal DL	2,473,878
	Original ID	388,095
	Duplicate DL	1,749,756
	Modified DL	536,480
	Renewal ID	204,725
	Duplicate ID	261,376
Driving motor safety	Occupational License Issuances	18,362
	Ignition Interlock Restriction	4,546

and vehicle staff

evaluate the driving performance of those who jeopardize the safety of others. These drivers are identified through court reporting of traffic violations or receipt of medical condition information that may prevent safe operation of a motor vehicle. Staff members respond to inquiries from affected citizens and communicate with courts throughout Texas and the United States to ensure accuracy of conviction reports. While traffic safety remains a primary focus, this activity includes administering numerous laws requiring withdrawal action for non-traffic offenses. Examples include: failure to pay child support, minors with non-traffic related alcohol or truancy offenses, and drug convictions that are not traffic related.

In addition to license holders and others who require driver license and identification services, driver records maintenance is a critical service for law enforcement and criminal justice partners. These requests assist with the information and support necessary for criminal and civil cases being held for prosecution. The Department assisted law enforcement agencies by providing 31,836 manual driver records requests in FY 2016. Accurate driver records are also important tools for employers, insurers, occupational licensing authorities, and other governmental entities. Entities or persons requesting driver record information must meet

statutory qualifications to receive the record holder's information. Protection of this personal information is an important component of driver record maintenance.

The CSC assists any member of the public with questions or concerns about all driver license and identification card services. Calls and emails come from license holders, new residents, courts, law enforcement, other governmental entities, and businesses. CSC staff also helps route general agency questions. No qualifications or eligibility requirements exist to receive CSC assistance.

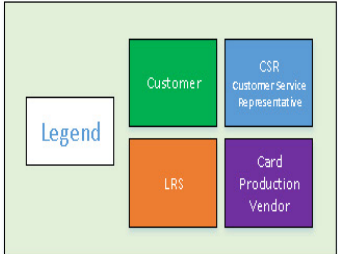
- F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.**

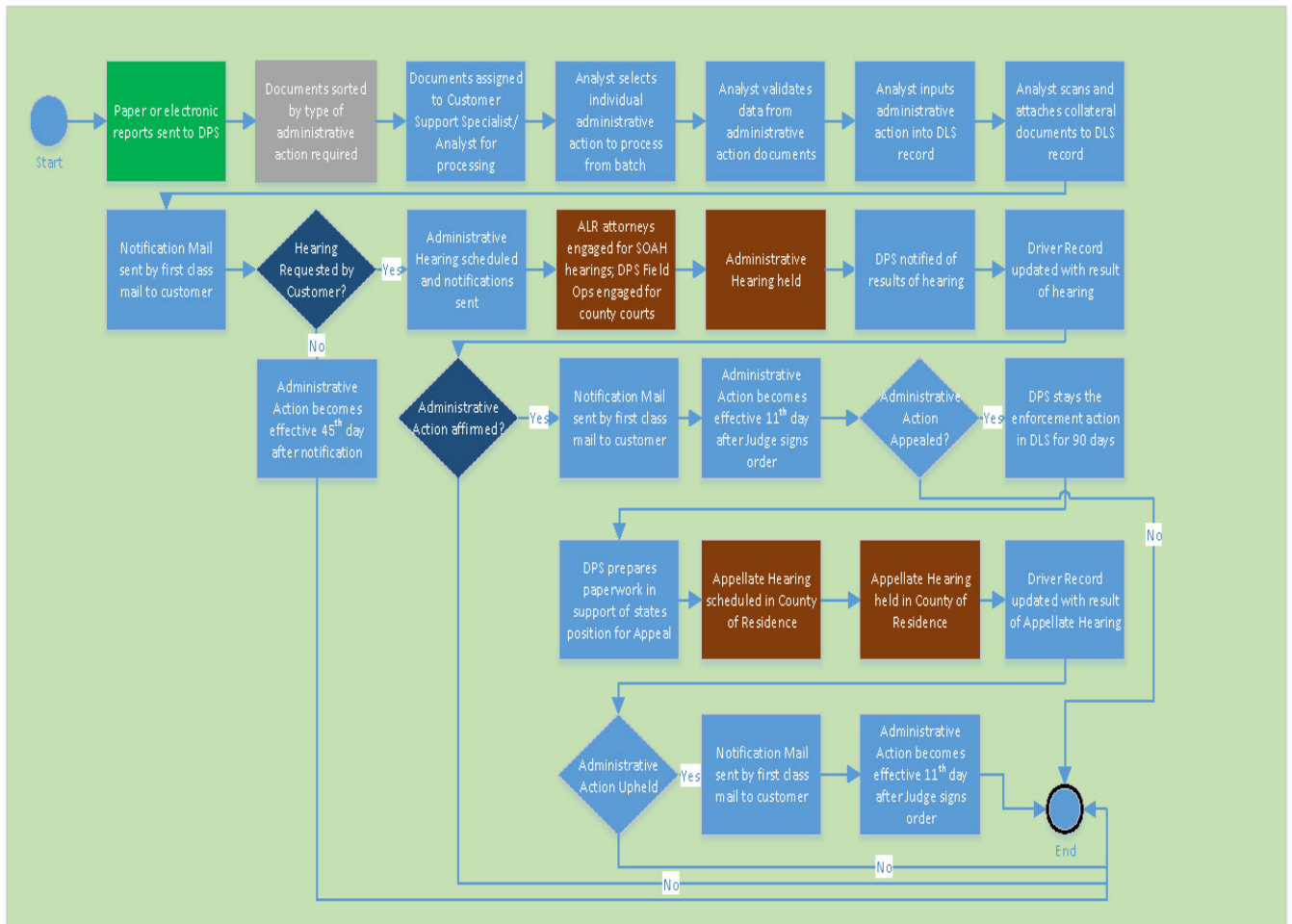
Issuance Services: DLs, IDs, CDLs, EICs



This process diagram applies to Driver License issuance. Please note that this is intended as a high level summary of the issuance process and does not include alternative processes (example CDL) nor exception processes.

Asterisk (*) indicates that result of these steps may halt transaction.

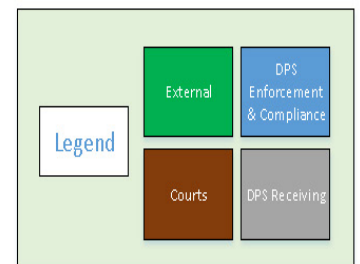


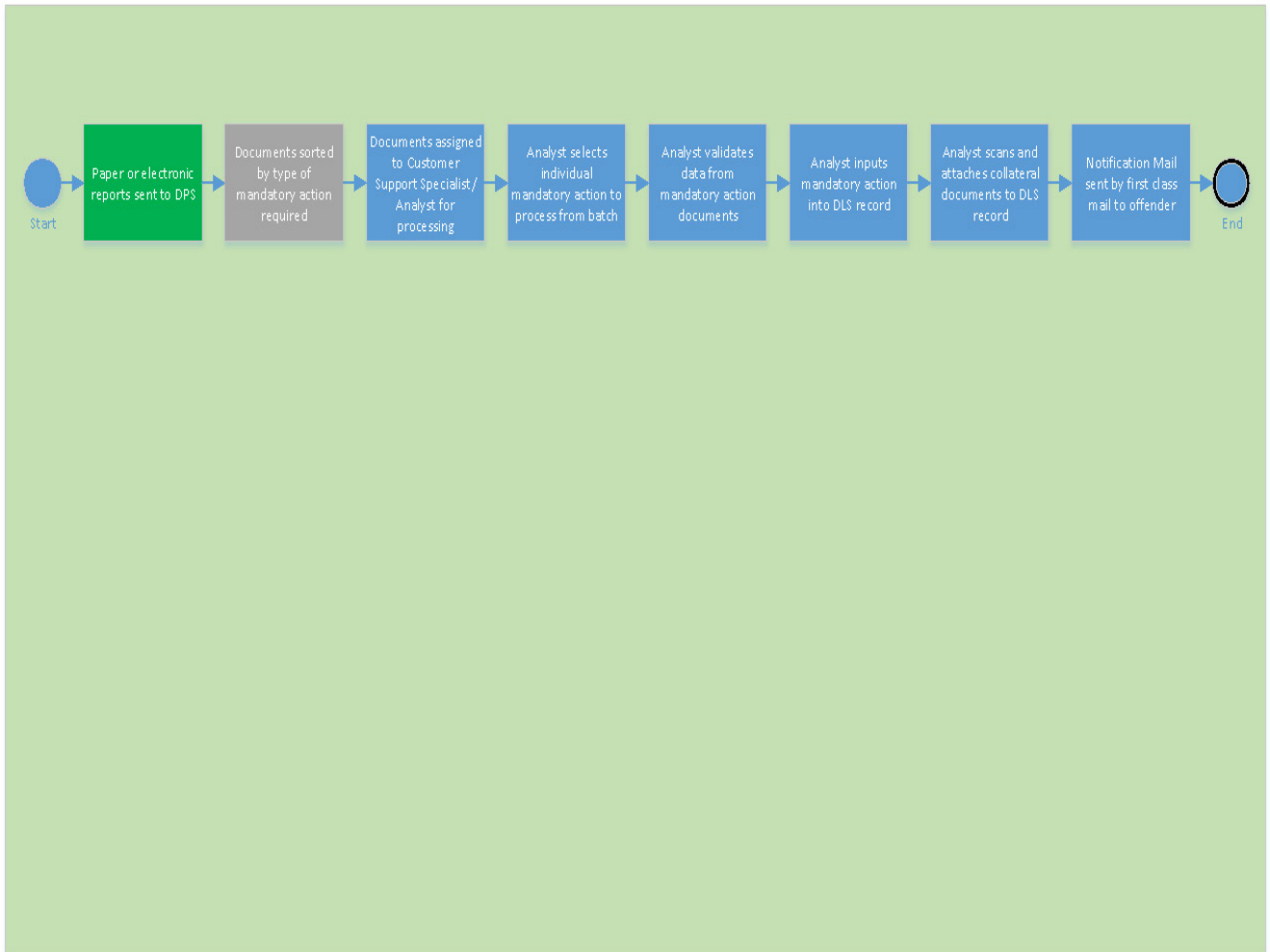


This Process Applies to Administrative Actions including:

Habitual Violator	Violate Driver License Restrictions
Provisional Violator	Serious Traffic Violations
Medically Incapable	Minor Failure to Appear/Pay
Nonresident Violator Compact	Violation of Probation
Driving While License Invalid	Fleeing from Police
Minor Restricted Driver License	Habitual Reckless Negligent
Subsequent Conviction CMV	Driving While License Disqualified
Railroad Violations	

Please note that this is intended as a high level summary of the Administrative Action process and does not include alternative processes nor exception processes.

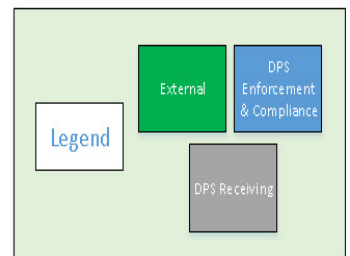


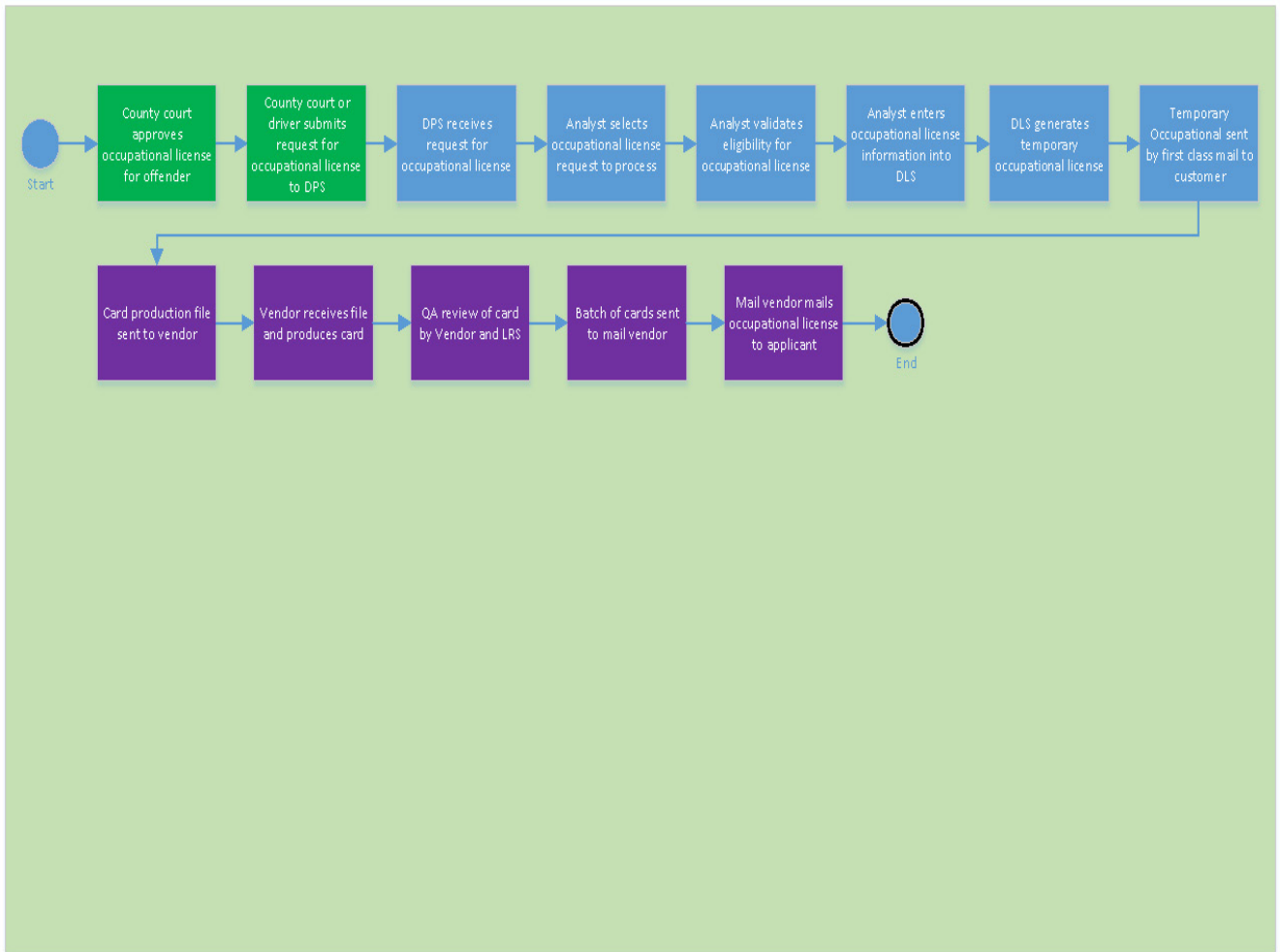


This Process Applies to Mandatory Suspensions relating to offenses including:

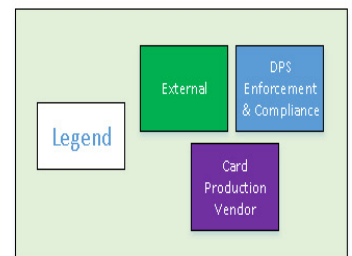
DWI	Boating While Intoxicated
Drug	Intoxication Manslaughter
Racing	Motor Vehicle Fuel Theft
DWLI	Minor in Possession
Truancy	

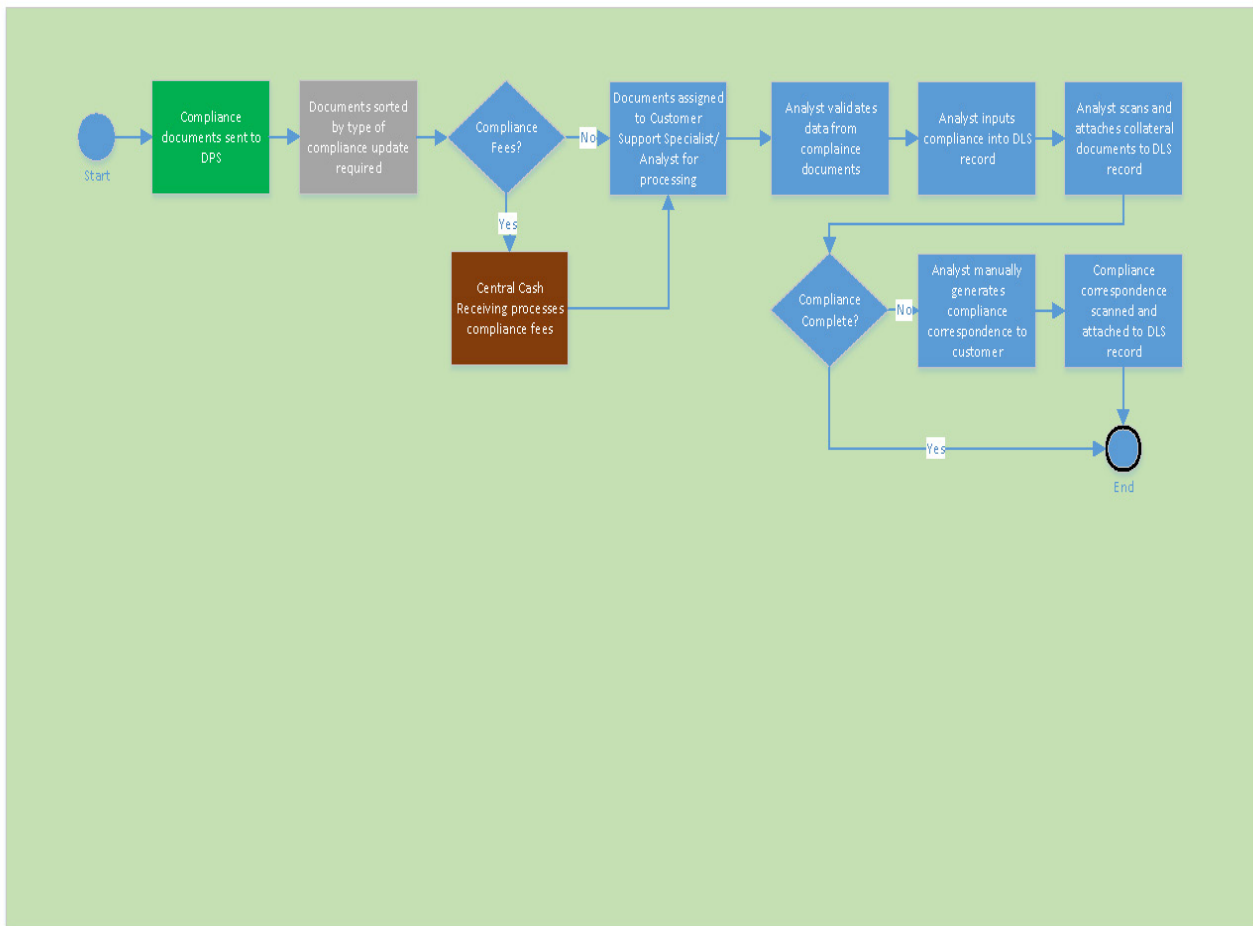
Please note that this is intended as a high level summary of the mandatory suspension process and does not include alternative processes nor exception processes.



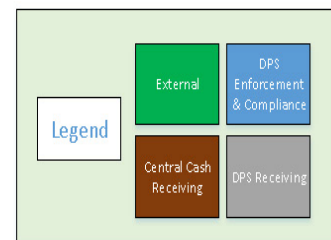


This Process diagram represents the process for handling occupational license requests. Please note that this is intended as a high level summary of the occupational license issuance process and does not include alternative processes nor exception processes.





This process diagram applies to compliance processing including compliance for administrative actions or mandatory suspensions. Please note that this is intended as a high level summary of the compliance process and does not include alternative processes nor exception processes.



Original and all CDL transactions must be conducted at a driver license office. A customer applying for an original, renewal, duplicate, or modified Texas Commercial Learners Permit (CLP), CDL, DL, or ID must meet issuance requirements mandated by federal regulations, Texas statute, Texas Administrative Code, and DLD policies and procedures. All applicants must establish identity, social security number, United States citizenship or lawful presence, and Texas residency. All documents and forms presented for the transaction are evaluated by the CSR and scanned into the DLS. Documents requiring external verifications are submitted electronically through an interface between the DLS and the appropriate entities such as Social Security Online Verification (SSOLV) for Social Security Number (SSN) and Systematic Alien

Verification for Entitlements Program (SAVE) for lawful presence. In the event additional inquiries are required, HQ Operations is notified to evaluate the record further.

The customer's demographic information, license type, surrendered documents, and issuance documents presented create the electronic driver record in DLS, which stores all transaction information. The customer is also cross-checked electronically through the Problem Driver Pointer System (PDPS) to assess any enforcement actions from all other United States issuing jurisdictions and Texas Crime Information Center/National Crime Information Center (TCIC/NCIC) to determine if there are pending warrants in any state. In addition to PDPS and TCIC/NCIC, those customers applying for a CDL are cross-checked electronically through the Commercial Driver License Information System (CDLIS) database to assess the applicant's entire driver history from all other United States issuing jurisdictions. Texas DL or ID card holders are also checked for any departmental or mandatory enforcement actions applied to the record, such as surcharges or Failure to Appear/Failure to Pay (FTA/FTP) programs. Any pending enforcements, suspension, revocations, cancellations, disqualifications, or warrants through these systems will result in the halt of a driver license transaction until the customer resolves the action against their record.

CDL applicants must also meet medical certification requirements based on the type of commerce to which they certify, either interstate or intrastate. This information must be entered into the DLS, as well as any waiver information provided through a federal waiver or application of a Texas vision or limb waiver if the applicant is unable to meet FMCSA regulations.

A system operating digital imaging software that interfaces with the DLS is used to collect applicant signatures, thumbprints, and portrait images necessary to complete the issuance process. A one-to-many comparison occurs at the time of original application through the IVS, comparing the newly captured image to the images on file. This is a batch process and records identified with a possible match are presented to HQ Operations for review. One-to-one matches are initiated on established records. If the comparison matches, the field proceeds with the transaction, if it does not match, further investigation is required by HQ Operations.

Prior to administering the required exams, Customer Operations staff collects the application fee. The fees are mandated by statute; however, certain fee waivers exist for disabled veterans and eligible foster youth. There are also numerous voucher programs established with the Department to provide payment for issuance services. For those applicants who must meet voter identification requirements and do not have an acceptable document to vote, an EIC will be issued at no cost. At the time of fee collection, an applicant may also choose to donate to the Blindness Education Screening and Treatment (BEST) Program, the Glenda Dawson Donate Life Texas donor registry, and Texas Veterans Assistance Program. A customer may also submit a voter registration application or become an organ donor during application.

All applicants for an original CLP, CDL, or DL must complete the vision exam, and any identified restrictions resulting from the vision exam are placed on the license. These applicants must also

complete the required knowledge and skills examinations unless they qualify for a waiver. The knowledge exams are completed through the Automated Driver License Testing System (ADLTS). An applicant for a non-commercial driver license is not required to complete the knowledge exam if the driver education certificate presented is dated within two years of application and the completed course is approved by the Texas Department of Licensing and Regulation (TDLR), or the applicant is already licensed and meets reciprocity requirements. An applicant for a CDL must complete the required knowledge exams at the time of CLP/CDL issuance, unless they are already licensed and meet reciprocity requirements. The reciprocity for knowledge exams is not inclusive of the Hazardous Materials Endorsement (HME) exam. The HME also requires the completion of a federal background check. The application for the background check is provided after completion of the knowledge exam, and HQ Operations staff is notified of these results to confirm the issuance of the endorsement.

All skills exams are conducted by the Department or by an authorized Third Party Skills Test (TPST) provider. All skills exams must be conducted in the type of vehicle class the customer is applying for, and the vehicle must be assessed at the time of the exam to ensure it meets the required safety standards detailed in Department policy. The non-commercial skills exam is comprised of various maneuvers requiring demonstration of the applicant's ability to safely operate a motor vehicle. The documented scores are entered into DLS, and upon the successful completion of the skills exam, a temporary license may be issued. If any restrictions are required as a result of the skills exam, they are placed on the license. All applicants less than 18 years of age must complete the skills exam, and are only eligible to attempt the skills exam after holding a valid learner license for at least six months and completing the Impact Texas Driver (ITD) course. Applicants over 18 years of age may have the skills exam waived if the applicant is already licensed and meets reciprocity requirements. If an applicant 18 years of age or older requires a skills exam, they must first complete the ITD course.

The skills exam for CDL applicants is required to be conducted per federal regulations in order to standardize the exam across all United States issuing jurisdictions and allow a Texas CDL to be recognized nationally. As these new standards required modifications to existing facilities at a high cost, the Department consolidated the CDL skills exam test sites to 25 offices in areas within 50 miles of 90 percent of the CDL applicants.

See [Driver License Appendix 2 – CDL Program Report](#).

Mobile skills exam teams are also utilized in areas outside the 50 mile radius of the 25 test sites. The Department implemented a CDL TPST program in April 2017 to allow private entities who meet the federal requirements to administer the CDL skills exams. The CDL skills exam is comprised of three components: vehicle inspection (pre-trip), basic skills exam, and road skills exam. The purpose of these additional exams is to allow the applicant to demonstrate an understanding of the vehicle's complex components and functions as well as the ability to safely operate the vehicle through various maneuvers. The documented scores from the Department and TPST providers are entered into the Commercial Skills Test Information Management System (CSTIMS), which interfaces with the DLS, and upon successful completion

of all three components of the exam, a temporary license may be issued. If any restrictions or endorsements are required as a result of the skills exam, they are placed on the license. A CDL applicant is not required to complete the skills exam if they are already licensed and meet reciprocity requirements, have an acceptable military waiver (CDL-3A), or an acceptable commercial motor vehicle employment waiver (CDL-3).

The license issued at a driver license office is a printed temporary permit that is valid for 45 days. Data transmission to headquarters is completed in real time and batch processes are monitored daily by HQ Operations technical staff to ensure completion of card production.

HQ Operations personnel are responsible for multiple functions related to the issuance process. Any transaction that does not meet the issuance criteria is halted from production and the customer is notified accordingly.

Prior to card production, HQ Operations staff reviews an applicant's record and provides resolutions for the following:

- Identification of multiple DL/ID records with matching social security numbers or matching names and dates of birth; transferring and updating driver history information.
- Image Verification System (IVS) results: IVS was integrated into DLS in 2009 for image comparison at the time of issuance in the field. A one-to-many comparison occurs at the time of original application and a one-to-one comparison is made on an established record, comparing the newly captured image to the previous images on file. If the comparison matches, the field proceeds with the transaction, if it does not match, further investigation is indicated on the record. The applicable images are compared to all images contained in the IVS database, and the results of this comparison are reviewed daily to determine if the investigation should be dismissed or referred to the Criminal Investigations Division (CID) for possible fraud. In FY 2016, 173,113 records were reviewed, resulting in 1,010 records referred for further investigation.
- Assisting Customer Operations and law enforcement personnel with investigations related to fraud or potential fraud.
- Systematic Alien Verification for Entitlement (SAVE) responses from the DHS: Lawful presence is required for issuance of a DL or ID card per state and federal regulations. The initial response of a SAVE inquiry for lawful presence or citizenship verification of the applicant is completed at the time of issuance in the field. If the returned result requests additional verification by DHS, the additional inquiries and responses are conducted and reviewed by HQ Operation staff. The customer is notified of the resolution by mail, and they must complete the transaction at a driver license office if lawful presence was confirmed. In FY 2016, 65,704 secondary and/or tertiary inquiries were required for license or ID card issuance.

- Social Security Online Verification (SSOLV) responses: SSOLV enables access to the Social Security Administration (SSA) for social security number (SSN) verification. A comparison of SSA and DPS records is completed at the time of issuance in the field. If the SSN information does not match, the card is not produced and the DPS record is flagged for review. Once the SSN can be verified, the DPS record status is updated in DLS and the card is issued.
- Problem Driver Pointer System (PDPS) inquiries: PDPS external checks are completed at the time of issuance in the field. If a problem in another state is identified, the customer is advised to contact the other state for assistance to resolve the issue and the transaction is left pending.

Once the DL, ID or EIC is produced, HQ Operations staff performs a quality assurance review on every tenth card to ensure the quality of the physical card; security features; applicant photo, signature, name, and address; and the expiration date of the card are acceptable. The DLS confirms the eligibility of the license when creating the file used by Fidelity Information Services (FIS), the contractor responsible for the mailing of all cards to the customer within seven to ten days from the date the transaction is completed. Any cards that do not meet criteria are pulled from mailing and returned to HQ Operations. All acceptable cards are mailed to the customer and returned cards are evaluated for further disposition.

Third Party Skills Testing (TPST) Program: Organizations authorized by HQ Operations may conduct the driving skills examinations required for CDL and non-commercial DL issuance. The organization must meet all application requirements and adhere to a Memoranda of Understanding (MOU) with the Department. This also authorizes the non-commercial TPST provider to administer the Impact Texas Driver (ITD) program, a video series developed to inform drivers of the consequences of distracted driving. ITD is required for all persons who must complete a driving skills exam for Texas DL issuance. These organizations will undergo audits by the Department, either overt or covert, according to the requirements of the MOU to ensure the integrity of the examination process. Since the non-commercial TPST program was implemented in September 2015, 173 organizations have signed an MOU with the Department. In FY 2015, 8,452 skills exams were administered and 25,258 skills exams were administered in FY 2016 by these authorized organizations. The commercial TPST program was implemented in April 2017, and the impact of this program to the Department is under assessment as industry participation increases.

Commercial Driver License HQ Operations Support: The Commercial Driver License Information System (CDLIS) is a national database that coordinates information related to CDLs issued in the United States and eliminates the practice of drivers having CDLs from more than one jurisdiction to avoid disqualification. It requires the entry of all commercial drivers into the CDLIS system. Data collected on Texas CDL operators is electronically transmitted by HQ Operations staff into the national clearinghouse, which maintains the identity and location of commercial operators across the country. As commercial drivers move from state to state, driver histories, including moving violations, are electronically sent through this system for

maintenance in the current state of record. Additionally, the applicant is checked through CDLIS by Customer Operations employees at the time of license issuance. Any discrepancies are sent to HQ Operations for investigation.

In June 2017, the Commercial Skills Test Information Management System (CSTIMS) was integrated into the DLS for the electronic submission and review of all skills exams completed by the Department and TPST providers. Additionally, this system is utilized by other United States jurisdictions; therefore, out of state skills exam results may be reviewed electronically for license issuance.

Federal regulations require all transactions for a CLP and CDL be reviewed within one business day to ensure all forms have been completed and all issuance transactions meet the federal issuance guidelines as well as Texas and the Department's licensing application requirements. As a result of the Patriot Act enacted in 2001, CDL holders who want to apply for a Hazardous Materials Endorsement (HME) are required to pass a federal background check and receive clearance from the DHS through an application submitted to the Transportation Security Administration (TSA). Once the applicant is fingerprinted, the background checks are initiated, and results are transmitted back to DLS. Upon background completion and notification from the TSA, HQ Operations staff updates the CDL with or without the HME as appropriate and notifies the customer.

HQ Operations staff reviews applications for Texas vision and limb waivers for intrastate CDL applicants who do not meet the FMCSA Regulations. Applicants must submit the application with the appropriate vision and physical examinations completed by a certified medical examiner. The applicant's submission is evaluated by HQ Operation staff and, if approved, the driver will be issued the appropriate vision or limb waiver, which allows them to complete the issuance transaction at a driver license office. Specific qualifications for a Texas intrastate vision or limb waiver are outlined in 37 TAC §16.5, Qualifications to Drive in Intrastate Commerce.

Eligible DL and ID card holders may renew or change the address on their card online at www.Texas.gov, by mail, or by telephone at 1-866-DL RENEW (1-866-357-3639). The alternative methods of transaction allow for more convenient, efficient, and secure means for Texans to renew and/or change the address on their DL or ID. All eligibility requirements for an alternative transaction are outlined in 37 TAC §15.59, Alternative Methods for Driver License Transactions.

Military personnel and civilians currently residing out of the state or country may renew or receive a duplicate DL or ID by mail. Applicants must complete the Out of State/Country Application, and adhere to all requirements detailed in the Out of State Packet available to the public on the Texas DPS website, www.dps.texas.gov.

The Offender Identification Card (OIDC) program provides an ID card to offenders that are within 6 months of discharge or release on parole, conditional pardon, or mandatory supervision from the Texas Department of Criminal Justice (TDCJ). TDCJ obtains the required

documentation and submits the application on behalf of the offender via a secure web application. HQ Operation employees review the application for eligibility prior to issuance.

A customer who is unable to leave their home or medical facility to visit a driver license office due to a medical condition that requires them to remain in place is eligible to receive homebound services for issuance of an ID. Most requests are received by the CSC and are forwarded to the appropriate region for handling. Office personnel make contact with the requestor to verify eligibility for homebound services. The CSR travels to the requested location to collect all required information, the ID fee, and photograph the applicant. The information is entered in the DLS upon return to the office.

The Department determined that using a consolidated CDL testing business model would be more cost effective than developing CDL testing facilities at all the DL offices. Historical data indicates 90 percent of all CDL applicants live within a 50 mile radius of the 25 CDL testing sites. To mitigate adverse impact on Texas CDL holders, the Department established nine mobile CDL testing teams to serve governmental entities (school districts, community colleges, fire departments, counties, and municipalities) located outside the 50 mile radius of CDL testing locations.

Texas Secretary of State is responsible for voter registration and acceptable forms of identification for voting purposes. One form of identification that can be used for voting purposes is an Election Identification Certificate (EIC). During times of elections, the department will deploy mobile units and open specific driver license offices for EIC issuance.

The Department utilizes Disaster Response Units (DRU) which includes the equipment necessary to support limited DL and ID card services to evacuees or displaced residents who qualify.

Customer Service Center

The CSC is staffed Monday through Friday, from 7:00 am to 5:30pm. On average, 618,624 phone calls for service are attempted monthly via phone (x2600 English line and x7181 Spanish line). The average number of calls handled per month is 77,043. In addition, there are email requests, all of which receive a response within 48-72 hours (4,973 per month on average). Approximately 7,520 additional calls are handled through the CSC Interactive Voice Response (IVR) phone system.

The CSC's primary focus is to assist callers with driver license issues by reviewing their driver history and providing necessary information. Calls and emails range in subject matter from simple driver license issuance queries to the much more complex calls regarding enforcement and compliance issues.

The DPS Switchboard is staffed by three CSRs who respond to an average of 10,958 calls per month. Staff provides direct responses when possible and routes all other calls to the appropriate agency or section within the Department.

All CSRs receive an extensive, four week training course conducted by subject matter experts from the various services within the DLD. Trainees must pass a final assessment with a score of 90 percent to be eligible to take live calls. This training covers but is not limited to the following:

- Use of proper voice tone and inflection, call scripting, call flow, communication and active listening skills, de-escalation skills, and how to respond to and handle stressful situations.
- Technical training in relation to driver license and safety responsibility laws that enable employees to properly evaluate and assess driver record information. Employees are also educated on business area processes to identify when area specialists are needed for assistance.
- How to handle threats and other emergency related calls.
- Continuing education and refresher training two to three times per year.
- Legislative changes.

Team Meetings are held with CSRs monthly. Daily email updates from an appointed communications officer are provided to CSRs as changes occur.

Special Programs: Currently the CSC utilizes a Knowledge Base system as a training and support tool. The Knowledge Base is maintained on a third party application and is in the process of being converted for housing on an internal mainframe.

Maintain Driver Records

HQ Operations provides driver records to the general public, law enforcement personnel, private entities, government agencies, commercial driver license employers, and any other authorized individuals and/or organizations that submit a request along with required fees. All driver record requests may be completed online through www.Texas.gov or by mail. Online driver records may be printed immediately through the web portal, and mail applications are processed within two to three weeks. Over 15 million driver record requests are processed annually, generating approximately \$14.5 million in revenue each year for the state of Texas. Qualifying companies and employers may also contract with the Department to process bulk requests for driver record information through the Texas.gov website.

The Department implemented Driver Record Monitoring in June 2017. This is an automated service allowing insurers, employers, and insurance and employer support organizations to continually monitor the records of their employees or customers. The company monitoring the record is notified each time a new conviction or enforcement action is added or there is a change in the record holder's driving privileges or eligibility to drive.

DL Image Retrieval System is used by authorized law enforcement personnel to obtain the latest DL or ID photograph on record. This system is limited to use for law enforcement purposes and requires an approved MOU be on file with the department.

HQ Operations coordinates the Voter Inquiry Portal, owned and maintained by the Texas SOS Elections Division. County election personnel submit inquiries related to voter registration applications when a voter who is not on the registry indicates an application was submitted during the DL or ID issuance process. The usage of this portal is high during statewide or national elections, but can be used at any time of the year. Reviewing the requests submitted through the SOS Voter Inquiry Portal is a high priority due to the limited number of days the county officials have to determine the eligibility of a voter. HQ operations reviewed 19,410 records during the November 2016 election cycle.

The DSHS provides a weekly file containing information on individuals who are deceased. This information is applied to the person's record and is used to control the actions applied to the record as well as the release of record information.

The department provides an annual file to the SOS for jury wheel use and to the Texas Comptroller for unclaimed property. The file provided to the Secretary of State only contains the records of those individuals who meet the qualifications of being a juror.

Driving and Motor Vehicle Safety

The primary functions of Driving and Motor Vehicle Safety are to ensure the safety of all licensed Texas drivers and to promote responsible driving behavior on Texas roadways. The Department has statutory authority to suspend, revoke, disqualify, deny, or cancel driving privileges and provide options to Texas drivers for restoration of their driving privilege when applicable.

It is DPS' responsibility to evaluate the driving performance of those who jeopardize the safety of others. Drivers are identified through the electronic receipt of traffic and non-traffic related convictions via a Secure File Transfer Protocol (SFTP). Additionally, certain convictions that result in license suspension, revocation, cancellation, denial, or disqualification are reported through several formats. Counties with the capability may report these convictions through the electronic criminal history court disposition reporting system, Criminal Justice Information System (CJIS), while other counties utilize a paper format, which is the equivalent to this electronic transmission, but requires manual data entry. Offenses reported by this method include but are not limited to; DWI's, drug offenses, Intoxication Manslaughter, Racing, Motor Vehicle Fuel Theft, Boating While Intoxicated, and minor offenses such as Truancy and Minor in Possession. Staff works closely with 1,749 Texas Municipal and Justice of the Peace courts, as well as out of state courts and law enforcement entities to ensure the accuracy of driver histories.

Reported convictions that do not result in an immediate or mandatory suspension may qualify for an administrative action. The Department's authority to take administrative action against

a driver license or privilege to drive can be found in TRC Sections 521.292 and 521.294. The driver records are reviewed to determine if a driver license should be suspended, revoked, or disqualified.

Administrative actions include:

- Habitual Violator
- Provisional Violator
- Medically Incapable
- Nonresident Violator Compact
- Driving While License Invalid
- Minor Restricted Driver License
- Subsequent Conviction CMV
- Railroad Violations
- Violate Driver License Restrictions
- Serious Traffic Violations
- Minor Failure to Appear/Pay
- Violation of Probation
- Fleeing from Police
- Habitual Reckless Negligent
- Driving While License Disqualified

Notification is sent by first class mail to the offender indicating the driving privilege is to be suspended, revoked, or disqualified as authorized by the TRC. This action becomes effective on the 45th day from the notification date. An individual may request a hearing to contest the adverse action; however, this request must be made to the Department within 20 days from the notification date. If an administrative hearing is requested, it is held in the driver's county of residence. A representative for the Department, usually a CSR, will attend and present the case to the Justice of the Peace or Municipal court judge. The driver records are updated once a decision has been made by the court and the Department may then be required to suspend, revoke, or disqualify the driving privilege.

Driving and Motor Vehicle Safety personnel also oversee the administrative functions of the Administrative License Revocation (ALR) program, which went into effect on January 1, 1995. This is the administrative process by which the Department suspends the DL of individuals arrested for the offense of Driving While Intoxicated (DWI). This area maintains the automated database for the ALR program, schedules hearings with the State Office of Administrative Hearings (SOAH), and updates the judge's findings to the driver record, as well as supporting the ALR attorney group on technical matters specific to offense reports.

The CSRs, who represent the Department as hearing officers, when not preparing for upcoming cases, perform issuance related activities for customers in DL offices. Case preparation includes retrieving documents from DLS and gaining information relevant to the case. This removes the CSR from performance of issuance related tasks for 51 percent or more of their work hours and often requires extensive travel. These CSRs work closely with HQ Operations personnel to coordinate hearing activities and information.

The Department is authorized to take action on certain offenses that are not conviction related. One example is the process that is used to remove medically unsafe drivers from Texas roadways. Physicians, family, friends, acquaintances, and Customer Operations personnel may report a Texas driver to the Medical Advisory Board (MAB). A personal admission of a possible health condition that may interfere with the safe operation of a motor vehicle during

application or renewal for a Texas driver license may also result in a special skills examination and referral. The MAB consists of a panel of physicians appointed by the DSHS. The panel convenes every other week to review possible medical conditions as they relate to the driving ability of reported Texas drivers. This panel reviews medical documentation submitted by the subject's personal doctor regarding the condition in question. The Department acts in accordance with the findings of the MAB. If the MAB determines an individual is medically incapable of safely operating a motor vehicle, administrative action is taken to revoke the privilege.

See [Driver License Appendix 3 – Flow Chart for Administrative Actions](#).

Other non-conviction based offenses affecting driving privilege include, but are not limited to:

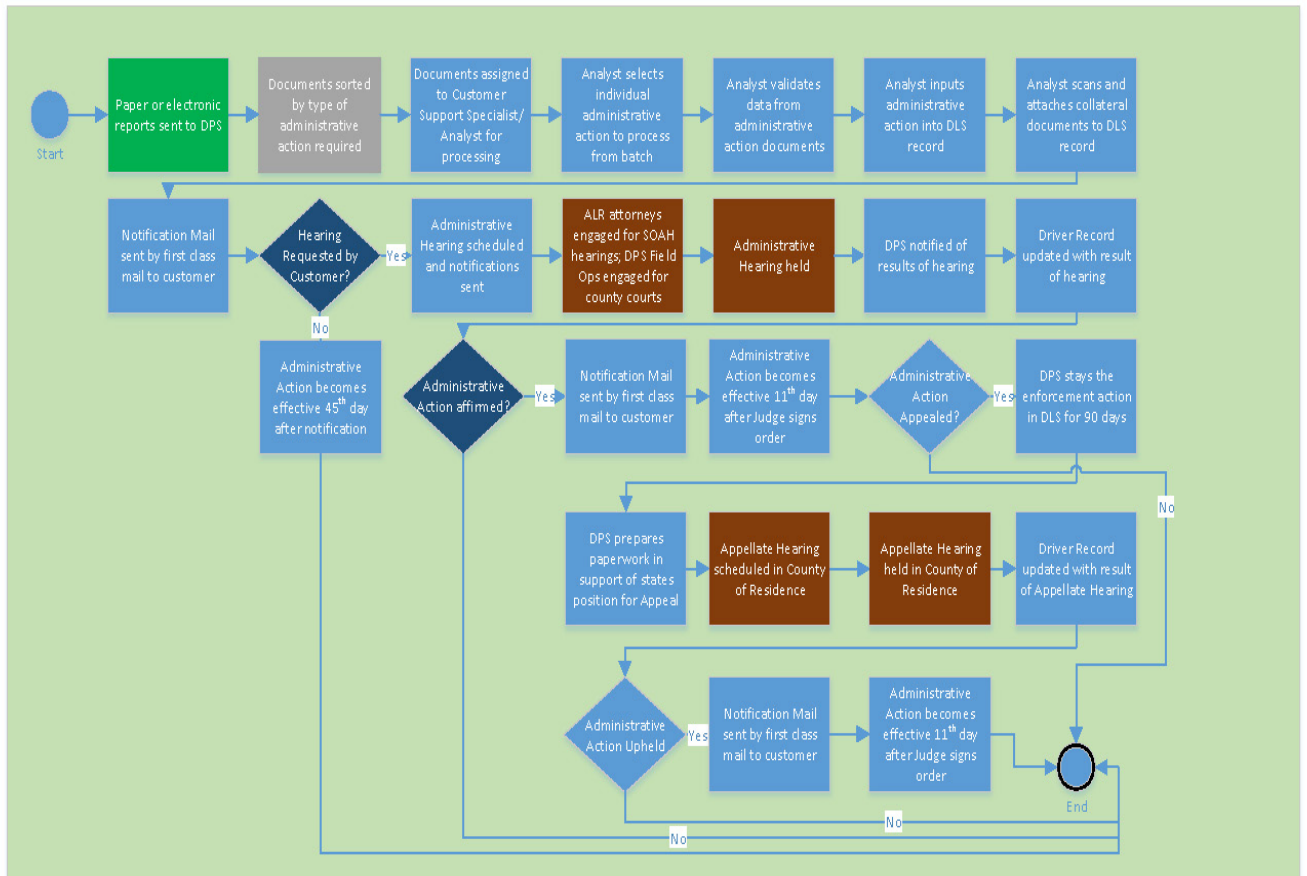
- Delinquent Child Support – upon notification from the Attorney General's office the Department will revoke a license for failure to pay child support.
- Classified Sex Offender – the Department will revoke the driving privileges of a sex offender if they fail to apply for the annual renewal of the driver license or identification card.
- Mentally Incapacitated – the Department removes driving privileges if it has been determined by a judgment of the court the person is totally incapacitated, or incapacitated to act as the operator of a motor vehicle.
- Department of State Health Services Overpayment – individuals have been reported to have received an overpayment of entitlements.
- Crash suspensions – the Department may take suspension action against an uninsured motorist's driving privilege if it has been determined there is reasonable probability of a judgment being rendered against the owner and/or operator of the motor vehicle, due to an automobile crash in which the individual was at fault.

The Department is responsible for administration of the Failure to Appear/Failure to Pay (FTA/FTP) Program and contracts with political subdivisions to deny DL renewal of a person who fails to appear for a complaint or citation, or fails to pay or satisfy a judgment. Established in October 1996, the FTA program provides for an automated system that collects and maintains violator information until all fines and court related costs are paid to the originating court for final disposition. Technical staff coordinates with a third-party vendor, judges, court officials, and the public to ensure program compliance. In FY 2016, the Department was contracted with 1,025 political subdivisions across the state. Since 2007 there have been over 9,358,351 offenses entered into the FTA database, and over 7,966,678 resulting compliances.

The Department has also been tasked with the administration of the DRP, which establishes a system authorizing the Department to assess surcharges to an individual based on certain traffic offenses occurring on or after September 1, 2003. Individuals are notified by mail each time a surcharge is added to their driver record. Surcharges are in addition to other fees and do not replace a suspension, revocation, denial, disqualification, or cancellation resulting from

the same conviction. The function of the DRP is to promote traffic safety, as well as provide additional funding streams for the General Revenue fund and the Trauma Center fund.

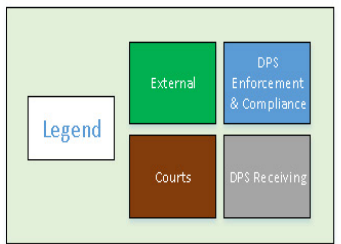
In addition to taking suspension, revocation, cancellation, denial, and disqualification action against drivers to remove their driving privileges, DPS is responsible for reinstating privileges as drivers meet certain requirements. Reinstatement consists of processing all compliance items related to crash, administrative, and/or mandatory suspensions, and managing filing of proof of insurance certificates (SR-22). Driving and Motor Vehicle Safety staff are also responsible for collecting reinstatement fees paid to the Department as required under specific Driver Improvement, Safety Responsibility, and Administrative License Revocation statutes. For individuals required to serve a mandatory period of suspension, an occupational license is their only option if driving is required to meet the essential needs of life. If the Department receives the appropriate documentation and fees, an occupational DL is issued to those who have no other compliance options.

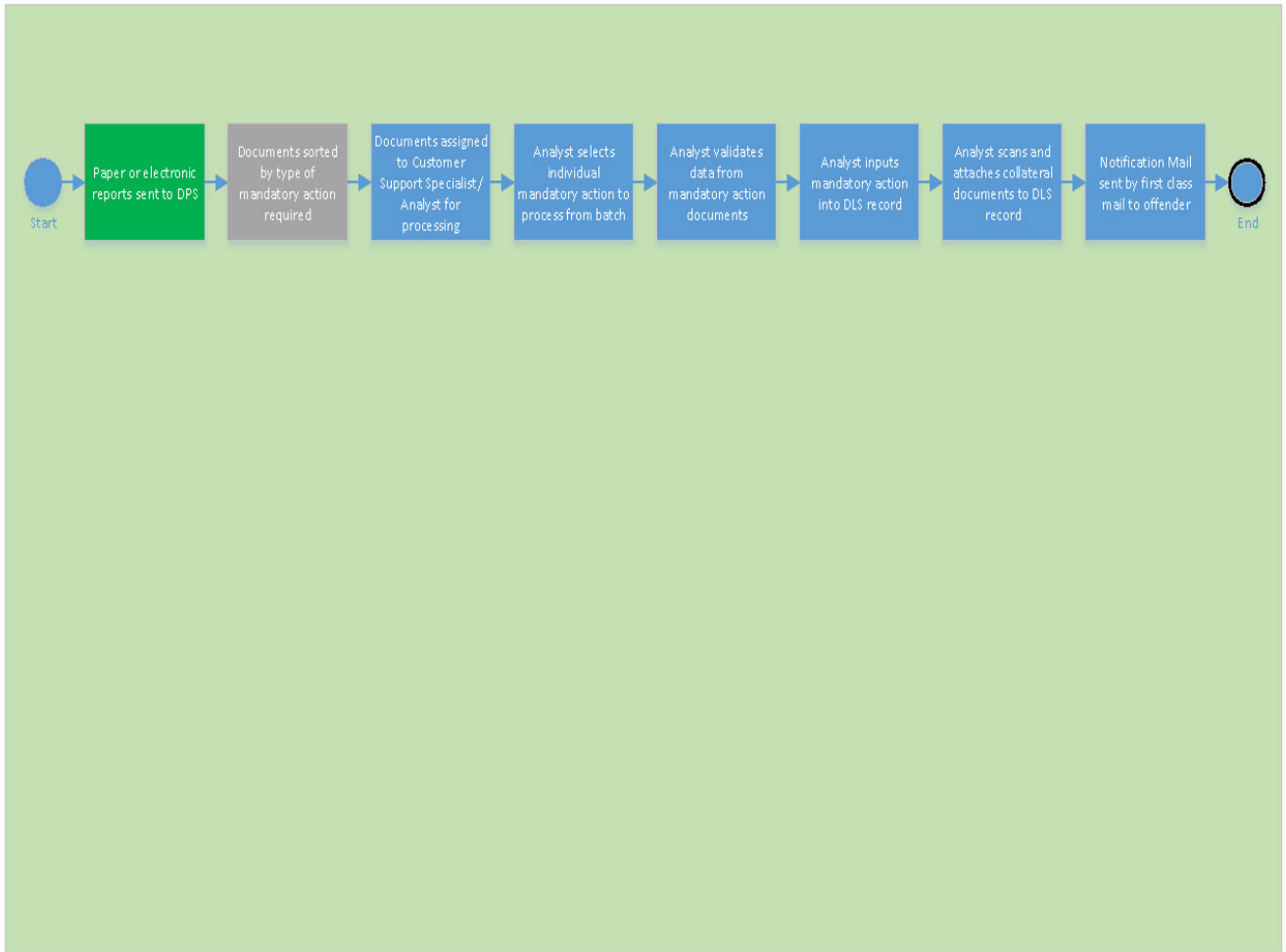


This Process Applies to Administrative Actions including:

Habitual Violator	Violate Driver License Restrictions
Provisional Violator	Serious Traffic Violations
Medically Incapable	Minor Failure to Appear/Pay
Nonresident Violator Compact	Violation of Probation
Driving While License Invalid	Fleeing from Police
Minor Restricted Driver License	Habitual Reckless Negligent
Subsequent Conviction CMV	Driving While License Disqualified
Railroad Violations	

Please note that this is intended as a high level summary of the Administrative Action process and does not include alternative processes nor exception processes.

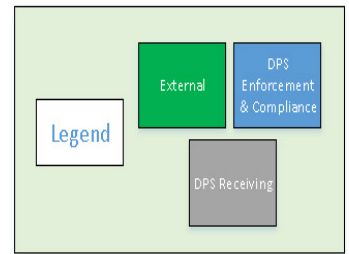




This Process Applies to Mandatory Suspensions relating to offenses including:

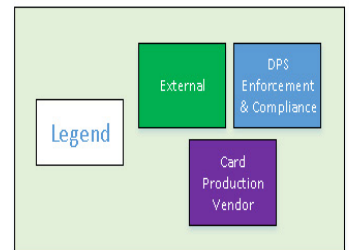
DWI	Boating While Intoxicated
Drug	Intoxication Manslaughter
Racing	Motor Vehicle Fuel Theft
DWLI	Minor in Possession
Truancy	

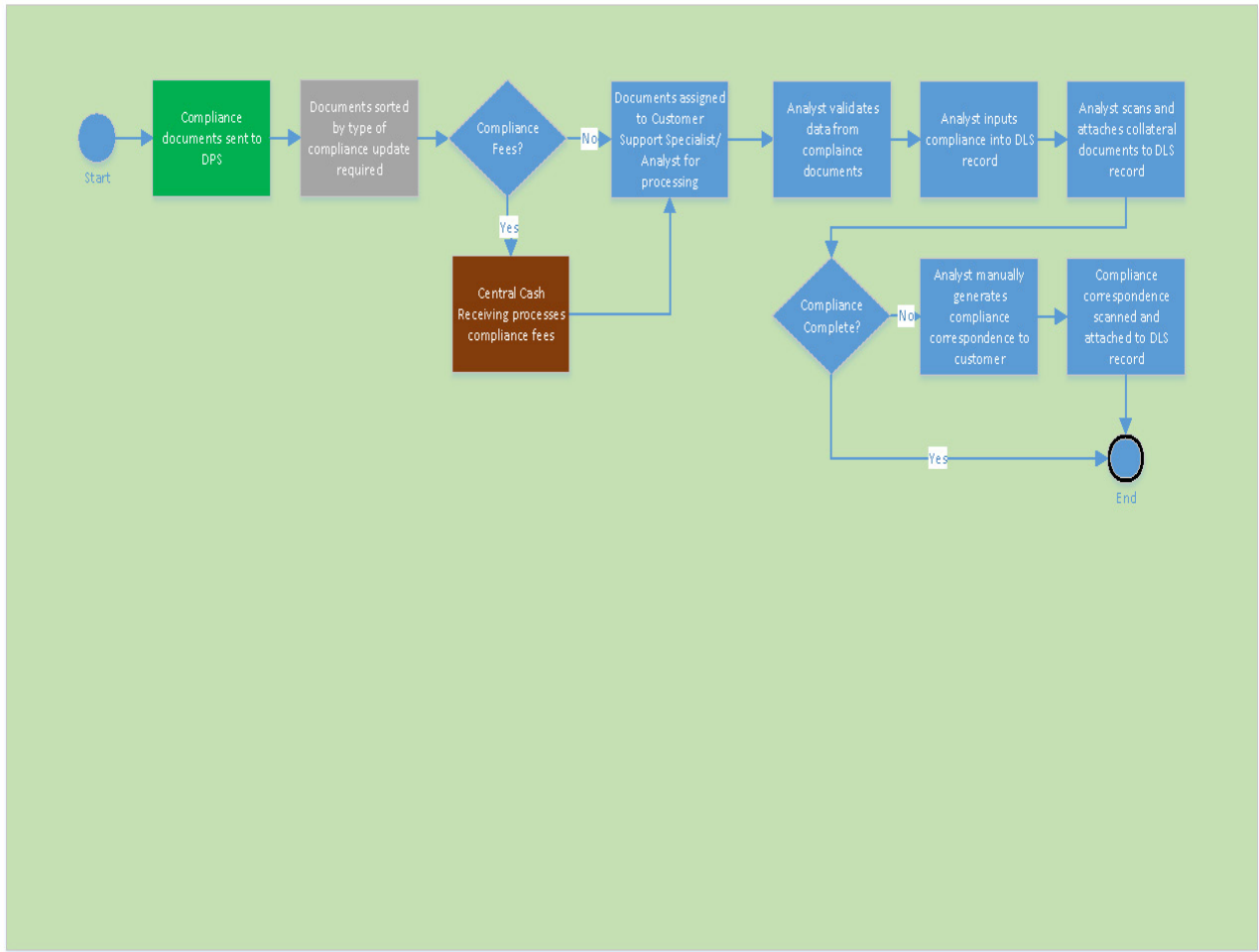
Please note that this is intended as a high level summary of the mandatory suspension process and does not include alternative processes nor exception processes.



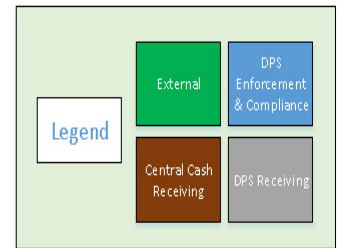


This Process diagram represents the process for handling occupational license requests. Please note that this is intended as a high level summary of the occupational license issuance process and does not include alternative processes nor exception processes.





This process diagram applies to compliance processing including compliance for administrative actions or mandatory suspensions. Please note that this is intended as a high level summary of the compliance process and does not include alternative processes nor exception processes.



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

AY 2016

Driver License and Identification Services	0001 General Revenue	\$124,872,813
	0666 Approp Receipts	\$7,069,071
	Total	\$131,941,884

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

No other Texas state agency provides services that are identical to those provided by the Driver License and Identification Services Program. There are state agencies in every other state that offers these services to their citizens.

The Handgun Licensing Program, overseen by the Regulatory Services Division at DPS is responsible for the issuance of another privileged license, License to Carry, which is similar in nature and uses many of the same data points. The statutory requirements that must be met prior to the issuance of a card are what differentiate these programs. RSD also has call center for the purpose of taking all calls related to the following programs: License to Carry, Prescription Drug, Private Security, Texas Metals, Salvage Yard, and Vehicle Inspection.

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

There is an interagency MOU in place that allows RSD to use the photograph stored in the Driver License System for the issuance of a License to Carry or Private Security card. The cards issued by DLD (DL, ID and EIC) and RSD (LTC and PSB) are produced and mailed using vendor services. Partnering on these contracts allows the agency to leverage volume discounts.

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

Coordination with the following federal and state agencies is performed to communicate information, respond to program changes, program audits, implement federal and state laws, and other program related functions:

- Department of Transportation (DOT) – The DOT serves the United States by ensuring a fast, safe, efficient, accessible and convenient transportation system that meets vital

national interests. The Department works with the Federal Motor Carrier Safety Association (FMCSA) within the DOT for regulations and programs concerning commercial motor vehicle drivers.

- Department of Homeland Security (DHS) – The DHS strategy is to mobilize and organize our nation to secure the homeland from terrorist attacks. The Department works with segments of DHS to process commercial drivers requesting hazardous materials endorsement according to the U. S. Patriot Act. The Department coordinates with DHS for database access for lawful presence verification through SAVE for all Texas DL and ID card issuances. Lawful presence verification is also required to maintain REAL ID compliance.
- Federal Bureau of Investigation (FBI) to search photos against the Texas DPS photo repository.
- Social Security Administration (SSA) to provide the Department with SSN online verification via the SSOLV process for DL and ID card issuance transactions.
- Transportation Security Administration (TSA) for the purpose of compliance with the Hazardous Materials Threat Assessment program requirements.
- American Association of Motor Vehicle Administrators (AAMVA) for the purpose of electronic transfer of commercial and problem driver record information into the national database for DL issuance.
- Texas Department of Criminal Justice (TDCJ) to accept electronic files to process eligible TDCJ Offender ID card.
- Texas Comptroller to provide information for unclaimed property.
- Texas Department of Licensing and Regulation (TDLR) to identify the agency responsibilities for driver education and licensing.
- Texas Health and Human Services Commission (HHSC) to transfer driver license data elements to assist the Commission in determining an applicant’s eligibility for an HHSC program.
- Texas Department of State Health Services (DSHS) Vital Statistics Department for the purpose of receiving and entering deceased data to the driver record file, MAB referrals and DHS overpayments.
- Texas Department of Insurance.
- Texas Department of Motor Vehicles (DMV) for vehicle registration suspension.
- Texas Office of Attorney General (OAG) for child support.
- Texas Secretary of State (SOS) Office Voter Registration Department for the purpose of providing driver record data for the Jury Wheel and Voter Registration applications.
- Texas State Library for the purpose of film storage and archival of driver record issuance documents.
- Texas State Office of Administrative Hearings (SOAH) for ALR hearings.
- Texas Department of Transportation (TXDOT) for CDL skills testing.
- Law enforcement entities statewide to provide record information for investigative use, data used to prepare racial profiling reports, and ALR hearings.
- Courts – local, state, and federal to provide record information for use in prosecutions, conviction reporting and the FTA/FTP programs.

- Miscellaneous local and state agencies to provide record information to those who meet criteria outlined in TRC Chapter 730 and have contracted with the Department to receive individual or bulk record information.

In addition, with the passage of SB 1756 (84th) and HB 3050(85th), DPS can enter into agreements with local governments to provide specific driver licensing services utilizing an existing county or city employee. At no cost to the local government, DPS would train the local employee and provide the required office equipment to offer driver license renewals, duplicates and address changes, as well as electronic identification certificates and identification cards. The local government would determine the availability of offering those services. We currently have active agreements with 11 counties and are in discussion with 1 municipality.

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

- **a short summary of the general purpose of those contracts overall;**

These contracts are meant to assist in the process of receiving a DL or ID. The largest contract is for the administration of the Driver Responsibility Program.

- **the amount of those expenditures in fiscal year 2016;**
- **the number of contracts accounting for those expenditures;**
- **the method used to procure contracts;**

DPS follows the procurement method requirements as defined in Texas Gov't Code Chapters 2155, 2156, 2157, 2158, and 2161 and 34 Texas Administrative Code (TAC) Chapter 20. DPS also follows the state's Contract Management Guide and Procurement Manual that are published by the Comptroller of Public Accounts.

In FY16, DPS procured goods and services using Council on Competitive Government, Texas Correctional Institute, Texas Institute for the Blind and Handicapped, Term, Managed, and TXMAS contracts available through TX SmartBuy. These contracts are managed by the Comptroller of Public Accounts, and state agencies issue purchase orders against those contracts.

DPS also procured goods and services using DIR contracts for certain technology related procurements in FY16. These contracts are managed by the DIR, but agencies can issue purchase orders and agreements against these contracts.

DPS also procured goods and services on the open market in those instances where there was no state contract in place or where the dollar amount associated with the procurement exceeded the limits of use for the state contract. For example, in FY16 SB 20 required that any technology procurements that were over 1 million be solicited

on the open market. For non-technology goods that were over 25K and services that were over 100k, DPS would be required to seek delegation from the Comptroller's office before being authorized to solicit on the open market. In some cases the Comptroller would decide to perform the solicitation on behalf of the Department.

- **top five contracts by dollar amount, including contractor and purpose;**

- **PO-405-15-P003328** valued at \$18,736,747.18 with GILA LLC for Driver Responsibility Program
- **PO-405-16-P006304** valued at \$5,500,000.00 with FIS for Mailing Services Solution
- **PO-405-16-P006304** valued at \$5,000,000.00 with TEXAS FACILITIES COMMISSION for Gessner DL Renovation - TFC Contract 16-051-000
- **PO-405-15-P001733** valued at \$3,171,529.00 with L-1 SECURE CREDENTIALING INC for Card Production
- **PO-405-16-P008165** valued at \$2,955,976.00 with MORPHOTRUST USA for Card Production

- **the methods used to ensure accountability for funding and performance; and**

Each contract has an assigned contract monitor from the division that has been provided with internal training and procedures for monitoring the deliverables and performance of the contract and supplying vendor performance reports. The official contract manager in Procurement & Contract Services works with the division contract monitor, OGC, and Finance to administer and manage contract and vendor performance, ensure compliance with applicable statutes, rules, and policies, and officially address any needed corrective action. Finance is responsible for maintaining compliance with payment rules based on validation from the division that goods and services were received and performance criteria were met.

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

The largest issue with contracting at DPS is the lack of delegated authority for many purchases from the Comptroller's office. Please see the Major Issue regarding delegated authority.

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

N/A

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

Service Capacity and Gaps

Exceptional item requests in previous biennia sought to address the significant increase of population from 20 million in 2000 to an estimated 27 million in 2015 and the substantial increase in the direction of DL transactions as a direct result of federal mandates including the REAL ID Act.

The population of Texas has now increased to an estimated 28.7 million residents and the federal government has imposed additional requirements on the issuance of commercial driver licenses, which severely limit locations of testing for CDL and the duration of these tests.

Furthermore, the State Demographer projects an estimated 32.3 million residents by 2023 and 37 million by 2030. DLD will need to dramatically increase its service capacity in all areas.

Regional Operations

One of the most visible aspects of the DLD are the offices, which process applications for driver licenses and identification cards. One of DLD's responsibilities is to ensure there is sufficient capacity in those offices to manage the demand for services. The number of processing stations where customers can receive, renew, or replace their driver license, identification card, election identification certificate, or receive other services partially determines the capacity of a driver license office. Before DLIP, DLD had fewer than 900 processing stations at its offices to serve customers. By the end of fiscal year 2017, DLD will have 1,195 processing stations in 235 offices. However, processing stations are only useful if we have employees to operate them. With current staffing, DLD is unable to staff all processing stations.

Population change translates to a change in demand for in-office transactions from a projected 5.3 million in FY 2017 to an estimated 5.9 million in FY 2023. To ensure capacity keeps up with demand, and to ensure that 90% of transactions occur within service targets, DLD will need to increase the number of processing stations from 1,195 to 1,744 by 2023. Existing DLD offices cannot accommodate adding that many additional processing stations, so DLD will need to build or lease more office space.

To ensure the processing stations get staffed, DLD will need to increase its authorized customer service representative workforce in the field from 1,513 FTEs to 3,140 by 2023. This estimate is based on an office staffing model of 1.8 FTEs per processing station. The number of processing stations is based on a study by the Institute for Government Innovation at Texas State University. The staffing model allows for the maximum number of processing stations to be utilized during a business day despite normal staffing pressures. These pressures include: vacancies, absences due to illness, training, administrative activities, and vacations as well as other services performed at DL offices such as:

- Skills tests,
- Home bound visits,
- Banking,
- Training third-party skills testers,

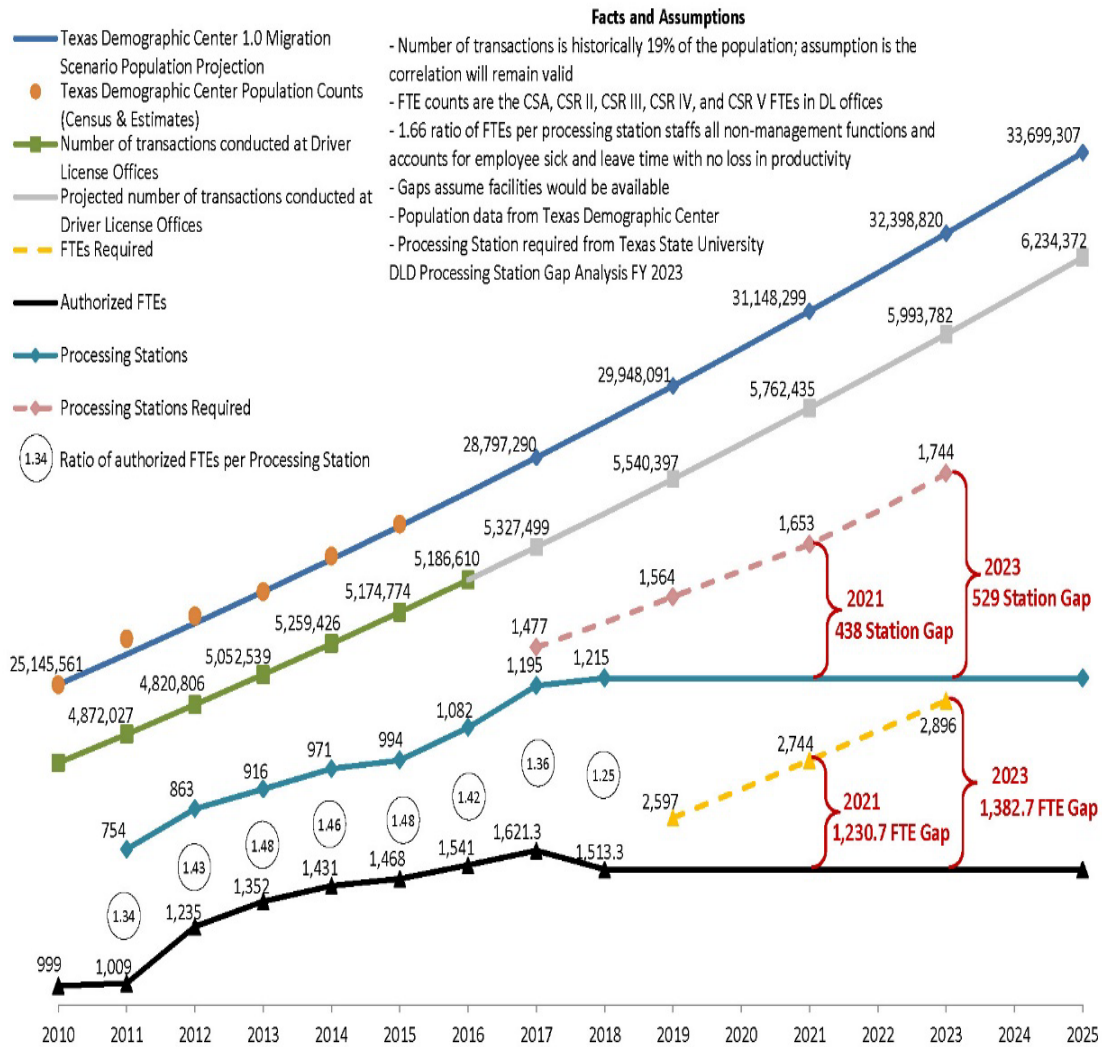
- Auditing entities which provide third party skills testing,
- Administrative hearings
- Medical Advisory Board investigations
- Customer outreach
- New employee training
- Refresher training

The staffing numbers referenced above only represent line customer service positions. In addition, DLD would need 257 additional supervisors and assistant managers.

The staffing numbers above only represent potential capacity instead of actual capacity. The combination of an existing DLD budget deficit identified and presented to legislative members and staff prior to and during the 85th Legislative Session, which was not remedied, and the four percent General Revenue reduction significantly impact DLD. To stay within budgetary limitations for the 2018-2019 biennium, DLD will be forced to maintain a nine percent vacancy rate every month. That equates to a reduction of 136 customer service positions each month. DLD also lost 108 FTEs as part of the four percent reduction.

On September 1, 2016, DLD operated 235 office locations with 1,621 authorized FTEs. At that time, we projected that it required an additional 119 FTEs to keep pace with the state's population growth. On September 1, 2017, as a result of the budget deficit vacancies and FTE reductions, we will only have 1,377 available FTEs while still trying to effectively operate 235 locations. If you include the projected FTE need based on population in 2018, DLD is understaffed by over 500 customer service positions. If it remains unaddressed, we are projecting a 2019 resource deficit of approximately 1,000 FTEs and 200 processing stations.

Driver License Office FTEs and Processing Stations



Updated June 22, 2017

Version 5.0

Enforcement and Compliance Service

The Enforcement and Compliance Service (ECS) is another major service function provided by DL and is located at Headquarters. Its primary functions include ensuring the safety of all licensed Texas drivers and promoting responsible driving behavior on Texas roadways through the statutory authority to suspend, revoke, disqualify, cancel or deny driving privileges.

The Failure to Appear (FTA) program is maintained in ECS and denies the renewal of a Texas license for individuals reported by the court, who have failed to appear or pay for a citation. ECS is responsible for the Administrative License Revocation (ALR) program, which provides a civil procedure for the suspension of driving privileges for failure or refusal of breath or blood alcohol tests. Another function of the service is the Administrative Hearing process, which results from Departmental suspensions.

Where applicable, the law also provides options to Texas drivers to restore driving privileges. The ECS staff collects reinstatement fees paid to the Department for withdrawing driver license suspensions; processes all compliance items including but not limited to those related to crash, departmental, and mandatory suspensions; and manages proof of insurance certificate (SR-22) filing.

A major task in ECS is the administration of the Driver Responsibility Program (DRP), which requires the Department to assess a surcharge based on certain traffic offenses. The DRP applies to offenses that occurred on or after September 1, 2003, and is in addition to administrative suspension, cancellation, or revocation actions resulting from the same convictions. The Department contracts with a third-party vendor for the collection of surcharges.

Similar to the increased requirements for processing stations and DL office employees to meet the projected 2023 population growth, additional resources are required in ECS to support the enforcement processes. An estimated 59.1 additional FTEs are required by 2023 to perform enforcement action services.

Enforcement and Compliance Gaps

Current capacity

Enforcement Actions	510,458
Compliance	471,581
Admin Actions	197,093
Manual Convictions	419,690

Note: The formula Manual Convictions here only accounts for a 32 hour week, as manual convictions cannot be processed on Fridays due to notice generation. Many enforcement actions allow 20 days to request a hearing and the notices are produced in a batch process overnight. If we enter on Friday, the notice will produce on Saturday and not go out until Monday afternoon, reducing the time customers have to request a hearing.

Projected demand by FY23

Enforcement Actions	574,316
Compliance	530,576
Admin Actions	221,749

Manual Convictions	472,193
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Projected needs by FY23

Enforcement Actions	16.9 FTEs
Compliance	30.4 FTEs
Admin Hearings	7.9 FTEs
Manual Convictions	13.9 FTEs
Total Additional FTEs	59.1 FTEs

License and Records Service

The primary function of License and Records Service (LRS) is to support issuance activities and administer several high-profile programs related to state and federal licensing systems. The LRS ensures the eligibility of all Texas DL, ID, and EIC transactions conducted through alternative transaction methods before the card is mailed. Such service includes online, postal, and telephone transactions. HQ Operations staff reviews cards to ensure production quality and accuracy while automated programs allow employees to correct and reproduce a card without inconvenience or delay to the customer.

LRS manages and maintains all records associated with the identity of a customer and the issuance of a DL, ID, or EIC along with data related to traffic convictions, enforcement actions, and vehicle crashes. DLS contains over 32 million electronic driver records and HQ Operations staff is responsible for providing driver records and photographic images to the general public, law enforcement personnel, private entities, governmental agencies, commercial driver license employers, and any other authorized agents completing a request. Ensuring correct information in the records is another critical aspect of encouraging safe driving habits and removing unsafe drivers from the roadways.

This service also regulates the Third Party Skills Testing (TPST) program. This program authorizes private driver education schools that meet requirements set by the Department to administer the driving skills examination for a non-commercial Class C driver license. The Commercial Driver License (CDL) TPST program was implemented and approved providers can now administer CDL skills testing for Class A, B and C CDL applicants. All applicants for the CDL TPST Program must comply with the directives set forth by the Department.

Similar to the increased requirements for processing stations and DL office employees to meet the projected 2023 population growth, LRS requires additional employees to support licensing, record, and program administration processes. An estimated 62.3 additional FTE's are required by 2023.

License and Record Service Current Capacity and Projected Needs:

Current Capacity

Record Combines	209,346
-----------------	---------

SAVE	65,704
Scanning/QA	2,561,931
Stamped Documents/Mail	2,032,284
Refunds/Chargebacks	12,806
Contracts	2,715
Customer Contacts	161,235
Manual DR-32 (901)	9,228
Manual OOS 701	13,318
OOS Packets Mailed	741
Quick Key Renewals	68,926
Subpoenas/Open Records (Manual Services)	752
Record Requests	186,755
Subpoenas (Driver Records)	752
Med Certs	118,283
CDL Review	33,684

Note: Subpoenas vary on the processing time required, both for the Manual Services and Driver Records portions. The number provided is a projection based on six months of current data.

Projected demand by FY23

Record Combines	235,535
SAVE	73,924
Scanning/QA	2,882,429
Stamped Documents/Mail	2,286,523
Refunds/Chargebacks	14,408
Contracts	3,055
Customer Contacts	181,405
Manual DR-32 (901)	10,382
Manual OOS 701	14,984
OOS Packets Mailed	834
Quick Key Renewals	77,549
Subpoenas/Open Records (Manual Services)	846
Record Requests	210,118
Subpoenas (Driver Records)	846
Med Certs	133,080
CDL Review	37,898

Projected needs by FY23

Record Combines	7.9 FTEs
SAVE	3.7 FTEs
Scanning/QA	13.1 FTEs
Stamped Documents/Mail	4.8 FTEs

Refunds/Chargebacks	3.6 FTEs
Contracts	1.5 FTEs
Customer Contacts	15.1 FTEs
Manual DR-32 (901)	0.3 FTEs
Manual OOS 701	1.2 FTEs
OOS Packets Mailed	0.03 FTEs
Quick Key Renewals	1.0 FTEs
Subpoenas/Open Records (Manual Services)	1.1 FTEs
Record Requests	3.0 FTEs
Subpoenas (Driver Records)	3.0 FTEs
Med Certs	2.7 FTEs
CDL Review	1.2 FTEs
Total Additional FTEs	63.2 FTEs

Customer Service Center

The CSC handles customer interactions by phone and email. In FY 16, the CSC received almost 7,000,000 calls and was able to answer 1,112,235 calls. Calls routinely get routed to specialists within the ECS and the LRS. As evidenced, the CSC is only staffed to answer approximately 20 percent of the daily calls and can only do so with a wait time routinely exceeding ten minutes.

To meet current demand within a desired five minute wait time goal, the CSC requires 562 FTEs. Given the estimated current demand for CSC services, and predicted population growth, the CSC can expect to receive almost 8 million calls in FY23. To meet this demand, the CSC estimates it will need 633 FTEs by 2023 to answer all incoming calls within five minutes. The CSC will require additional facilities to house those employees.

Customer Service Center Gaps

Current Demand

Calls	6,983,161
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Current Capacity

Calls	1,112,235
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FTEs Required to Meet Current Demand

	562.7 FTEs
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Projected demand by FY23

Calls	7,856,754
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Projected needs by FY23

	633.1 FTEs
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Technology Environment Gaps

DLD continually expands the use of technology, which has become integral to providing more timely services to customers and improving the efficiency of employee processes. There are four areas of focus for technological enhancements.

The first focus area is support of the Driver License System (DLS). The complexity of DLS and associated applications dedicated to driver services requires a significant amount of staffing resources to provide support and enhancements. DPS's Information Technology (IT) division provides the necessary support for these systems. However, the volume of work is extensive, and the IT staff is unable to keep pace with the numerous state and federal legislative mandates and system enhancements to improve the customer experience and employee efficiencies. In addition to support of DLD, the DPS IT staff is responsible for supporting all DPS systems such as TLETS and the Texas Highway Patrol In-car system. As such, the staff has a limited support capacity based on agency priorities. That has resulted in an existing backlog of important, but lower priority work dating back to the DLS implementation in 2009 that remains on a perpetual "to-do" list.

Competing against the need for continued support and enhancements is the critical need for an established, tested and readily available Business Continuity and Disaster Recovery (BCDR) plan for DLS. The strain of competing priorities for system support and enhancements prevents the establishment of a BCDR plan, as it requires the same resources from IT staff.

The next focus area is in the Customer Service Center (CSC) and the lack of a Customer Relations Management tool (CRM). The CRM investment, estimated at \$500,000, will also provide the data necessary to understand better call types for expanding customer self-service options, creating even more capacity to answer calls and serve customers.

The third focus area relates to the extensive amount of driver record documents stored on microfilm and microfiche. The type of record and storage are based on the transaction date and technology available at that time. Driver records are utilized by law enforcement and DPS personnel to obtain correct historical record information and subpoena responses. Since 2009, DLS allows for electronic storage of all applicant demographic information, images, documents, transactions, and related information for driver records. Storing information on microfilm requires DLD to maintain outdated equipment that is increasingly difficult to service and parts cannot be obtained as these forms of data storage are becoming obsolete. There is an ever-increasing risk of critical driver record and historical information becoming inaccessible.

Finally, the financial industry, as well as public and private entities, is moving toward utilization of chip cards and Near Field Communication (NFC) mobile technologies to process payments. DLD currently processes credit/debit card payments using magnetic strip technology only. The expansion of payment processes to include these newer technologies improves customer convenience, but requires replacement of existing equipment and programming to DLS.

Increasing functionality in DLS:

- There is a need to be able to edit the Advance Payment Amount and the Advance Payment Date without a database administrator.
- Adding online services for customers will reduce demands on the CSC, HQ Operations, and DL offices.
- Establish an online application to process out of state renewals and replacement DL and IDs, and requests for subpoenas.
- Retrieve, redact, and supply requested and subpoenaed documents and photos electronically for internal customers, law enforcement, courts and attorneys.
- Enable customers who have used the online DL renewal and replacement option access to replacement temporary permits via the online system.
- Streamline/revamp the HME process
 - The Department may not issue, renew, upgrade or transfer an HME for CDL holder unless the TSA has determined the person does not pose a security risk warranting denial of the endorsement. The current HME process relies on multiple exchanges between government and non-government databases. The Department lacks an automated monitoring system to detect failures during this HME approval process. The inability to monitor has resulted in failures going undetected, delaying the approval process. An end-to-end monitoring system would allow for accountability when failures occur and improve the overall process for our customers.

ALR Hearings

- There is a need to correct an existing loophole in the ALR hearings process for minors with a detectable amount by reinstating the Department's authority to take suspension action against a minor who is not requested to provide a breath/blood specimen. This authority to take suspension action against a minor who is not requested to provide a breath/blood specimen proven at the hearing the person was a minor when the breath or blood specimen was taken, and in the case of a minor detectable, the law doesn't require a specimen to be taken for a minor detectable amount. This change would allow DPS to enforce a required suspension, and even if the officer on the scene did not provide suspension information, reinstate enforcement action authority.

Administrative Suspensions

- DLD also recommends removing administrative suspensions for drivers at fault in a crash who did not have insurance, and for drivers determined to have driven while driving privileges were invalid. There is a court process to render a judgment against a driver for a crash and the judgment enforcement action will stay active until the at-fault driver has complied with payment. The administrative action is only active for two years. This process is primarily used by insurance companies that don't want to go through the court to pursue restitution.
- DWLI administrative suspensions are required when the department receives a conviction for a moving violation and it is determined that the driving privileges were suspended on the date of the offense. When evaluating these cases, the department does not

know if a judge dismissed or deferred the offense of DWLI or if the officer chose not to write the citation for some reason. Additionally, the drivers often appeal these suspensions, which requires our CSRs to attend hearings and if the license holder prevails (as is the most common occurrence) we reinstate the driving privilege. This takes valuable department resources – 10-18 people at HQ and numerous Customer Operations personnel for hearings that could be processing transactions or performing driver skills tests.

Self-Insurance Program

- Another recommendation is to move the responsibility for the self-insurance program to Texas Department of Insurance. This will consolidate all financial responsibility administration with one agency and streamlines DPS business as this function does not fit with the issuance and enforcement duties that are primary to driver licensing.

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

N/A

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

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

CDL Third Party Skills Testing Audit

- In 2016, DPS implemented federally mandated commercial driving testing requirements to ensure ongoing compliance and preserve federal highway funding to the state. Based on the space needed to comply with the requirements and safely conduct the examinations, the department was compelled to consolidate CDL testing locations from 190 down to 25. This consolidation along with the longer test times resulted in significant delays for customers to take the CDL skills test impacting potential employment and Texas commerce.
- To help reduce the wait time for a skills test, the department is implementing a commercial Third Party Skills Testing (TPST) program. Federal law allows the department to enter into agreements with third party providers to conduct CDL skills tests once they have met the provisions as set out in CFR 383 and 384 and obtained the appropriate certifications. One of the provisions also requires the department to monitor and audit the TPST providers, examiners, pass/fail rates, and the associated

records. It is our goal to ensure the safety of the motoring public by expecting and maintaining high standards of those conducting skills tests on behalf of the department. The division is in the process of developing procedures and determining staffing requirements and anticipates full implementation in FY 18.

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

Name of Program or Function: *Education, Training, and Research*

Location/Division: *Education, Training, and Research Division*

Contact Name: *Division Director Sonia Garcia*

Actual Expenditures, FY 2016: \$18,955,608

Number of Actual FTEs as of June 30, 2017: 145

Statutory Citation for Program: *Govt Code 411.044*

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

The Education, Training and Research Division (ETR) provides state of the art education and training to DPS employees and the public, based on proactive research to meet an ever changing threat environment.

The program's responsibilities are divided into the following activities:

1. Law Enforcement Training
 - Recruit Training
 - Tactical Training Center
 - Arrest and Control Tactics
2. Professional and Leadership Development Program
 - Progressive Leadership Development
 - Motorcycle Safety
 - Fitness and Wellness
3. Recruiting

Recruit Training:

- The recruit training school is twenty-four (24) weeks and totals 1,203 hours of training. The recruit training unit is responsible for meeting the Texas Commission on Law Enforcement (TCOLE) mandates to certify peace officers. Due to the unique challenges confronting Texas Troopers, the trooper trainees are exposed additional advanced training than mandated by TCOLE. Additionally, the unit is responsible for providing access to medical care for trooper trainees during training and initial equipment needs upon graduation. The recruit training unit provides qualified and professionally trained Troopers to address the ever changing public threats. This continuous effort is challenged by an ongoing attrition rate through retirements, advancement in technology, tactics, and legislative mandates and expectations. The typical twenty-four (24) week class consists of approximately 100 trooper trainees at any given time. Recruit training also conducts a modified recruit training course for those applicants who are already licensed as a Texas Peace Officer and have a minimum

of two years' experience as a peace officer. This modified course is eleven weeks (11) weeks in length and totals 407 hours. Upon successful completion of the training course and licensing as a peace officer, the Trooper Trainees assume their duties as Troopers throughout the State.

Tactical Training Center:

- Provides world class skills and scenario based training to equip law enforcement and military personnel with the mental and physical ability to effectively carry out their duties in an evolving threat environment.
- The Emergency Vehicle Operations Course (EVOC) staff develops and conducts specialized and tactical vehicle operation training. The staff trains law enforcement, emergency responders and military personnel. EVOC staff also conducts vehicle and related equipment testing and evaluations. EVOC personnel have developed and implemented a teen driver course for high school aged drivers. There is currently a waiting list for the training course.
- Firearms staff conduct firearms training, firearms and related equipment evaluation and testing, and License to Carry (LTC) Instructor and School Safety training (TGC Title 4 Sub-Chapter H). TTC staff members serve as subject matter experts (SME) for agencies throughout the state and nation.
- The Reality Based Training Unit conducts scenario-based force on force training for trooper trainees, in-service training, and active shooter training. They also offer a tracking course, a tactical emergency casualty care course and a swift water rescue course.

Arrest and Control Tactics Unit.

- On April 1, 2017, the Division formalized the Arrest and Control Tactics Unit. The unit was formalized to meet the growing threats to law enforcement and commissioned DPS personnel.
- The goal of the unit is to establish a multi-divisional team of subject matter experts in the use of force laws and techniques. The unit is working to formalize a multi-discipline use of force training curriculum for all commissioned Department personnel. The unit also aims to establish consistent arrest and control tactics training for all commissioned employees, to include basic/advanced tactics and use of force refresher training. The unit is also developing a consistent Arrest and Control Train the Trainer class for Department personnel and local law enforcement.

Professional and Leadership Development Program

- The Leadership and Professional Development (LPD) Unit conducts in-service as required by TCOLE, leadership development and specialized training for the agency and its Divisions. The LPD has developed a Progressive Leadership Model for Department supervisors. The Progressive Leadership Model consists of three (3) courses: The Leadership Development School, Leadership College, and Command College. This Progressive Leadership Model provides leadership training opportunities for the

Department and other agencies throughout the state. This Progressive Leadership Model concept focuses on leadership principles, methods, and accepted practices, and is designed to provide working skills and functional knowledge of leadership concepts to those who have assumed leadership positions as well as those aspiring to assume those responsibilities.

- The Leadership Development School is a two-week course focusing on leadership principles to prepare the first line supervisor for their new duties as required. This is required by TCOLE rule 1701.352 (d) for commissioned personnel.
- The Leadership College is an intensive four week blended course designed to prepare mid-level supervisors and experienced professionals with current, evidence based information to develop business acumen skills.
- The Command College is designed for executive level students and consists of 44 days of in class instruction along with distance learning assignments for a total of 596 hours of training. Command College students earn nine (9) hours of Master's Degree credit through the National Graduate School upon completion of the course.
- The LPD Unit provides research-based continuing education courses to all commissioned and non-commissioned personnel to meet the emergent needs of the Agency. The Unit conducts professional and personal development training and offers courses such as: computer skills training, defensive driving, first aid/CPR, ethics training, instructor development, use of force, in-service and legislatively mandated training for peace officers throughout the state. The unit also develops on-line training courses for all employees within the agency.
- The Mobile Training Teams (MTT) are designed to bring quality training, by subject matter experts, to field offices around the state. The MTT's travel once a quarter to requested regions approved by chain of command.

Motorcycle Safety

- The DPS Motorcycle Safety Program was established in 1983 and trained 1024 students the first year though a small group of volunteers with little resources. The program now includes over 80 contracted sponsoring businesses operating over 200 locations, which are served by over 450 Department trained and certified instructors.
- Currently, approximately 40,000 students attend motorcycle operator training annually. As of December 2016, over 650,000 students have attended training since the development of this Department program.
- Since September 1, 2009, courses provided by the program are required for obtaining a Texas motorcycle license as required by the Texas Transportation Code 521.148, 663.031 and CH 662.

Fitness and Wellness Unit

- In response to the requirements of the Texas Government Code (TGC) 614.172. Physical Fitness Programs and Standards, and in support of the State Employees Health Fitness and Education Act of 1983: Government Code: Title 6 Sec. 664.001-005 State Employees Health and Education. Subchapter A. State Employees Health Fitness and Education

Programs, the Texas Department of Public Safety established the DPS Fitness and Wellness Unit to support and regulate the Government Code requirements.

The unit is responsible for:

- Developing and maintaining physical fitness testing and assessment protocols required by Texas Government Code 614.172 Physical Fitness Programs and Standards;
- Developing and delivery of fitness and wellness courses and programming at DPS Headquarters and all DPS regions of the state; to include providing web based communication forums;
- Surveying various locations throughout Texas to implement physical fitness testing and assessment sites for agency testing and certifications;
- Conducting and regulating fitness improvement plans for commissioned personnel who fail to pass physical readiness testing (PRT) as required by Texas Government Code 614.172;
- Collecting, analyzing and disseminating performance data on internal and external demographic populations in an effort to observe current trends in law enforcement physical fitness performance and testing;
- Conducting cross training workouts and yoga classes in the State Capitol district reaching over 27 state agencies and approximately 2,500 participants monthly;
- Conducting lectures on various fitness and wellness topics and offering physical exercise sessions as a part of several executive leadership and professional development courses;
- Establishing the DPS Fitness Institute to train and develop subject matter expertise, both for outside agencies and DPS; as well as, maintaining accredited Fitness Institute Certification status and Continuing Education Unit (CEU) Tracking;
- Upon request, the DPS Fitness Wellness Unit conducts presentations at the Texas Law Enforcement Management Institute of Texas (LEMITE) for Executive Leadership (Texas Police Chief Leadership Series & Command Staff Leadership Series); as well as, serve on the FBINAA Officer Safety Wellness Committee providing subject matter expertise to improve wellness for officers nationwide;
- Presenting SHIELD and Comprehensive SHIELD courses to DPS personnel and executive leadership conferences throughout the state and nation;
- Collaborating with Victim Employee Support Services to provide mental wellness training;
- Assisting in the Get Fit Texas Challenge Program administration and marketing; and
- Developing the Outreach Programming in an effort to effectively deal with increasing demands

- C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.**

Recruit Training

Fiscal Year	Recruits Graduated
2012	57
2013	182
2014	209
2015	238
2016	320
2017 to date	298

Professional and Leadership Development

- Command College, which began in the spring of 2015, has graduated 141 advanced leaders and another 26 are enrolled for the 2017 fall semester. The Leadership College has graduated 67 and the Leadership School has graduated 242.

Fitness and Wellness

- Since 2011, the DPS Fitness Wellness Unit has successfully trained, upon request, 70 outside law enforcement agencies (federal, state, county and city) in an effort to assist these agencies who are adopting the DPS physical fitness testing and assessment model.
- The Fitness Wellness Unit received a Unit Citation award from the Public Safety Commission, recognition in the Harvard Health Review, and the Chair Award from the 100 Club of Texas.

Recruiting

- The unit fosters an environment of equal employment opportunity by recruiting, hiring, and retaining highly qualified diverse individuals to Protect and Serve Texas. The Campaign Slogan is "Be the Difference." Recruiters are dispersed across Texas into all 7 Regions.
- The unit continues to test and process applicants meeting the trooper trainee requirements to continuously fill commission vacancies. From 1930 to the present Recruiting has processed approximately 118,710 trooper trainee applications, filling 11,604 vacancies.
- The Recruiting Unit met the 2015 mandated legislation order to fill 250 trooper trainee border vacancies in eight months, surpassing the two-year requirement.

- Recruiters strive to recruit a diverse applicant pool, meeting Federal EEO standards and the Texas Military Veterans Full-Employment Act in hiring military veterans. Recruiters attend in-state and out of state recruiting events.
- Recruiters attend military transition and out-processing events on military bases in-state and out of state.

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

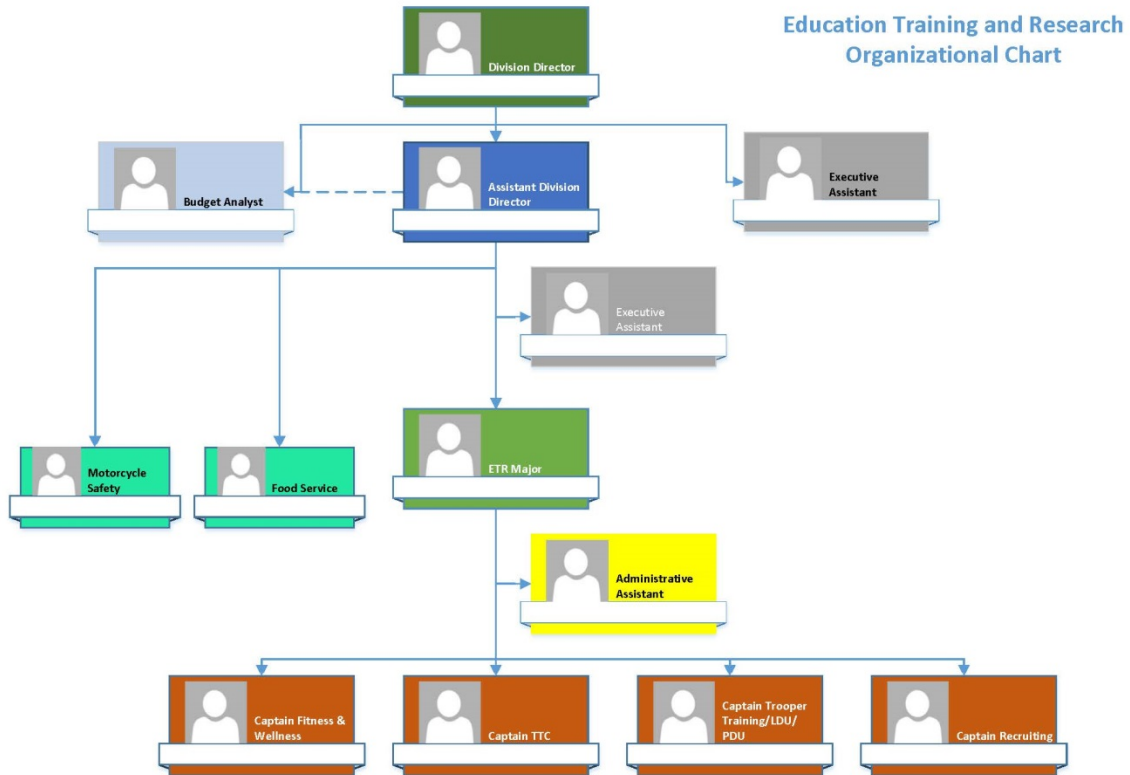
During the 2009 reorganization of DPS, the training function was located within the Administration Division. In March of 2013, ETR became its own division to be able to focus on the need to train the agency's workers on a myriad of topics.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

ETR serves as the training division for Department personnel as well as providing training for other law enforcement agencies and the public. Agency personnel can take ETR classes to enhance their leadership skills, improve their productivity, or comply with statutory mandates. ETR provides or sponsors training for other law enforcement personnel to assist them meeting TCOLE requirements.

The division also provides selected training to the public, particularly in the areas of teen driving and motorcycle safety.

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



9/15/2017

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

AY 2016

Education, Training and Research	0001 General Revenue	\$18,046,352
	0501 Motorcycle Educ Fund	\$708,150
	0666 Approp Receipts	\$201,106
	Total	\$18,955,608

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

Most state agencies have internal training programs for their employees. TCOLE and some other law enforcement agencies offer training courses similar to DPS for commissioned officers.

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

TCOLE is the regulatory state agency responsible for establishing and enforcing standards for Texas peace officers to ensure Texas is served by highly trained and ethical law enforcement and telecommunications personnel. ETR is building training programs around and above those requirements for the agency's commissioned officers.

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

ETR provides training and training facilities to a variety of federal, state and local entities. The Federal Bureau of Investigation; Immigration and Customs Enforcement; Texas Alcoholic Beverage Commission; Texas Parks and Wildlife Department; and many other federal, state, county and city police and fire department agencies utilize our Tactical Training Center and our classrooms and dormitories located on the headquarters campus. DPS works with these agencies cooperatively in task forces, disasters, and routine functions so training together helps build stronger relationships.

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

- **a short summary of the general purpose of those contracts overall;**

The majority of the contracts are to assist the training of recruits and DPS employees.

- **the amount of those expenditures in fiscal year 2016;**
- **the number of contracts accounting for those expenditures;**
- **the method used to procure contracts;**

DPS follows the procurement method requirements as defined in Texas Gov't Code Chapters 2155, 2156, 2157, 2158, and 2161 and 34 Texas Administrative Code (TAC) Chapter 20. DPS also follows the state's Contract Management Guide and Procurement Manual that are published by the Comptroller of Public Accounts.

In FY16, DPS procured goods and services using Council on Competitive Government, Texas Correctional Institute, Texas Institute for the Blind and Handicapped, Term, Managed, and TXMAS contracts available through TX SmartBuy. These contracts are managed by the Comptroller of Public Accounts, and state agencies issue purchase orders against those contracts.

DPS also procured goods and services using DIR contracts for certain technology related procurements in FY16. These contracts are managed by the DIR, but agencies can issue purchase orders and agreements against these contracts.

DPS also procured goods and services on the open market in those instances where there was no state contract in place or where the dollar amount associated with the procurement exceeded the limits of use for the state contract. For example, in FY16 SB 20 required that any technology procurements that were over 1 million be solicited on the open market. For non-technology goods that were over 25K and services that were over 100k, DPS would be required to seek delegation from the Comptroller's office before being authorized to solicit on the open market. In some cases the Comptroller would decide to perform the solicitation on behalf of the Department.

- **top five contracts by dollar amount, including contractor and purpose;**
 - **PO- 405-16-P005951** valued at \$1,582,000.00 is an MOU with SOUTH TEXAS COLLEGE for transfer of funds for Regional Center for Public Safety Excellence
 - **PO- 405-16-P006827** valued at \$283,097.50 with US HEALTHWORKS MEDICAL GROUP OF TX, INC for Physical Exams for Trooper Candidates
 - **PO- 405-16-P007225** valued at \$248,000.00 with KENT POWERSPORTS OF AUSTIN for Training Motorcycles
 - **PO- 405-16-P007212** valued at \$194,900.00 with POWERSPORTS PLUS, LLC for Training Motorcycles
 - **PO- 405-15-P002635** valued at \$152,644.75 with MEC ASSOCIATES OF AUSTIN LLP DBA PRO MED for Physical Exams for Trooper Candidates

- **the methods used to ensure accountability for funding and performance; and**

Each contract has an assigned contract monitor from the division that has been provided with internal training and procedures for monitoring the deliverables and performance of the contract and supplying vendor performance reports. The official contract manager in Procurement & Contract Services works with the division contract monitor, OGC, and Finance to administer and manage contract and vendor performance, ensure compliance with applicable statutes, rules, and policies, and officially address any needed corrective action. Finance is responsible for maintaining compliance with payment rules based on validation from the division that goods and services were received and performance criteria were met.

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

The largest issue with contracting at DPS is the lack of delegated authority for many purchases from the Comptroller's office. Please see the Major Issue regarding delegated authority.

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

N/A

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

None.

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

N/A

A. Provide the following information at the beginning of each program description.**Name of Program or Function:** *Financial Management***Location/Division:** *Finance Division***Contact Name:** *Division Director Suzy Whittenton***Actual Expenditures, FY 2016:** *\$6,476,096***Number of Actual FTEs as of June 1, 2017:** *120***Statutory Citation for Program:****FMX (CPA Fiscal Policies & Procedures):****APS 013 - Refunding Deposits:**

- *Government Code, Section 403.077, allows the refunding of erroneous collections and is applicable to all agencies and institutions of higher education;*
- *House Bill 1, General Appropriations Act (GAA), Article IX, Section 8.04, 84th Legislature, Regular Session, allows money to be refunded, as provided by law;*
- *APS 014 - Interagency Payments and Receipts for Goods and Services:*
- *Government Code, Chapter 771; General Appropriations Act (GAA), Article IX, Section 8.02, 84th Legislature, Regular Session;*
- *APS 021 - Correcting Bookkeeping and Cost Allocation Entries:*
- *Government Code, Section 403.011; General Appropriations Act (GAA), Article IX, Sections 6.14, 6.15, 6.19, 84th Legislature, Regular Session.*

Texas Government Code:

- *Civil Practice and Remedies Code Section 104.001;*
- *Health & Safety Code Sec 771-A Capital Assets - Wireless Equip;*
- *Texas Business and Commerce Code Sec. 3.506 Processing Fee by Holder of Payment Device;*
- *TGC 403.021 Encumbrance Reports;*
- *TGC Sec. 404.094 Funds to be deposited in Treasury (3 day deposit rule);*
- *TGC §406.016 Notary Public - Authority;*
- *TGC 411.004 Department of Public Services – Duties and Powers of Commission;*
- *TGC 552 (Public Information);*
- *TGC, Sec. 660.2035 Confidentiality of Certain Peace officer Vouchers; Quarterly Summaries;*
- *TGC §2052.103 Reports for Legislature or Governor - Reports*
- *TGC 2101.011 Financial Reporting – Financial Information Required of State Agencies;*
- *TGC 2101.0115 Financial Reporting – Other Information Required of State Agencies;*
- *TGC, Title 10, Subtitle D State Purchasing and General Services;*
- *TGC Sec. 2155.382 (d) Scheduling;*
- *TGC 2251 Payments for Goods and Services; and*
- *Texas Penal Code Sec. 32.41 and 31.06.*

Other:

- 26 US Code 6041A Returns regarding payments of remuneration for services and direct sales;
- IRS Pub. 15 (Employer's Tax Guide);
- Texas Rule of Civil Procedures, Rule 176 (Subpoenas);
- Uniform Grant Guidance;
- Title 13 U.S. Code §182 (Census Bureau Surveys); and
- Title 29 U.S. Code §2 (Collection of Labor Statistics).

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

The Financial Management Program includes managing agency finances, including revenue collections, payments to vendors and employees, grants, budgets and financial reporting in compliance with state and federal regulations. The major activities include Accounting, Budget, Central Cash Receiving, Financial Reporting, Grant Management, and Payroll.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.

Total # of Transactions by Central Cash Receiving – Fiscal Year 2016	
Manual Processing	247,850
Automated Processing	107,748
Total	355,598

Methodology - Totals derived from receivable voucher counts processed through the Customer Information Control System (CICS) mainframe system.

Total # of Documents Processed – Fiscal Year 2016	
Travel (Reimbursement to employees)	33,365
Accounts Payable	39,445
Transfers between Agencies	1,127
Total	73,937

Methodology - Totals count derived from the HX accounting system.

Total # of Grants/Interagency Contracts – Fiscal Year 2016	

Methodology - Totals count derived from USAS report (DAFQ D-23) that includes unique fund used to account for each grant/contract used in FY 2016.

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

Until the FY10-11 biennium, this program included the purchasing function for the agency. During this time, it was moved from the Finance Division to the Administration Division.

- E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.**

This program affects all of the department’s employees throughout the organization, as well as vendors that receive payment for services provided.

Total # of Payments Paid to Employees - Fiscal Year 2016	
Main/Non-Overtime Payrolls	116,921
Overtime Payrolls	59,588
Total	176,509
Methodology - Information compiled from USPS and CAPPs reports.	

Total # of Vendors Paid – Fiscal Year 2016	
# of Vendors Paid	2,720

Methodology- Totals count derived from an exported HX Report, excluding LBB Objects 1001, 1002, 2005 and 9999, with primary sort by vendor number. It excluded any zero dollar amounts in the expenditure column.

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

The program is administered by 120 filled FTEs who perform various duties. These positions include the Chief Financial Officer, Assistant Division Director (A.D.D.) Grants and Accounting, D.A.D. Budget, Deputy Administrator Financial Reporting, and the eProcurement Internal Administrator.

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

AY 2016

Financial Management	0001 General Revenue	\$6,476,096
	Total	\$6,476,096

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

Every state agency has a similar function for their financial processes.

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

N/A

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

The Finance Division works with numerous local and federal units of government, but only from an accounting perspective, and not as the primary program contact. Finance sends bills, collects revenue, pays invoices, draws down federal funds, and monitors funding from various local and federal entities.

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

- a short summary of the general purpose of those contracts overall;

The majority of the contracts are to provide additional support for Finance staff.

- the amount of those expenditures in fiscal year 2016;
- the number of contracts accounting for those expenditures;
- the method used to procure contracts;

DPS follows the procurement method requirements as defined in Texas Gov’t Code Chapters 2155, 2156, 2157, 2158, and 2161 and 34 Texas Administrative Code (TAC)

Chapter 20. DPS also follows the state's Contract Management Guide and Procurement Manual that are published by the Comptroller of Public Accounts.

In FY16, DPS procured goods and services using Council on Competitive Government, Texas Correctional Institute, Texas Institute for the Blind and Handicapped, Term, Managed, and TXMAS contracts available through TX SmartBuy. These contracts are managed by the Comptroller of Public Accounts, and state agencies issue purchase orders against those contracts.

DPS also procured goods and services using DIR contracts for certain technology related procurements in FY16. These contracts are managed by the DIR, but agencies can issue purchase orders and agreements against these contracts.

DPS also procured goods and services on the open market in those instances where there was no state contract in place or where the dollar amount associated with the procurement exceeded the limits of use for the state contract. For example, in FY16 SB 20 required that any technology procurements that were over 1 million be solicited on the open market. For non-technology goods that were over 25K and services that were over 100k, DPS would be required to seek delegation from the Comptroller's office before being authorized to solicit on the open market. In some cases the Comptroller would decide to perform the solicitation on behalf of the Department.

- **top five contracts by dollar amount, including contractor and purpose;**
 - **PO- 405-16-P004650** valued at \$225,796.00 with TIBH INDUSTRIES, INC. for Temp Accountants
 - **PO- 405-16-P004654** valued at \$202,646.40 with TIBH INDUSTRIES, INC. for Temps for Central Cash Receiving
 - **PO- 405-16-P004005** valued at \$72,748.64 with FAIRFAX IMAGING for Scanner lease agreement and Software Maintenance
 - **PO- 405-16-P008119** valued at \$21,204.00 with TIBH INDUSTRIES, INC. for Temps for Payroll
 - **PO- 405-16-P008557** valued at \$19,980.00 with SHI GOVERNMENT SOLUTIONS for data visualization software

- **the methods used to ensure accountability for funding and performance; and**

Each contract has an assigned contract monitor from the division that has been provided with internal training and procedures for monitoring the deliverables and performance of the contract and supplying vendor performance reports. The official contract manager in Procurement & Contract Services works with the division contract monitor, OGC, and Finance to administer and manage contract and vendor performance, ensure compliance with applicable statutes, rules, and policies, and

officially address any needed corrective action. Finance is responsible for maintaining compliance with payment rules based on validation from the division that goods and services were received and performance criteria were met.

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

The largest issue with contracting at DPS is the lack of delegated authority for many purchases from the Comptroller's office. Please see the Major Issue regarding delegated authority.

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

Financial Management Grants - \$0

(Agency-wide) Total DPS Issued Grants - Fiscal Year 2016*	
Emergency Disaster Related Grants	
97.032 Crisis Counseling (Federal Funds)	\$ 413,507
97.036 Disaster Public Assistance (Federal Funds)	143,229,540
97.039 Disaster Hazard Mitigation (Federal Funds)	54,170,470
97.046 Emergency Management Performance Grant (Federal Funds)	1,313,245
97.047 Pre Disaster Mitigation (Federal Funds)	1,078,965
State Disaster Grants	3,318,677
Total Emergency Disaster Related Grants	\$ 203,524,404
Homeland Security**	
97.067 Homeland Security	\$ 208,467
Total Homeland Security	\$ 208,467
Border-Operation Secure Texas	
Texas Military Department	\$ 17,321,000
Parks and Wildlife	2,395,122
South Texas Regional Training Center	1,582,000
Incident Based Reporting	8,189,174
Total Border-Operation Secure Texas	\$ 29,487,296
Grand Total	\$ 233,220,167
*Includes grants for the entire Department of Public Safety	
**Grant Program transferred to Office of the Governor in 2016	

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

None

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

None

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

Name of Program: *Information Technology/Cyber Security*

Location/Division: *Information Technology*

Contact Name: *Division Director Bryan Lane, Chief Aaron Blackstone*

Actual Expenditures FY 16: *\$41,703,392*

Actual FTEs as of June 1, 2017: *263*

Statutory Citation for Program: *TAC 202, Information Security Standards, Sub Chapter B, Information Security Standards for State Agencies*

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

To provide the information technology and cybersecurity solutions supporting the DPS mission through innovation, process, governance, and partnerships. Major activities include:

- Innovation and Application Development provides custom application development and support for COTS applications that are housed in the following environments: mainframe, client server environments, web application environments and cloud environments.
- Infrastructure and Operations provides the planning, development, operations and support of the technology infrastructure for the agency including the technology datacenter, field services, network support, and agency workstation support.
- Cyber Security supports the Department's mission by implementing and sustaining a comprehensive cyber security program that is effective across its diverse missions and large network of information systems, align cybersecurity programs and activities with the information technology priorities of the Department and its governing boards and commissions.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.

- All non-management resources in the Information Technology Program report their time in the PlanView Project and Portfolio system. We track and review resource utilization monthly to insure the effective use of FTE resources.
- Email Security – approximately 80% of over 239,338 email messages are blocked by Cyber Security sensors each day. TX DPS is continually targeted with phishing email campaigns and messages which contain malicious file attachments.

- EndPoint Security – an average of 200 instances of malware target TX DPS each month. Malware is found in various forms as it is detected and blocked by sensors.
- Intrusion Prevention – an average of 318 intrusion attempts are blocked each day. Intrusion attempts come from many sources and can seek to destroy, modify, or steal valuable information from the Department.
- Indicators of Compromise (IOC) – an average of 72 new IOCs are observed each day. IOCs are pieces of forensic data that identify potentially malicious activity on a system or network. TX DPS Cyber Security remains alert and vigilant, seeking to mitigate these threats to the infrastructure of the Department.

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

- In 2009, TX DPS suffered a serious malware infection which was identified as Conficker, a piece of malware identified as a worm. That malware effectively shut down DPS for three weeks. DPS hired contractors to contain, eradicate and recover from the infection. An after action report recommended the creation of an Information Security Office to implement and sustain a comprehensive cyber security program.
- The Information Security Office was created in 2010 and staffed by three full time employees, one Information Security Officer (ISO) and two information security analysts. The ISO was dual hatted, serving as the Information Security Officer and administrating the DPS Criminal Justice Information Systems security program as the CJIS ISO. The Information Security Officer reported to the IT Governance Assistant Division Director (DAD), who in turn reported to the Chief Information Officer (IT Division Director (AD)). The Information Security Office was not directly funded; it drew its funding from the IT Governance DAD's budget.
- In 2011, one security analyst left DPS employment and the position was reallocated to the IT Governance program, thereby reducing the ISO program's manning to two FTEs. The ISO left to assume the role of the CJIS ISO full time in the Law Enforcement Support division in 2012. Until the hire of his replacement in 2013, the DPS Information Security Program was administered by one security analyst acting as the interim ISO.
- With the hiring of the new ISO, the IT AD assigned three FTEs to the Information Security Office bringing the program's total FTEs to five. In 2013, the DPS Director approved the ISO's Cyber Security Program Implementation Plan which outlined actions to be taken over the following two years to implement a comprehensive cyber security program to integrate, improve, and enhance the DPS' cyber security capabilities. This called for an investment of

32 FTEs and \$12,075,782.00 to modernize and purchase additional cyber security tools (software and devices). The ISO and two security analysts left DPS employment in August 2014, reducing the program's staffing to three security analysts with the Deputy CIO acting as interim ISO. Subsequently, the ISO position was elevated to a Chief Information Security Officer (CISO) and the current CISO was hired in January of 2015. Cyber Security was then moved to report to the Deputy Director with IT reporting to the CIO. The initial Cyber Security Program Implementation Plan was not funded by the legislators. The Director then reallocated funds and FTEs from other divisions to support the Cyber Security Program. TX DPS Cyber Security has since been shifted back into DPS IT with the CISO reporting to the CIO.

E. Describe who or what this program affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

- The Information Technology/Cyber Security program affects all TX DPS divisions by providing information technology solutions and cyber security operations and risk & vulnerability management through support and coordination of resources within the program.
- Additionally, every citizen within the state of Texas is affected in that the Department has personally identifiable information on every person who, at a minimum, may have a state issued driver's license or identification card.

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

- The Information Technology Division is led by a Division Director, with three direct report Assistant Division Directors. The program leverages agency processes and program processes to administer the program. Examples of program processes include Change Management, Service Management, Application development and financial management processes. SB 1910, 85th Legislative session requires that "each state agency shall designate an Information Security Officer who reports to executive management." Currently the Chief Information Security Officer reports to the Information Technology Division Director. The agency will change this reporting structure to have the CISO report to the Deputy Director of Homeland Security by September 1, 2017.
- *Also see [Information Technology and Cyber Security Appendix 1 – Account Management Processes](#); [Information Technology and Cyber Security Appendix 2 – Change Management Processes](#); [Information Technology and Cyber Security Appendix 3 – Incident Management Processes](#); and [Information Technology and Cyber Security Appendix 4 – Application Business Processes](#).*

G. Identify all funding sources and amounts for the program or function, including federal grants and pass thru money. Describe any funding formulas. For state funding, please specify (ex: GR, appropriations rider, budget strategy, fees/dues)

AY 2016

IT/Cyber Security	0001 General Revenue	\$41,550,587
	5010 Sexual Assault Prog Fund	\$152,806
	Total	\$41,703,392

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

There are no identical or similar services within DPS that perform duties related to the Information Technology/Cyber Security program. External organizations may have similarly named programs; however, the implementation of personnel and skill sets vary widely.

I. Discuss how the program is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency’s customers. Describe any MOUs or interagency agreements.

There are none.

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

The Information Technology/Cyber Security program works with local, regional and federal units on a daily basis. Examples include: FBI, MS-ISAC, DIR, HHSC, ERCOT, LCRA, CAPCOG, and the cities of Austin, San Antonio, Houston, and Dallas. We coordinate technology reviews and cyber threat intelligence with sister agencies in an effort to improve technology and help reduce the threat attack surface across the State of Texas.

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

- a short summary of the general purpose of those contracts overall;

The majority of these contracts are to support IT services provided to the agency.

- the amount of those expenditures in fiscal year 2016;
- the number of contracts accounting for those expenditures;
- the method used to procure contracts;

DPS follows the procurement method requirements as defined in Texas Gov't Code Chapters 2155, 2156, 2157, 2158, and 2161 and 34 Texas Administrative Code (TAC) Chapter 20. DPS also follows the state's Contract Management Guide and Procurement Manual that are published by the Comptroller of Public Accounts.

In FY16, DPS procured goods and services using Council on Competitive Government, Texas Correctional Institute, Texas Institute for the Blind and Handicapped, Term, Managed, and TXMAS contracts available through TX SmartBuy. These contracts are managed by the Comptroller of Public Accounts, and state agencies issue purchase orders against those contracts.

DPS also procured goods and services using DIR contracts for certain technology related procurements in FY16. These contracts are managed by the DIR, but agencies can issue purchase orders and agreements against these contracts.

DPS also procured goods and services on the open market in those instances where there was no state contract in place or where the dollar amount associated with the procurement exceeded the limits of use for the state contract. For example, in FY16 SB 20 required that any technology procurements that were over 1 million be solicited on the open market. For non-technology goods that were over 25K and services that were over 100k, DPS would be required to seek delegation from the Comptroller's office before being authorized to solicit on the open market. In some cases the Comptroller would decide to perform the solicitation on behalf of the Department.

- **top five contracts by dollar amount, including contractor and purpose;**
 - **PO- 405-15-P001639** valued at \$3,687,846.02 with AT&T MOBILITY NATIONAL ACCOUNTS LLC for Cellular phone services
 - **PO- 405-15-P001800** valued at \$2,280,742.10 with SHI GOVERNMENT SOLUTIONS, INC for MicroSoft Enterprise Agreement and Licensing
 - **PO- 405-16-P009208** valued at \$1,895,000.00 with PRESIDIO NETWORKED SOLUTIONS GROUP, LLC for Network Hardware, Software, and Support
 - **PO- 405-16-P007222** valued at \$1,186,333.00 with GTS TECHNOLOGY SOLUTIONS, INC. for Laptops
 - **PO- 405-16-P004366** valued at \$1,156,157.96 with INTERNATIONAL BUSINESS MACHINES CORP for Mainframe Software Maintenance

- **the methods used to ensure accountability for funding and performance; and**

Each contract has an assigned contract monitor from the division that has been provided with internal training and procedures for monitoring the deliverables and performance of the contract and supplying vendor performance reports. The official contract manager in Procurement & Contract Services works with the division contract

monitor, OGC, and Finance to administer and manage contract and vendor performance, ensure compliance with applicable statutes, rules, and policies, and officially address any needed corrective action. Finance is responsible for maintaining compliance with payment rules based on validation from the division that goods and services were received and performance criteria were met.

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

The largest issue with contracting at DPS is the lack of delegated authority for many purchases from the Comptroller's office. Please see the Major Issue regarding delegated authority.

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

N/A

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

In its initial inception of the Cyber Security function, we faced a funding challenge. While that challenge remains, it has waned due to the Director reallocating resources to the Cyber Security. The biggest challenge facing the Cyber Security is retaining competent staffing. According to Forbes there will be 1.8 million Cyber Security job openings by 2020. This high demand combined with low supply will escalate the current job market for trained and competent Cyber Security professionals. To try and combat these challenges the Cyber Security function is sponsoring a Cyber Patriot team (high school age group) and college level interns.

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

N/A

Name of Program or Function: *Public Safety Communications Service*

Location/Division: *Law Enforcement Support Division*

Contact Name: *Division Director Mike Lesko and Assistant Division Director Todd Early*

Actual Expenditures, FY 2016: \$12,283,941

Number of Actual FTEs as of June 1, 2017: 274 including 2 federal and 6 federal floaters

Statutory Citation for Program: *Texas Government Code Chapter 411, Subchapter D. Administrative Division, Sec. 411.043 Bureau of Communications*

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

The overall Public Safety Communications Service program includes the statewide radio and computer-aided dispatch systems for providing public safety communications; on-site mobile communications to Department personnel, local, regional, state, tribal and federal partners; repair, installation, upgrades and maintenance services to radio equipment; deployment of the public safety broadband program and technical assistance to agencies across Texas; and procurement, execution and internally tracking of tower and land leases for radio coverage and frequency use agreements with outside agencies.

Field Operations personnel provide critical, life-saving telecommunications (radio, telephone, computer-aided dispatch) to DPS and other state, local, regional and federal agency units. They can provide communications for many units and missions: Texas A&M Forest Service, Railroad units, Civil Air Patrol, Texas P&W; Border Patrol & ICE; Texas Ranger Operations and border security missions; support of Operation Strong Safety and Operation Secure Texas and Operation Secure Texas - West; monitoring Drawbridge cameras; Robbery Task Forces in Harris County; for the Super Bowl in 2011 (Dallas) and 2017 (Houston); the Papal Visit in 2016; Texas Governor Inaugurations and other special operations at the State Capitol Complex; the wild land fire season during 2011 and since; during hurricanes, numerous flooding, ice and winter storms, the West Fertilizer plant explosion in 2013 and other natural disasters and high profile events that occur across the state at any given time.

The Mobile Communications Command Program (MCCP) operates a fleet of mobile communications trailers and equipment for response, and has oversight of the Communications Coordination Group (CCG), the training, regional communications exercises and certification and recertification of personnel under the Communications Unit and management of the Communication Emergency Operations Team (CEOT). This unit works closely with TDEM at the State Operations Center for coordination of communications needs during disasters.

R/F Technical Services is responsible for installation, programming and maintenance of mobile and handheld radios, remote tower site inspection and repair; technical assistance coordination, education, engineering, technology testing and planning support to DPS and local, regional, state, tribal and federal public safety entities; and support for the various in-car systems such as video, warning lights, radar and CAD (computer-aided dispatch). These

technicians work with diverse fixed equipment such as microwave transport, repeaters and base stations located throughout the State.

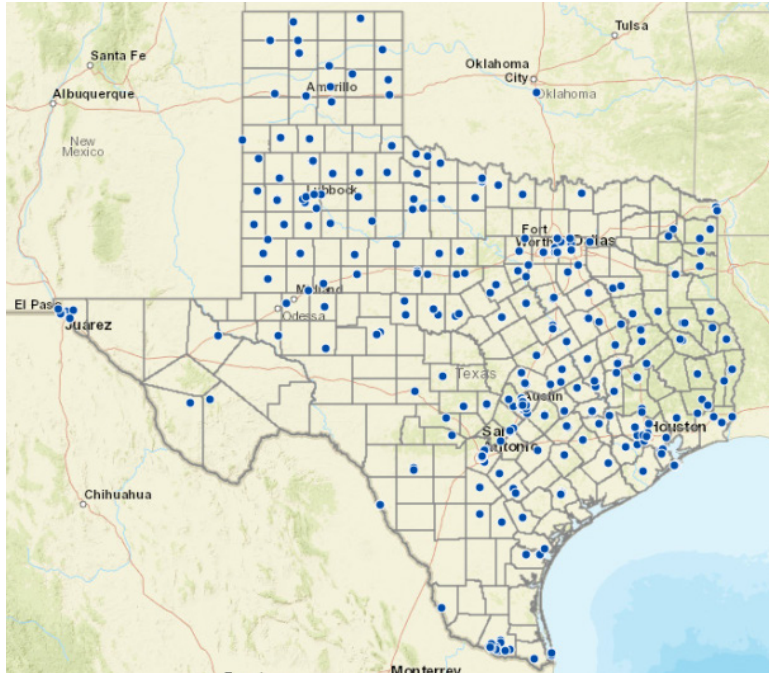
The Texas Statewide Interoperability Coordinator (SWIC) Office maintains the Memorandums of Agreement with local, state, tribal, regional and federal agencies for frequency, tower and radio frequency usage. They coordinate and provide project management and implementation in support of projects like MOTOBRIDGE, technology testing, and maintaining agency records for tower leases and Site Use Agreements. This office is heavily engaged in FirstNet, a national public safety broadband initiative, which is transitioning from Outreach and Education to the buildout phase after a recent contract award.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.

- Performance Measure (Number of Stranded Motorist Hotline Calls Answered) is reported on a quarterly basis. Refer to Texas Government Code, Chapter 411 Subchapter A, 71st Legislature, Ch 1251, Sec 3, eff June 16, 1989. These calls were originally answered by Capitol District Communications until the merge with Austin Communications in 2008. The Austin Communications facility fielded the calls until March 2016 when calls were also transitioned to select DPS Communications field stations because of personnel vacancies in Austin Communications and to streamline operating costs and take advantage of current technologies. After a successful pilot test and training schedule, calls were transitioned to all Communications facilities in December 2016. A steady increase of calls has been recorded since the transition: Q1 2017- 25,585; Q2 - 25,974; Q3 - 27,080.
- Prior to 2016 the Railroad Crossing Malfunction Hotline was answered at Austin Communications in conjunction with the Stranded Motorist Hotline. The Railroad Malfunction Hotline was discontinued September 1, 2015 in compliance with 84th Legislative HB2946, which repealed provisions in the Transportation Code governing railroad and public roadway crossings and the DPS requirement to maintain a toll-free telephone service to receive reports of malfunctioning mechanical safety devices at railroad crossings. Austin Communications continued to assist with answering calls until December 31, 2015 when the calls were transitioned to the individual railroad companies.
- Field Operations – CAD Transactions - Average of Total Transactions of 26 Communications Facilities (includes telephone, in-car, teletype messages, radio contacts): 658,293, per Communications station [FY17 YTD total 17,817.623 / 26 = 685,293]
- MCCP – tracks the number of deployments, NIMS compliant exercises and trainings (CCG & ICS COML, COMT, RADO, AUXCOMM). Since 2009, more than 80 classes or training

exercises have been held. Since 2015, more than 130 deployments, exercises and trainings of the CEOT and mobile communications equipment have taken place (music festivals, tornadoes, spring break operations, Texas Ranger and Aircraft recon missions, NASCAR operations, Chili Fest, hurricane conference exercises, bridge collapses, wild fires, oil well blow-outs; flooding; nuclear plant training exercises; mobile command rally trainings; EPA testing exercises; regional communications exercises and internal CEOT training; tactical dispatch and driver training; national communications jamming exercises). More than 30 similar exercises or trainings are already on the calendar for the duration of 2017 and into 2018.

- R/F Technical Services Duties are: radio rollouts; tower site maintenance; radio system analyses, radio installs; programming, propagation studies; COMMSHop 360; radio installations and retro-fits; Technical Assistance requests from State, Local and Tribal Agencies for radio frequency programming and installation questions, FCC license issues, coverage analysis, propagation studies; rebanding and reprogramming; CEOT deployments and training; State interoperability channel plan implementation; and the Annual Trunked Radio System Owners conference and a Federal Agency Interoperable Communications conference.
- Since 2012 under the auspices of the SWIC Office and Interoperability team, working with the SLIGP (State and Local Implementation Grant Program) of FirstNet, more than 21,612 stakeholders at more than 600 different meetings, 100 of them large conferences have been engaged. There is also a website, an on-line learning course that more than 800 people have completed, 3 YouTube videos and a Twitter account with 571 followers. The Outreach under this program has been meticulously documented to comply with auditing requirements of the grant. The graph below pinpoints locations where stakeholders across Texas have been engaged.



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

- Many changes were made within the Service since the last Sunset Review. In order to focus on the PSCS core mission and streamline operational costs and to take advantage of advancing technological capabilities, several communications facilities were closed or merged and their traffic rerouted to different facilities (Kerrville – Aug 31, 2007 [routed to San Antonio & San Angelo]; Austin Capitol/Austin District – Oct 23, 2017 [Merged to Austin HQ Communications]).
- During DPS re-organization which began in 2009, the Communications Service was moved from purview of the Texas Highway Patrol Division into the newly-created Law Enforcement Support Division along with Crime Records and the Crime Lab and ultimately renamed the Public Safety Communications Service (PSCS). Again, several Communications Facilities were closed or scheduled to be closed by attrition/retirement of personnel: (Lampasas – Dec 31, 2010 [rerouted to Austin & Waco]; Conroe – Jan 2, 2011 [merged with Houston]; Sulphur Springs – Jan 9, 2011 [rerouted to Tyler & Garland]; Harlingen/McAllen – Closed Sept 19, 2011 [Merged to new Weslaco office]; Beaumont – Oct 31, 2011 [rerouted to Houston & Lufkin]; Childress – Dec 31, 2016 [rerouted to Wichita Falls & Amarillo]). By maximizing the manpower of the FTEs given and taking advantage of increasing technological capabilities, the PSCS management opted to merge some facilities to allow better use of resources and personnel. These changes continued to provide consistent coverage to areas of the state and the same level of communications support service.

- Staffing at some facilities is still at minimum levels, which demands alternate means to keep the area covered in spite of being understaffed. Some stations close at midnight and reroute their overnight traffic to another facility. And some are co-supervised by the supervisor from an adjoining regional facility. Several other stations slated to close by attrition are Sherman and Ozona.
- Hiring processes changed considerably with passage of HB1951 from the 83rd Texas Legislature in 2013 which established minimum requirements for Telecommunicator licensing. This requirement mandated that Telecommunicators be *licensed* through the Texas Commission of Law Enforcement instead of using the former *certification* requirement. HB1951 also directed that newly-hired Telecommunicators successfully complete a psychological examination before hire. Subsequent to these changes, the hiring procedures for Police Communications Operators under the PSCS were amended to mirror the hiring process of DPS Trooper applicants and are coordinated from a central contact in the Austin Headquarters PSCS Office.
- Significant challenges to hiring and retaining Police Communications Operators (PCO) (and Radio Technicians in R/F Technical Services) have occurred because of non-competitive salaries in some parts of the state (Midland, Lubbock, Houston, Austin, Abilene). Several stations were forced to close at night and reroute radio and phone traffic to neighboring communications facilities because of vacancies.
- Payment of shift differential for select personnel within the PSCS was approved through a rider by the 84th Legislature in 2015 however funds were not appropriated for implementation. It requires that the Non-Commissioned Stipend Program be funded through existing appropriations if such funds are available. Working within the confines of allotted FTE's, vacancies and attrition, PSCS management was able to find funds to offer shift differential pay as well as offer incentives to newly hired Communications Operators with previous experience.
- Significant budgetary strains have been felt because of added costs of psychological testing for Communications Operators [\$7,420 for 70 applicants from Jan 2014 – Jun 2017]; needed routine maintenance and needed upgrades to communications facilities (electronic and audio recording equipment; visual monitors for in-car and mapping; ancillary, ergonomic furniture and chairs; security monitoring equipment), mobile communications equipment, tower site and radio repair.
- Since the reorganization in 2009, responsibilities of the PSCS have grown exponentially as technology changed, responsibilities increased, assets were obtained and training and exercise requirements heightened. Responses to incidents, disasters and exercises are more in demand; requests from other Divisions within DPS (Rangers, THP, TDEM, and Aircraft Operations) have become more frequent. PSCS assumed responsibility of the CCG in 2010 and the SWIC Office became heavily involved in the FirstNet initiative in 2012.

PSCS also took the primary role, now working with Procurement and Office of General Counsel on tower lease and land use and frequency use agreements with regional, state and federal agencies.

- Migration to the use of mobile data terminals and in-car mapping in patrol units made use of emerging technologies that allowed the field units to submit registration and DL inquiries remotely and assist with report writing and crash-reporting with less emphasis on radio usage. This reduced radio traffic congestion for the field units, and increased the necessity of PCOs to monitor more computer data rather than handle voice and radio transmissions. This required Communications Operators to shift their focus to monitoring mobile unit locations through in-car mapping, reviewing computerized returns and routinely checking status.
- E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.**

The Communications Service utilizes a statewide radio network designed to serve the communications requirements of all criminal justice agencies. The network provides for the rapid interchange and dissemination of information between DPS mobile units, field offices, and headquarters and between the DPS and other law enforcement agencies. The Communications Service utilizes radio, telephone, and satellite and landline telecommunications.

The entire PSCS (Field Operations, Response Section & M CCP, R/F Technical Services and SWIC & Interoperability) Program has a far-reaching effect: internal support to DPS divisions to communities after disasters with little or no communications, regionally for training and exercises; in statewide efforts after an emergency or hazard; in the collaboration and design of the hybrid system-of-systems radio system; with federal authorities (OEC, CBP, ICE) in training and communications exercises and across the state; in creating a Radio 101 class for first responders that provided continuing education credits; during annual conferences; in interactions with public safety emergency responders at local, state, regional, tribal, national and international levels through the FirstNet initiative.

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

The Assistant Division Director (ADD) of the Public Safety Communications Service is responsible to the Division Director Law Enforcement Support Division for the coordination of all field and Headquarters Communications operations, Response, and Technical Services. The DAD of the Public Safety Communications Service also serves as the Texas Statewide

Interoperability Coordinator (SWIC) and Single Point of Contact (SPOC) with FirstNet. The SWIC is responsible for Statewide Communications Interoperability plans, outreach and education, and advancement of interoperable programs. The SWIC Office chairs the Texas Interoperable Communications Coalition (TxICC) and ensures that regular updates are made to the Texas Statewide Communication Interoperability Plan (SCIP) and the Texas Statewide Interoperability Channel Plan (TSICP). In addition, this office works with the 24 Council of Governments to ensure their Regional Interoperability Channel Plans (RICPs) are kept current.

The Deputy Administrators (DA), (Operations and Technical Services) are responsible to the ADD, PSCS for the operations of all Communications activities.

The Plans Coordination Unit is responsible to the DA, Operations, for the Public Safety Commission Report, Dashboard, Line Inspections, Conference Planning, Continuity of Operations, and Exceptional Items. The Communications Area Manager, Headquarters, is responsible to the DA Operations for Reports, Record Retention, Radio Numbers, Government Emergency Telephone Service (GETS), COOP, job descriptions, hiring processes, Alias ID, and provides assistance to the Service in its entirety. A Headquarters CAM also works with Procurement and the Office of General Council on procurement, execution and internally tracking of tower and land leases for radio coverage and frequency use agreements with outside agencies.

The Field Operations Coordinator is responsible to the DA, Operations, for oversight of statewide regional field personnel, equipment, and operations. Communications Area Managers (CAM), Field Operations are regional managers and are responsible to the Program Coordinator, Field Operations, for administration and operations of Department communications activities at assigned communications facilities. The Regional Commanders have oversight of field operations in their regions.

Each Communications Facility is directed by a Communications Supervisor (CS) who is responsible to a CAM for that facility's operation. Each Communications Facility is staffed by Police Communications Operators (PCOs). PCOs are responsible for the various communications systems utilized by the Department.

The ranking PCO (Senior Operator if of the same rank) on duty at a Communications Facility is responsible for the operations of that communications facility unless another Operator has been specifically designated in charge by the CS. The ranking Operator shall be required to, among other things, resolve questions during the shift, determine how messages should be processed, and perform other duties to ensure effective operation of the communications facility in the absence of the CS.

The Response Unit Coordinator is responsible to the DA, Operations for the Communications Emergency Operation Team (CEOT), Mobile Communications Command Program (MCCP), CCG and participation in the State Operations Center (SOC). The Communications Emergency Operations Manager (CEOM) is responsible to the Program Coordinator Response, for

emergency communications response, working in coordination with the Mobile Command Center Manager over the Strategic Technology Reserve. This position is also responsible for the development and implementation of the CEOT training program and coordination of other communications response and managing the Communications Unit training across the state.

The RF Technical Services Coordinator is responsible to the DA, Technical Services for the overall operation of the Wireless Communications Shop and serves as a subject matter expert on trunked radio systems, microwave radios, broad and narrow band radio transmission frequencies, frequency allotment, and radio system design and integration. The RF Technical Services Manager provides technical direction to RF Technical Services Supervisors who are responsible for the supervision of all the Department's communications technicians. The RF Technical Services Supervisor, Austin is responsible for direct supervision of the 13 Austin radio technicians. The RF Technical Services Supervisor, Field is responsible for direct supervision of the 10 field radio shops across the state.

The Austin and Field RF Technical Services Shops are staffed by Communication Technicians necessary to install and maintain the Department's in-vehicle communications systems, in-car video, light bars, sirens as well as the service and repair of communications equipment from remote radio sites and field shops, radio towers, infrastructure, backup generators. They also assist with other agencies' systems as required to achieve interoperability. An Inventory Specialist in Austin is responsible to the R/F Technical Services Coordinator for receiving, tracking, documentation, and distribution of radio equipment, supplies and other inventory of the RF Technical Services Shops.

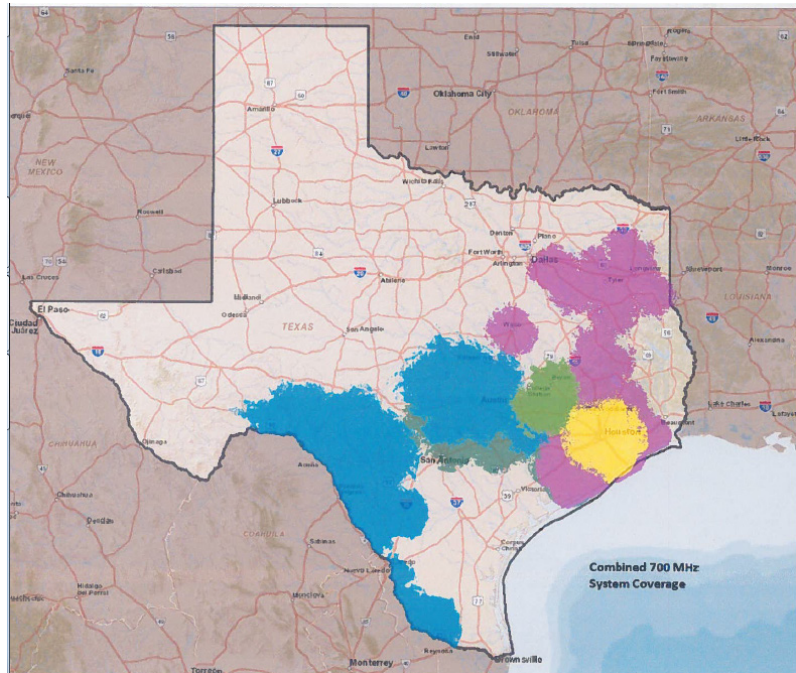
The department's statewide VHF P25 digital police radio system covers approximately 97 percent of Texas' geographical area. This system consists of 26 communications centers controlling approximately 122 repeater and base stations. Each facility has access to numerous data files through the Texas and the International Justice and Public Safety Network. These files contain information about wanted persons, protective orders, missing person records, criminal histories, driver licenses, vehicle registrations, license to carry (handgun), and stolen vehicles, guns and other property. The facilities also play a vital role in disaster management, ranging from operating national and state early warning systems to staffing on-site command centers after incidents



occur. Many communications facilities regularly participate in local emergency management exercises. Some DPS Communications facilities have partnered with local agencies during building evacuations or power outages to offload traffic to DPS and provide a secure working location until regular working conditions are restored.

The map above shows the communications facilities and repeater sites throughout the State (taken from CO-21 Radio Handbook (Rev 8/15)).

The chart to the right shows the coverage of several regional radio systems used by DPS to enhance VHF radio coverage in some areas. These systems are the backbone to the system-of-systems radio network being developed.



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

AY 2016

Public Safety Communications	0001 General Revenue	\$12,283,921
	0666 Approp Receipts	\$20
	Total	\$12,283,941

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

Many other law enforcement agencies throughout the State maintain their own communications operations. They provide similar services to the officers and employees within their jurisdictions. The mobile communications frequencies are assigned by the Federal

Communications Commission to prevent radio interference with other agencies. Regional Radio Systems which partner with DPS offer redundancy and offer mutual aid and interoperability channels (pursuit, broadcast) for their regional partners, which is especially critical during border operations with multi-jurisdictional, multi-disciplined units participating.

DPS Communications Facilities across the state often provide communications for units and missions outside of DPS, i.e., Texas A&M Forest Service, Railroad units, IRS, Civil Air Patrol, Texas P&W and Border Patrol & ICE. The Tx Dept of Transportation and Tx Parks and Wildlife own and maintain their own radio networks, as does the Lower Colorado River Authority.

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

Efforts are coordinated to prevent duplication or conflict by DPS, communicating with the other local law enforcement and first responder agencies, but still providing a well-rounded back-up response to all incidents as needed. The SWIC, through the state communications planning process and governance structure, maintains a list of MOUs for users of the Texas Statewide Interoperability Channel Plan.

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

There are more than 2,649 law enforcement entities (city, county, state, tribal and federal) in Texas. There are 2,167 fire departments (including volunteer); 1,100 EMS agencies in the State. The PSCS staff work with many of these agencies when called upon to provide the most effective and efficient services to the citizens and visitors of Texas. The SWIC Office and Interoperability Section alone, working on the FirstNet initiative, engaged more than 21,612 stakeholders through 600 different meetings since 2012. Communications, Response Section, and R/F Technical Services personnel provide some type of service on a daily basis to law enforcement, first responders and citizens all across Texas. Many personnel (CEOT, Radio Technicians, PCOs) routinely work with many of the other agencies in Texas during deployments. This was especially true during the border operations (Operation Strong Safety, Operation Secure Texas and Operation Secure Texas West), from the official start in June 2013 until 2016. Communications, radio technicians, supervisors and managers routinely deployed to the operational areas alongside commissioned personnel for a 7 or 9-day rotation to handle command post operations, radio programming, radio issuance, troubleshooting, briefings, video downlink connectivity, or whatever communications functions needed to be handled.

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

- a short summary of the general purpose of those contracts overall;

The majority of these contracts are for radio related equipment and transmission services.

- **the amount of those expenditures in fiscal year 2016;**
- **the number of contracts accounting for those expenditures;**
- **the method used to procure contracts;**

DPS follows the procurement method requirements as defined in Texas Gov't Code Chapters 2155, 2156, 2157, 2158, and 2161 and 34 Texas Administrative Code (TAC) Chapter 20. DPS also follows the state's Contract Management Guide and Procurement Manual that are published by the Comptroller of Public Accounts.

In FY16, DPS procured goods and services using Council on Competitive Government, Texas Correctional Institute, Texas Institute for the Blind and Handicapped, Term, Managed, and TXMAS contracts available through TX SmartBuy. These contracts are managed by the Comptroller of Public Accounts, and state agencies issue purchase orders against those contracts.

DPS also procured goods and services using DIR contracts for certain technology related procurements in FY16. These contracts are managed by the DIR, but agencies can issue purchase orders and agreements against these contracts.

DPS also procured goods and services on the open market in those instances where there was no state contract in place or where the dollar amount associated with the procurement exceeded the limits of use for the state contract. For example, in FY16 SB 20 required that any technology procurements that were over 1 million be solicited on the open market. For non-technology goods that were over 25K and services that were over 100k, DPS would be required to seek delegation from the Comptroller's office before being authorized to solicit on the open market. In some cases the Comptroller would decide to perform the solicitation on behalf of the Department.

- **top five contracts by dollar amount, including contractor and purpose;**
 - **PO- 405-15-P000979** valued at \$3,600,000.00 with MOTOROLA SOLUTIONS, INC. for Communication Radios
 - **PO- 405-16-P008151** valued at \$2,794,794.51 with MOTOROLA SOLUTIONS, INC. for Communication Radios
 - **PO- 405-16-P007166** valued at \$328,288.00 with COMPREHENSIVE COMMUNICATION SERVICES LLC for Satellite Bandwidth Service for Mobile Platforms
 - **PO- 405-16-P006586** valued at \$294,440.00 was awarded to CYNERGYZE CONSULTING INC for Emergency Preparedness Staffing

- **PO-405-15-P001586** valued at \$100,000.00 with SATELLITE AND WIRELESS SOLUTIONS LLC for State Satellite Services

- **the methods used to ensure accountability for funding and performance; and**

Each contract has an assigned contract monitor from the division that has been provided with internal training and procedures for monitoring the deliverables and performance of the contract and supplying vendor performance reports. The official contract manager in Procurement & Contract Services works with the division contract monitor, OGC, and Finance to administer and manage contract and vendor performance, ensure compliance with applicable statutes, rules, and policies, and officially address any needed corrective action. Finance is responsible for maintaining compliance with payment rules based on validation from the division that goods and services were received and performance criteria were met.

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

The largest issue with contracting at DPS is the lack of delegated authority for many purchases from the Comptroller's office. Please see the Major Issue regarding delegated authority.

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

No grants are awarded by this program.

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

- Unfunded functions of the Communications Coordination Group (CCG). The CCG was created by the 81st Texas Legislature, Texas Government Code Subchapter C. Texas Division of Emergency Management, Sec. 418.051 under the purview of the Texas Division of Emergency Management. Responsibility of the CCG was delegated to the PSCS in 2010, however this function has no additional appropriated funding for the activities and personnel responsible for its management.
- HB442 – The Emergency Radio Infrastructure Account was established by the 82nd Legislature, HB442, and went into effect September 1, 2011. Refer to Texas Government Code Chapter 411, Subchapter N, Interoperable Statewide Emergency Radio Infrastructure. This recurring funding mechanism is in place but appropriations from this account have not been appropriated for radio infrastructure.

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

None.

Name of Program or Function: *Regulatory Compliance*

Location/Division: *Regulatory Services Division (RSD)*

Contact Name: *Division Director RenEarl Bowie*

Actual Expenditures, FY 2016: *\$4,887,047*

Number of Actual FTEs as of June 1, 2017: *76*

Statutory Citation for Program: *Texas Government Code, Chapter 411*

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

Regulatory Services Compliance is responsible for auditing program licensees and registrants for compliance with applicable state and federal regulations. The division reviews complaints from the public and monitors and analyzes program data to detect potential criminal or administrative violations. If warranted, investigations are conducted, administrative penalties may be assessed, and criminal prosecutions may be pursued.

Major activities include oversight of these regulatory programs: Compassionate Use, Private Security, Handgun Licensing, Metals Registration, Commissioned Online Prescription System, Peyote Distributors, Precursor Chemical and Laboratory Apparatus, Vehicle Inspection, Salvage Yards, Ignition Interlock Device, and Capitol Access Pass.

Oversight includes the following activities:

- Complete background evaluations on individuals applying for a license, registration, or endorsement issued by RSD.
- Issue registrations for metal recycling entities and Compassionate Use Program applicants.
- Audit, inspect, and/or investigate businesses and individuals for violations of statutes and program rules, and evaluating information obtained.
- Initiate all administrative actions against regulated businesses and individuals for violations of statutes and program rules.
- Provide investigative support to all law enforcement in the state and federal agencies for investigations involving regulated businesses and individuals.
- Providing support to all law enforcement and federal agencies needing access to COPS database (prescription drugs) and TOM database (metals registration) records.
- Handle intake and processing of all complaints involving regulated businesses and individuals reported to DPS.

- Conduct initial informal hearings for certain regulated programs.
- Act as liaison to the Metals Advisory Committee.
- Perform overt and covert audits of vehicle inspection safety, commercial, and emissions stations.
- License vehicle inspection stations and inspectors.
- Maintain vehicle inspection license, station, and inspection records.
- Provide training to vehicle station inspectors.
- Perform audits of:
 - Private security companies.
 - Ignition interlock device service centers.
 - Precursor lab apparatus businesses and individuals.
 - Provide comprehensive oversight of the program by administrative investigations of individuals suspected of violating statutes or rules.
- Take action to suspend, revoke, or deny licenses when statutory provisions are violated.
- Act as liaison to the Vehicle Inspection advisory committee.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.

Compassionate Use

The CUP database is currently in development. It will consist of two main components: one for physician and patient information, and the other for dispensing organization data. The physician and patient component consists of four categories of data: patient details, treatment plan specifics, prescription history, and efficacy reports. The dispensing organization component contains information on the directors, managers and employees, and the filling of prescriptions. The latter will include detailed tracking of the product dispensed with unique identification numbers and batch numbers. Future program statistics are being determined.

Private Security

	FY15	FY16	Methodology
Other			
Complaints Received	539	339	Complaints by program received in monthly spreadsheet from program
Audits	1,057	1,812	Audits received in monthly spreadsheet from program
Inspections (Guard & Company)	1,561	1,771	Guard: Security guards checked and/or guards checked at their guard posts by the lead special agent. Company: License companies or training schools inspected by the reporting special agent.
Investigations	272	360	Investigations associated with Occupations Code Chapter 1702 conducted by the lead special agent.
Administrative Investigations	132	268	Investigations not handled as criminal investigations.
Arrests (Felony & Misdemeanor)	43	40	Persons arrested for felony and misdemeanor offenses associated with violations of Chapter 1702 by the lead special agent.

Handgun Licensing

	FY15	FY16	Methodology
Other			
Complaints Received	3	30	Complaints by program received in monthly spreadsheet from program
Investigations	4	6	Investigations associated with Texas Government Code Chapter 411 conducted.
Administrative Investigations	2	4	Investigations not handled as criminal investigations.
Arrests (Felony & Misdemeanor)	0	2	Persons arrested for felony and misdemeanor offenses associated with violations of Chapter 411.
Audits	4	0	Audits received in monthly spreadsheet from program

Metals Registration

	FY15	FY16	Methodology
Other			
Complaints Received	4	5	Count of complaints by program received in monthly spreadsheet from program.

MRE Inspections	509	459	The number of Metals Recycling Entities inspected by the lead Special Agent during the period.
Investigations	46	46	The number investigations associated with Occupations Code Chapter 1956 conducted by the lead Special Agent during this reporting period.
Administrative Investigations	4	9	The number of investigations that are not handled as criminal investigations for the period.
Arrests (Felony & Misdemeanor)	24	19	The number of persons arrested for felony and misdemeanor offenses associated with violations of Occupations Code Chapter 1956 by the lead Special Agent during this reporting period.

to special agents provides the number of MREs in their region and a fiscal goal for conducting inspections. The number of inspections conducted by region is tracked. The number and type of violations is tracked and is used to indicate trends.

Commissioned Online Prescription System, Peyote Distributors, and Precursor Chemical and Laboratory Apparatus

FY15

Number of registered law enforcement users: 829
 Number of requests: 17,293

F 16

Number of registered law enforcement users: 984
 Number of requests: 9,651

Peyote Distributors

There are only three licensed distributors due to the limited areas of Texas in which peyote grows.

Precursor Chemical and Laboratory Apparatus (PCLA)

	FY15	FY16
Total number of entities inspected (all inspections)	119	110

The PCLA permit process makes great efforts towards effectively controlling the diversion of chemicals and equipment used in illegal drug manufacturing by registering businesses and individuals who sell, transfer, receive, or otherwise furnish a precursor chemical or laboratory apparatus within the state. This reduces the amount of unauthorized entities having access to illicit materials.

Vehicle Inspection

During FY15 and FY16, VI personnel made 177,558 station contacts and audits to supervise an average of 11,607 licensed inspection facilities and 45,964 certified inspectors. These station contacts resulted in an average of 3,018 enforcement actions and suspension of 80 inspection station licenses and 15,021 inspector certifications.

	FY15	FY16
Inspections Conducted	19,961,837	21,712,955
Audits	85,159	92,399
Investigations	99	107
Arrests	24	15

Texas On-Road Vehicle Emissions Testing (TORVET)

Remote-sensing data is used to find the very high-polluting vehicles which contribute disproportionately to a region's vehicle emissions inventory. Owners of these vehicles are contacted through voluntary or mandatory regulatory agency follow-up and informed about emissions control system malfunctions that are raising emissions, reducing their fuel economy and leading to more complex and costly repairs in the future. Additionally, to evaluate the overall program effectiveness, the on-road data collected by remote-sensing is used to validate emissions control strategies and inform future program decisions.

	FY15	FY16
Total samples collected for database	620,037	510,656
Total tests on registered vehicles	283,330	225,348
Potential High Emitters	6,833	2,751
High Emitters Reviewed	532	383
High Emitter Notices Approved and Mailed	450	350

Window Tint Medical Exemption

	FY15	FY16
Exemptions Issued	1,886	536

Recognized Emissions Repair Facilities

	FY15	FY16
Active Repair Facilities	453	431
Total Audits Conducted	209	237

Salvage Yards

	FY15	FY16	Methodology
Other			
Inspections (Salvage)	446	498	The number of salvage inspections

			inspected by the reporting Special Agent when that Special Agent served as lead Special Agent.
Inspections (Business)	80	57	The number of businesses inspected other than salvage by the reporting Special Agent when that Special Agent served as lead Special Agent
Investigations	22	19	The number of investigations conducted by the lead Special Agent for violations of Occupations Code 2302 for the period
Administrative Investigations	3	1	The number of investigations that are not handled as criminal investigations for the period
Arrests (Felony & Misdemeanor)	4	1	The number of persons arrested for felony and misdemeanor offenses associated with the Salvage Inspection program for which the reporting Special Agent was the lead Special Agent.

Ignition Interlock Device

RSD's Compliance & Enforcement Service (CES) conducts annual inspections of IID vendors to ensure they meet the minimum standards set forth in the Texas Administrative Code. According to the Association of Ignition Interlock Program Administrators (AIIPA), as of December 31, 2015, Texas had the highest number of vehicles installed with an IID in the United States at 45,780. The next state was Colorado with 24,013.

	FY15	FY16	Methodology
Audits	103	60	Count of audits completed during specific timeframe from program

Capitol Access Pass

See Question C under RSD Licensing Program.

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

During the 82nd legislative session, RSD reorganized its structure to a business model where the goal is to build and maintain LENS focused regulatory services (lean, efficient, nimble, and scalable). Services and employees were reorganized by function, rather than by program. For example, application processing and customer service personnel handle work for all regulatory programs, and commissioned personnel and non-commissioned

auditors, inspectors, and investigators handle compliance and enforcement for all regulatory programs. This legislatively approved strategy consolidated all of the regulatory programs into two strategies in the Regulatory Services Division: 1) Compliance; and 2) (License) Issuance and Modernization. All of the regulatory programs in RSD now follow this consolidated business model.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

Compassionate Use

The program affects patients with intractable epilepsy. Eligibility for the program is determined by the patient's physician, under the statutory criteria provided by Texas Occupations Code §169.003.

The program affects physicians who treat patients with intractable epilepsy and who wish to prescribe low-THC cannabis to their patients. The physicians must meet the criteria provided by Texas Occupations Code §169.002.

The program affects the directors, managers and employees of licensed dispensing organizations. The eligibility criteria are detailed in Texas Administrative Code 12.3 (37 TAC 1).

The program is still under development, and DPS has only recently conditionally approved three dispensing organization applicants. There are currently no statistics, and there is no data on which to base statistics at this time.

Private Security

Before an individual can own, manage, or be employed by a licensed company, a person must meet the following requirements:

- Be at least 18 years old;
- Not have been arrested, charged, indicted, entered into any pre-trial intervention, or convicted of any Class A misdemeanor or felony unless a full pardon has been granted;
- Not have been arrested, charged, indicted, entered into any pre-trial intervention, or convicted of any Class B misdemeanor within the last five years;
- Be mentally competent;
- Not be alcohol or drug-dependent; and
- Honorably discharged, if in the Armed Services.

Current total number of individuals licensed as of June 22, 2017: 163,379

Current total number of companies licensed as of June 22, 2017: 7,569

Handgun Licensing

To be eligible for a handgun license, an individual must be 21 years old (or 18 years old and a member of the U.S. military or have an honorable discharge), must not have been convicted of a felony at any time or of a Class A or Class B misdemeanor within the last five years, must not be guilty of a crime under Texas Penal Code §42.01, and must not be in arrears in child support payments, student loans or taxes. Applicants who have been diagnosed by a licensing physician as suffering from a psychiatric disorder or dependent on alcohol or similar substance are not eligible.

As of August 31, 2016, the statistical breakdown for license holders was 26.85% female and 73.15% male.

Metals Registration

Access to the TOM site is restricted to licensed MREs and their approved account holders for the purpose of uploading transactions, renewing applications, and updating the organization's account information. Local, state, and federal law enforcement personnel are vetted and granted access to view MRE organizational information, transactions, inspections, and administrative actions as well as upload their MRE inspection reports. Texas Occupations Code §1956.015 describes the statewide electronic reporting system. TOM is an online tool to assist law enforcement with metals thefts in Texas. These tools are available 24-hours a day, seven-days a week, to all law enforcement personnel in municipalities, counties and state agencies.

Commissioned Online Prescription System/Peyote Distributors/Precursor Chemical and Laboratory Apparatus

Commissioned Online Prescription System (COPS)

Direct access to prescription information is restricted to DPS personnel. However, law enforcement and prosecutorial officials may make requests online through the COPS portal. Requests for prescription information must meet the criteria described in the Texas Health and Safety Code §481.076.

Peyote Distributors

Peyote distributors must submit an application for a controlled substances registration to the director under the Texas Health and Safety Code, Act 481, and the Texas Administrative Code, Subchapter C.

Only a person who holds a current DEA license as a Peyote Distributor and who is in compliance with the Texas Administrative Code (TAC), Chapter 13 Controlled Substances, Subchapter C, Peyote Distributors, §13.37 Security may register.

Precursor Chemical and Laboratory Apparatus (PCLA)

Businesses and individuals who sell, transfer, receive or otherwise furnish a precursor chemical/laboratory apparatus within the state must register with DEA and DPS, in

accordance with Title 21 Code of Federal Regulations, Texas Health and Safety Code, Chapter 481 and Texas Administrative Code (TAC), Title 37, Part I, Chapter 13, Subchapter B.

	FY15	FY16
Total number of regulated persons (one-time permits)	12	9
Total number of regulated entities (annual permits)	1,344	1,339
Number of PCLA permits issued (original and renewal)	1,351	1,445

Vehicle Inspection

Vehicle Inspection

Safety inspection of motor vehicles is a statutorily required, compulsory program that affects the owners of over approximately 21 million vehicles annually. These inspections are conducted at an average of 11,607 licensed independently owned and operated inspection stations by an average of 45,964 inspectors certified and supervised by DPS.

Qualifications for a person seeking certification as a certified state inspector:

- Applicant must be at least 18 years old;
- Applicant must pass a background check. (See 37 TAC §23.5 for more details);
- Attend a DPS-approved Inspector Training Course;
- Submit online application;
- Pass a written inspector examination; and
- Pass a practical exam, demonstrating proficiency in the Vehicle Inspection process.

Qualifications for certification as a Licensed State Inspection Station:

- Inspection facility must meet minimum DPS space requirements;
- Must have qualified personnel to perform inspections;
- Must possess required inspection equipment;
- Complete and submit required application, fees, and forms; and
- Applicant must pass a background check. (See 37 TAC §23.5 for more details).

Window Tint Medical Exemption

Qualifications for a person applying for window tint medical exemption:

- Letter, on physician letterhead, signed by the physician, indicating the medical reason for the exemption;

- An original prescription including the applicant's name, physician's signature and indicating the medical reason for the exemption; and
- If the exemption is approved, an exemption letter will be sent to the applicant.

Recognized Emissions Repair Facilities (RERF)

Qualifications for a business entity applying to be a Recognized Emissions Repair Facility in Texas:

- Must possess required equipment;
- Employ at least one full-time Recognized Emissions Repair Technician;
- Repair Technician must have a minimum of three years full-time repair service experience; and
- Repair Technician must possess current certification in the following areas based on the following tests offered by the National Institute of Automotive Service Excellence (ASE):
 - Engine Repair (ASE Test AI)
 - Electrical/Electronic Systems (ASE Test A6)
 - Engine Performance (ASE Test A8)
 - Advanced Engine Performance Specialist (ASE Test LI)

Salvage Yards

DPS is not responsible for issuing the license for salvage. This program affects Motor Vehicle Distribution and may have an impact on Metal Recycling Entities (Texas Occupations Code 1956).

Ignition Interlock Device

The portion of the IID program administered by RSD affects 417 vendors (service centers). The vendors are required to maintain minimum standards including general liability insurance and the use of DPS-approved IID. Statute does not authorize DPS to regulate or conduct any type of background checks for individual installers or service center owners.

Capitol Access Pass

To be eligible for a Capitol Access Pass, a person must be a Texas resident, must be 21 years old, must not have been convicted of a felony at any time, or of a Class A or Class B misdemeanor within the last five years, must not be guilty of a crime under Texas Penal Code §42.01, and must not be in arrears in child support payments, student loans, or taxes. Applicants who have been diagnosed by a licensing physician as suffering from a psychiatric disorder or dependent on alcohol or similar substance are not eligible. However, CAP applicants do not need to provide evidence of handgun proficiency.

Demographic data for CAP holders is provided below.

Race/Ethnicity	Gender		Grand Total
	F	M	
AMER-INDI/ALASK			
NAT		1	1
ASIAN/PACIFIC ISLAN		1	1
ASIAN/PACIFIC			
ISLANDER	3		3
BLACK	7	9	16
HISPANIC	9	11	20
OTHER	3	2	5
WHITE	234	383	617
Grand Total	256	407	663

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

Compassionate Use

The dispensing organization application process consists of essentially four components:

1. Review of documentation relating to the experience and criminal history background of the directors, managers and employees;
2. Competitive review of the dispensing organizations' application materials, including descriptions of proposed facilities and processes, and award of conditional approval to three applicants;
3. Onsite inspection of the conditionally approved facilities; and
4. Awarding of the license. Each of these stages involved the objective evaluation of the materials or facilities in relation to the administrative rule and statutory requirements.

Private Security

Please see Question F under the RSD Licensing Program.

Handgun Licensing

Please see Question F under the RSD Licensing Program.

Metals Registration

The online renewal process for MRE certificates became available beginning on February 22, 2013. Each MRE statutory agent receives an email approximately 45 days before

expiration. The email provides directions for completing the renewal application. Effective October 1, 2013, MREs were required to report transactions on the TOM site. Metals program staff will no longer accept transaction reports submitted via postal mail, facsimile or email from MREs for the purposes of data entry, with the exception of those entities granted an exemption, pursuant to Texas Occupations Code §1956.036(d). Department administrative personnel review all applications, new or renewal; inspections reports, and prepare and send administrative letters for violations.

Vehicle Inspection

VI maintains statewide responsibilities in regulating stations and inspectors licensed and/or certified to conduct vehicle safety inspections and perform emissions testing where required. The program is primarily administered with non-commissioned (civilian) DPS employees. The CES Senior Manager oversees the field operations manager and program manager who are responsible for the administration and operation of the service in achieving program objectives in the most effective and efficient manner.

The field operations manager oversees regional managers and field supervisors to manage service operations in all regional areas, coordinate daily program activities, and explain procedures, policies, laws, and requirements for Vehicle Inspection Auditors.

VI auditors are the non-commissioned first line employees who are involved in the daily supervision, oversight, auditing, and enforcement activities directed toward inspection stations and vehicle inspectors, as well as interacting with motorists who have questions, concerns or complaints regarding the program.

Salvage Yards

Regulation of salvage motor vehicles resides under the Texas Department of Motor Vehicles. The Texas Department of Public Safety, Regulatory Services Division provides comprehensive oversight of the program through agreement with the Texas Department of Motor Vehicles by targeting businesses and individuals suspected of violating statutes.

DPS personnel conduct inspections of regulated salvage entities to ensure compliance with applicable statute and rules. Inspections may be conducted routinely or as needed if suspected violations have occurred.

Ignition Interlock Device

Please see Question F under the RSD Licensing Program.

Capitol Access Pass

Please see Question F under the RSD Licensing Program.

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

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

AY 2016

Regulatory Compliance	0001 General Revenue	\$13,065,669
	0666 Approp Receipts	\$139,467
	Total	\$13,205,137

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

Compassionate Use

None.

Private Security

None.

Handgun Licensing

None.

Metals Registration

The statewide electronic reporting system is required by statute, Texas Occupations Code §1956.015. LeadsOnline, a national pay-for-use investigative system, captures MRE transactions with similar data points.

Commissioned Online Prescription System/Peyote Distributors/Precursor Chemical and Laboratory Apparatus

Commissioned Online Prescription System

COPS is a standalone system unique to DPS. The data available to COPS is provided through a Memorandum of Understanding (MOU) with Texas State Board of Pharmacy (TSBP). Effective September 1, 2016, TSBP was tasked with the oversight of the Texas Prescription Program. Prescription data reported to TSBP is required by statute to be shared with DPS for the purpose of supporting law enforcement and prosecutorial officials.

Peyote Distributors

The Federal Drug Enforcement Agency (DEA) provides similar functions regarding inspections and registration of peyote distributors in accordance with Title 21 Code of Federal Regulations, §1307.31.

Precursor Chemical and Laboratory Apparatus (PCLA)

The Federal Drug Enforcement Agency (DEA) provides similar functions in regards to inspections and registration pertaining to certain chemicals and limited laboratory apparatus in accordance with Title 21 Code of Federal Regulations. However, Texas Health and Safety Code, Chapter 481, is more specific and expands the list of chemicals and restricted laboratory apparatus.

Vehicle Inspection

In Texas, administration of vehicle emissions testing is a cooperative effort between two state agencies, the Texas Commission on Environmental Quality (TCEQ) and DPS.

TCEQ is the state's environmental agency that is responsible for protecting air and water quality as well as oversight of hazardous and solid waste disposal. They ensure compliance with applicable state and federal environmental laws, rules, and regulations. TCEQ, based on scientific and legal requirements, determines what type of vehicle emissions testing is to be done, where, and for how long. They also administer the low income repair and replacement assistance program. DPS, as a law enforcement agency, enforces traffic and criminal laws and administers the vehicle safety inspection program. DPS is charged with the implementation and regulation of vehicle emissions testing in conjunction with the annual vehicle safety inspection.

Salvage Yards

None.

Ignition Interlock Device

No other federal or state agency regulates IID centers.

Capitol Access Pass

None.

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

Compassionate Use

RSD has no contractual agreements related to the Compliance Program.

Private Security

RSD has no contractual agreements related to the Compliance Program.

Handgun Licensing

RSD has no contractual agreements related to the Compliance Program.

Metals Registration

DPS does not coordinate with LeadsOnline. TOM is free to the MREs and LeadsOnline would place an additional financial cost on the MRE.

Commissioned Online Prescription System, Peyote Distributors, and Precursor Chemical and Laboratory Apparatus

Commissioned Online Prescription System

No other agency program exists that provides the functions and capabilities of COPS. DPS has an MOU with TSBP for the purpose of TSBP providing reported prescription data to COPS; 405-RSD-16-0002.

Peyote Distributors

RSD works closely with DEA regarding registrants and / or potential registrants ensuring that both DPS and DEA are deconflicting and sharing relevant information.

Precursor Chemical and Laboratory Apparatus (PCLA)

RSD works closely with DEA regarding registrants and or potential registrants ensuring that both DPS and DEA are deconflicting and sharing relevant information.

DPS maintains MOUs with the Texas Education Agency (TEA) and the Texas Higher Education Coordinating Board for implementing and maintaining a program for reporting information concerning controlled substances, controlled substance analogues, chemical precursors, and chemical laboratory apparatus used in education or research activities of institutions of higher education.

Vehicle Inspection

DPS and TCEQ each have a unique function within the program and therefore duplication of effort and services is avoided. TCEQ develops testing standards and protocols which comply with EPA standards, while DPS implements those standards and insures the correct application by inspection stations providing vehicle emissions testing.

DPS has an MOU with TCEQ and DMV for vehicle inspection and registration data to comply with requirements of HB 2305 ("One Sticker Bill" from the 83rd Texas Legislature).

Salvage Yards

RSD has no contractual agreements related to Salvage Yards.

Ignition Interlock Device

RSD has no contractual agreements related to IID

Capitol Access Pass

There are no contractual agreements with other governmental entities related to the CAP function.

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

RSD Compliance develops and implements all regulated program investigative enforcement training for DPS Criminal Investigations Division (CID) and other agencies.

RSD Compliance acts as liaison for all regulated program investigations and inspections conducted by CID and other agencies.

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

- **a short summary of the general purpose of those contracts overall;**

- **the amount of those expenditures in fiscal year 2016;**
- **the number of contracts accounting for those expenditures;**
- **the method used to procure contracts;**

DPS follows the procurement method requirements as defined in Texas Gov't Code Chapters 2155, 2156, 2157, 2158, and 2161 and 34 Texas Administrative Code (TAC) Chapter 20. DPS also follows the state's Contract Management Guide and Procurement Manual that are published by the Comptroller of Public Accounts.

In FY16, DPS procured goods and services using Council on Competitive Government, Texas Correctional Institute, Texas Institute for the Blind and Handicapped, Term, Managed, and TXMAS contracts available through TX SmartBuy. These contracts are managed by the Comptroller of Public Accounts, and state agencies issue purchase orders against those contracts.

DPS also procured goods and services using DIR contracts for certain technology related procurements in FY16. These contracts are managed by the DIR, but agencies can issue purchase orders and agreements against these contracts.

DPS also procured goods and services on the open market in those instances where there was no state contract in place or where the dollar amount associated with the procurement exceeded the limits of use for the state contract. For example, in FY16 SB 20 required that any technology procurements that were over 1 million be solicited on the open market. For non-technology goods that were over 25K and services that were over 100k, DPS would be required to seek delegation from the Comptroller's

office before being authorized to solicit on the open market. In some cases the Comptroller would decide to perform the solicitation on behalf of the Department.

- **top five contracts by dollar amount, including contractor and purpose;**
 - **PO- 405-15-P000749** valued at \$51,968.02 with TOTAL ENERGY INVESTMENTS LLC for Building Lease - Pearland 20038
 - **PO- 405-15-P000702** valued at \$43,000.80 with 830-850 CENTRAL PARKWAY, LTD. for Building Lease - Plano 20018
 - **PO- 405-16-P006508** valued at \$21,354.35 with SAFETY SUPPLY INC for Body Armor
 - **PO-405-15-P003975** valued at \$5,852.12 with INTERNATIONAL BUSINESS MACHINES CORP for Data Analysis and Visualization Software Subscription and Support
 - **PO-405-16-P009617** valued at \$ 4,825.00 with RENTALTYME! ICE MACHINES LLC for Ice Machine

- **the methods used to ensure accountability for funding and performance; and**

Each contract has an assigned contract monitor from the division that has been provided with internal training and procedures for monitoring the deliverables and performance of the contract and supplying vendor performance reports. The official contract manager in Procurement & Contract Services works with the division contract monitor, OGC, and Finance to administer and manage contract and vendor performance, ensure compliance with applicable statutes, rules, and policies, and officially address any needed corrective action. Finance is responsible for maintaining compliance with payment rules based on validation from the division that goods and services were received and performance criteria were met.

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

The largest issue with contracting at DPS is the lack of delegated authority for many purchases from the Comptroller's office. Please see the Major Issue regarding delegated authority.

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

No grants are awarded by this program.

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

Compassionate Use

The federal prohibition of marijuana adversely affects physicians' willingness to participate in the program (issue prescriptions).

The statute does not address the need for independent testing labs: the law does not authorize the possession of low-THC cannabis by anyone except dispensing organizations or patients with prescriptions; therefore independent testing labs are not authorized.

Private Security

Currently, lack of authority to suspend security officer commission for failing to cooperate with Medical Advisory Board (MAB) requests. The lack of such authority allows individuals with mental health issues to retain their commission and to continue to work as armed guards.

Non-citizen licensee holders whose legal presence in the U.S. has expired are federally prohibited from possessing a firearm. Statute should authorize expiration of security officer commission upon determination of legal presence expiration.

Provision on commissioned security officer qualifications should be clarified to ensure Texas Occupations Code, Chapter 53, is not applicable to determinations based on federal firearms disqualification.

Statute alternatives for notifying licensees of administrative actions outside of certified mail – electronic notification and verification.

Unsubstantiated complaints are regularly made by competing companies. A possible solution to reduce the number of complaints initiated by competitors is to require complaints be sworn (notarized).

Handgun Licensing

Currently, DPS lacks the authority to suspend a license for failing to cooperate with Medical Advisory Board request. The lack of such authority allows individuals with mental health issues to retain their license to a carry handgun.

Non-citizen license holders whose legal presence in the U.S. has expired are federally prohibited from possessing a firearm. Statute should authorize expiration of license upon determination of legal presence expiration.

Metals Registration

None at this time. SB 208 (85th Texas Legislature) amends several provisions of Chapter 1956 to address various prior issues, including requiring the reporting of sales of explosive devices; broadens DPS's authority to impose administrative penalties for violations of rules or statute; and clarifies the obligation of local law enforcement agencies to report to DPS information relating to investigations or disciplinary actions initiated against an MRE.

Commissioned Online Prescription System, Peyote Distributors, and Precursor Chemical and Laboratory Apparatus

Commissioned Online Prescription System (COPS)

Law enforcement access to prescription data is statutorily limited to those officials engaged in the administration, investigation, or enforcement of Health and Safety Code Chapter 481 or another law governing illicit drugs in this state or another state. See Health and Safety Code §481.076(a)(3). RSD staff reviews requests for their compliance with this section, and must often make judgment calls regarding the scope of the investigation and the intent of the investigator when the nexus between the investigation and statutory requirement is less than clear. More specific guidance in this regard would enhance the performance of this function.

Peyote Distributors

The enabling statute consists of a single sentence in Health & Safety Code §481.111(a): “[A] person who supplies [peyote] to the [Native American] church must register and maintain appropriate records of receipts and disbursements in accordance with rules adopted by the director.” No further statutory guidance is provided as to the extent of the regulatory scheme, nor is there any provision relating to fees, duration of the registration, or disciplinary procedures.

Prior to the passage of SB 195 (84th Texas Legislature), DPS had relied in part on the Chapter 481’s other references to registrations (i.e., the Controlled Substance Registrations required for prescriptions and for possession of controlled substances), as providing implicit authority for fees, expirations and renewals, and eligibility criteria. However, SB 195 repealed those provisions. DPS’s authority and obligations should be clarified.

Precursor Chemical and Laboratory Apparatus (PCLA)

None.

Vehicle Inspection

There is currently no statutory authority to impose administrative fines on inspection stations or inspectors for rule or statutory violations. The statute currently requires suspension or revocation of such violations. This results in the appeal of the majority of cases filed by the field investigators and the considerable investment of the agency resources in processing, negotiating and resolving these cases through administrative hearings. The authority to impose fines rather than suspension or revocation would improve the administrative efficiency of the program by reducing the number of appeals and simplifying the disciplinary process.

Salvage Yards

None.

Ignition Interlock Device

The Association of Ignition Interlock Program Administrators (AIIPA) best practices for IID administrators include the regulation of individual installers. DPS does not believe it has the statutory authority to implement and perform regulation of the individual installers.

The monitoring of motorists with IID installed is conducted by various courts and court appointees, including probation officers. There is no statutory authority for a unified reporting or tracking system, or agency to oversee compliance of motorists with an IID installed in their vehicle.

Capitol Access Pass

None.

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

Compliance works to protect and serve citizens through proactive enforcement of program statutes and rules, and by inspections, enforcement, and continued education of RSD's regulated programs.

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

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

Compassionate Use

The regulation of low-THC cannabis production and dispensing is intended to provide a mechanism by which patients with intractable epilepsy may obtain an otherwise controlled substance for the purposes of alleviating their symptoms.

Inspections are to be conducted both pre- and post-licensure by department personnel to ensure compliance in accordance with Texas Administrative Code 12.21 (37 TAC 1). DPS may be assisted by a peace officer, a representative of the State Fire Marshal's Office, or another appropriate state or local regulatory agency. Standard Operating Procedures (SOPs) are being finalized, but there is also intent to implement quarterly inspections of licensed dispensing organizations.

Texas Administrative Code 12.21 (37 TAC 1) states that within 30 calendar days of the date of receipt of written notice of violation, the dispensing organization shall provide DPS

with notification of all corrective actions taken, and the dates of the corrections, which will be verified by department personnel.

Failure to cooperate with inspections or to maintain compliance may result in suspension or revocation of license or registration.

The standard operating procedures related to the complaint process are currently being finalized. However, all complaints against regulated entities will be diligently reviewed and investigated as appropriate.

Private Security

Regulation ensures the industry employs only qualified personnel who are vetted through fingerprint-based FBI background checks. The public expects individuals who hold an occupational license, such as locksmiths and alarm installers, to be vetted prior to licensure before gaining access to their homes or other owned facilities.

The regulation of the guard industry ensures that commissioned and non-commissioned security officers meet minimum training and background check requirements, as well as firearm proficiency.

DPS is tasked with the responsibility of ensuring the integrity of statewide regulated programs by detecting violations of program statutes and administrative rules through inspection and compliance enforcement efforts. The major emphasis of conducting regulatory inspections and investigations is to determine compliance with applicable statutes and rules. RSD inspectors are authorized to conduct inspections of businesses engaging in regulated activity. Inspectors document all pertinent information in the inspection report, including suspected violations. Administrative violations are referred to RAAB for consideration of administrative action. Inspections indicating criminal predicate are referred accordingly.

The objective of a follow-up inspection is to determine if a previously inspected business has obtained compliance with violations documented in a previous inspection report. Follow-up inspections are conducted following the same procedures as the initial inspection. If an inspector determines a follow-up inspection is warranted, the business will be notified at the time of the initial inspection that a follow-up inspection will be conducted, however inspectors are authorized to conduct unannounced follow-up inspections to ensure continuing compliance.

Administrative sanctions include advisory notices, denials, fines, suspensions, revocations or criminal charges.

Received complaints are reviewed for potential violations of statute or administrative rules. DPS notifies the complainant of the receipt of complaint. Violations found to have merit are handled in accordance with statute and administrative rules. Once a complaint

investigation has been completed, a letter is sent to the complainant advising the case is closed. Criminal investigations are excluded from disclosure until the investigation is completed and the case is closed.

Handgun Licensing

Regulation is necessary to ensure individuals who are licensed to carry a handgun are properly trained and meet the eligibility requirements enacted by the Texas Legislature. Sanctions include denial of an application, and suspension or revocation of a license when it is identified that the individuals does not meet the eligibility requirements.

Metals Registration

Regulation is necessary for the capture of transactions by MREs, which is also necessary for law enforcement to track and investigate potential stolen regulated metals. Inspections of MREs may be conducted by state and local law enforcement personnel as needed but at least once every two years. Department personnel prepare regional reports of MREs that need initial or follow-up inspections. Follow-up inspections are requested on those MREs with violations and are to be completed within 30-60 days of previous inspection. DPS may administer advisory letters, reprimands, suspensions, revocations, and fines based on the violation and past inspection violations. Complaints are submitted online at DPS's public site. Complaints are reviewed, validated and if necessary, forwarded to the appropriate law enforcement agency for action.

Commissioned Online Prescription System, Peyote Distributors, and Precursor Chemical and Laboratory Apparatus

Commissioned Online Prescription System (COPS)

This function is necessary for the continued use of law enforcement and prosecutorial officials to identify, detect, deter, and prosecute the illegal use, prescribing and dispensing of controlled substances. This program is used to provide information for the inspections of entities regulated by other state agencies. COPS is not designed to handle complaints on regulated registrants or entities. Law enforcement account holders can only review the reports that they requested. An investigative synopsis is provided by the requestor to ensure the request is in compliance with Health and Safety Code §481.076. The confidentiality of reports and requests is maintained by limiting users to the reports they requested.

Peyote Distributors

Registration of peyote distributors was enacted to ensure only authorized individuals were distributing the controlled substance to authorized members of the Native American Church.

In addition to inspections conducted by DEA, DPS may conduct inspections and audits of records to ensure effective security and accountability protocols are in place.

Registration may be delayed or denied if an applicant fails to meet compliance requirements.

Non-compliance may result in registration denial, suspension, revocation, or administrative penalties in accordance with the Texas Administrative Code (TAC), Chapter 13 Controlled Substances, Subchapter C, Peyote Distributors, §13.40 and §13.41.

Depending on whether the complaint concerns an administrative or criminal infraction, it would be routed for appropriate review and action.

Precursor Chemical and Laboratory Apparatus (PCLA)

The PCLA statute was enacted by the 70th Texas Legislature in 1987 for the purpose of controlling the diversion of chemicals used in the illegal manufacture of drugs, primarily methamphetamine and amphetamine. In 1989, the statute was amended and requires anyone who sells, transfers, furnishes, or purchases certain precursor chemicals or certain laboratory apparatus to be regulated by DPS.

RAAB receives an application for a PCLA permit. A background check is conducted and research is compiled on the business or individual which is then provided to CES to conduct and audit. It is also verified whether the applicant is registered with DEA. When the applicant meets the requirements of the audit and eligibility has been verified in accordance with Texas Health and Safety Code, Chapter 481, a permit is issued by DPS. Denials, suspensions, or revocations may be utilized if a registrant fails to meet compliance requirements.

Dependent upon whether the complaint is regarding an administrative or criminal infraction, it would be routed for appropriate review and action.

Vehicle Inspection

Regulation is needed to ensure the integrity of the vehicle inspection program in providing appropriate, accurate, and complete vehicle inspections in order to identify unsafe vehicles. Chapter 548 of the Texas Transportation Code establishes a compulsory vehicle inspection program for all motor vehicles registered in Texas and requires these inspections to be performed at a state certified inspection station. Chapter 548 also gives DPS the authority to adopt rules to administer and enforce requirements.

Prior to opening an inspection station, applicants must complete the application process through DPS. Vehicle Inspection personnel review and investigate all applications to ensure applicants meet established licensing and/or certification standards. They also advise applicants of any deficiencies and how those may be corrected. Applicants wishing to operate inspection facilities must review and agree to abide by stringent operating requirements. Those applying as inspectors must also attend approved DPS training and pass a written examination prior to being certified as vehicle inspectors.

Chapter 548.4035 grants DPS right of entry onto the premises of an inspection station to conduct investigations, inspections, and audits to determine compliance with Chapter 548, department rules, and Chapter 383 of the Health and Safety Code. It also entitles DPS to access emissions testing equipment, inspection records, and reports.

In-person audits, conducted at regular intervals, by DPS personnel consist of; application of inspection requirements, providing on-going and remedial training as necessary, and monitoring the condition and use of required equipment.

In-person audits are supplemented with investigation of third party complaints, review of station records, station reports, and remote observation. Vehicle Inspection personnel also conduct quality control audits where covert DPS vehicles are brought in to observe how the inspection process is conducted.

A combination of both administrative actions / penalties and criminal prosecutions/penalties are available based on the violation, degree of violation, and frequency including re-education (administrative), warning (administrative), citation (criminal), suspension of license or certification (administrative), and/or in the case of severe violations of state law, custody arrest (criminal). Inspectors may be required to attend remedial and/or practical recertification to demonstrate compliance with standards when non-compliance is identified.

All complaints received by DPS regarding vehicle inspection station or inspector are investigated to determine whether there has been a violation of Chapter 548, administrative rules adopted under Chapter 548, or vehicle inspection regulations. Documentation will be provided and actions taken if the investigation reveals a violation by a vehicle inspection station, inspectors, or its employees.

Texas On Road Vehicle Emissions Testing (TORVET)

Follow-up activities conducted when non-compliance is identified: the denial of a vehicle's registration renewal by DMV.

Failure to comply with the High Emitter Notice is a criminal offense. The first offense is a misdemeanor punishable by a fine of not less than \$1.00 and not more than \$350. Any subsequent offense is a misdemeanor punishable by a fine of not less than \$200 and not more than \$1,000. Additionally, failure to comply with the official notice may result in the State denying future registration of the offending vehicle until it passes an emissions test or otherwise complies with the waiver program.

Salvage Yards

Regulation is needed to ensure oversight of applicable statutes and rules. RSD personnel conduct inspections of regulated salvage entities to ensure compliance with applicable statutes and rules. Inspections may be conducted routinely or as needed if suspect violations have occurred. When non-compliance is identified, follow up inspections are

conducted. Sanctions include criminal penalties (Class A misdemeanor). Consumer/public complaints against regulated entities resides within DPS of Motor Vehicles.

Ignition Interlock Device

Regulation is necessary to ensure the integrity of the interlock program by verifying the use of approved devices, anti-circumvention methods, as well as general liability insurance for vendors.

Capitol Access Pass

Regulation is necessary to ensure individuals who are authorized to bypass screening at the Capitol have met the eligibility requirements enacted by the Texas Legislature. Sanctions include denial of an application, and suspension or revocation of a license when it is identified that the individual does not meet the eligibility requirements.

- P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency’s practices. Please include a brief description of the methodology supporting each measure.**

Compassionate Use Program		
Exhibit 11: Information on Complaints Against Regulated Persons or Entities		
Fiscal Years 2015 and 2016		
	Fiscal Year 2015	Fiscal Year 2016
Total number of regulated persons	See Notes below	See Notes below
Total number of regulated entities	See Notes below	See Notes below
Total number of entities inspected	See Notes below	See Notes below
Total number of complaints received from the public	See Notes below	See Notes below
Total number of complaints initiated by agency	See Notes below	See Notes below
Number of complaints pending from prior years	See Notes below	See Notes below
Number of complaints found to be non-jurisdictional	See Notes below	See Notes below
Number of jurisdictional complaints found to be without merit	See Notes below	See Notes below
Number of complaints resolved	See Notes below	See Notes below
Average number of days for complaint resolution	See Notes below	See Notes below
Complaints resulting in disciplinary action:	See Notes below	See Notes below
administrative penalty		
reprimand		
probation		

	Fiscal Year 2015	Fiscal Year 2016
suspension		
revocation		
other		

Table 11 Exhibit 11 Information on Complaints Against Persons or Entities

Note: The program is still under development, and DPS has only recently conditionally approved three dispensing organization applicants. There are currently no statistics, and there is no data on which to base statistics at this time.

Note: When FY16-17 biennium changes for performance measures were requested, revisions were approved by the Legislative Budget Board to submit the total number of complaints for all areas. However, the goal remained a percentage (causing a disjoint between methodology and target). The division requested the target be changed for FY2018-2019 to reflect a total count rather than percentage.

Note: Complaints for all of RSD's programs are received by a variety of personnel and areas within the agency and within RSD, including the agency's contact center, the RSD contact center, program areas, commissioned and investigatory personnel in the field, and for the Private Security Program, via the Private Security Board. There is currently not a centralized repository for all RSD program complaints, and within RSD, complaints are handled by a variety of entities including directly by investigatory personnel in the field, by supervisors within the programs, or by the division's Regulatory Assistance and Analysis Bureau (RAAB). A centralized complaint system has been identified and is currently being developed.

Private Security

Exhibit 11: Information on Complaints Against Regulated Persons or Entities Fiscal Years 2015 and 2016

	Fiscal Year 2015	Fiscal Year 2016
Total number of regulated persons	157,039	159,264
Total number of regulated entities	5,793	5,724
Total number of entities inspected	1,561	1,771
Total number of complaints received from the public	See Notes below	See Notes below
Total number of complaints initiated by agency	See Notes below	See Notes below
Number of complaints pending from prior years	See Notes below	See Notes below
Number of complaints found to be non-jurisdictional	See Notes below	See Notes below
Number of jurisdictional complaints found to be without merit	See Notes below	See Notes below

	Fiscal Year 2015	Fiscal Year 2016
Number of complaints resolved	See Notes below	See Notes below
Average number of days for complaint resolution	See Notes below	See Notes below
Complaints resulting in disciplinary action:	See Notes below	See Notes below
administrative penalty		
reprimand		
probation		
suspension		
revocation		
other		

Table 12 Exhibit 11 Information on Complaints Against Persons or Entities

Note: When FY16-17 biennium changes for performance measures were requested, revisions were approved by the Legislative Budget Board to submit the total number of complaints for all areas. However, the goal remained a percentage (causing a disjoint between methodology and target). The division requested the target be changed for FY2018-2019 to reflect a total count rather than percentage.

Note: Complaints for all of RSD's programs are received by a variety of personnel and areas within the agency and within RSD, including the agency's contact center, the RSD contact center, program areas, commissioned and investigatory personnel in the field, and for the Private Security Program, via the Private Security Board. There is currently not a centralized repository for all RSD program complaints, and within RSD, complaints are handled by a variety of entities including directly by investigatory personnel in the field, by supervisors within the programs, or by the division's Regulatory Assistance and Analysis Bureau (RAAB). A centralized complaint system has been identified and is currently being developed.

Handgun Licensing

Exhibit 11: Information on Complaints Against Regulated Persons or Entities Fiscal Years 2015 and 2016

	Fiscal Year 2015	Fiscal Year 2016
Total number of regulated persons	906,204	1,095,542
Total number of regulated entities	3,326	3,575
Total number of entities inspected	9	21
Total number of complaints received from the public	See Notes below	See Notes below
Total number of complaints initiated by agency	See Notes below	See Notes below

	Fiscal Year 2015	Fiscal Year 2016
Number of complaints pending from prior years	See Notes below	See Notes below
Number of complaints found to be non-jurisdictional	See Note below	See Note below
Number of jurisdictional complaints found to be without merit	See Notes below	See Notes below
Number of complaints resolved	See Notes below	See Notes below
Average number of days for complaint resolution	See Notes below	See Notes below
Complaints resulting in disciplinary action:	See Notes below	See Notes below
administrative penalty		
reprimand		
probation		
suspension		
revocation		
other		

Table 13 Exhibit 11 Information on Complaints Against Persons or Entities

Note: When FY16-17 biennium changes for performance measures were requested, revisions were approved by the Legislative Budget Board to submit the total number of complaints for all areas. However, the goal remained a percentage (causing a disjoint between methodology and target). The division requested the target be changed for FY2018-2019 to reflect a total count rather than percentage.

Note: Complaints for all of RSD's programs are received by a variety of personnel and areas within the agency and within RSD, including the agency's contact center, the RSD contact center, program areas, commissioned and investigatory personnel in the field, and for the Private Security Program, via the Private Security Board. There is currently not a centralized repository for all RSD program complaints, and within RSD, complaints are handled by a variety of entities including directly by investigatory personnel in the field, by supervisors within the programs, or by the division's Regulatory Assistance and Analysis Bureau (RAAB). A centralized complaint system has been identified and is currently being developed.

Metals Registration

Exhibit 11: Information on Complaints Against Regulated Persons or Entities Fiscal Years 2015 and 2016

	Fiscal Year 2015	Fiscal Year 2016
Total number of regulated persons	NA	NA
Total number of regulated entities	528	811

	Fiscal Year 2015	Fiscal Year 2016
Total number of entities inspected	509	459
Total number of complaints received from the public	See Notes below	See Notes below
Total number of complaints initiated by agency	See Notes below	See Notes below
Number of complaints pending from prior years	See Notes below	See Notes below
Number of complaints found to be non-jurisdictional	See Notes below	See Notes below
Number of jurisdictional complaints found to be without merit	See Notes below	See Notes below
Number of complaints resolved	See Notes below	See Notes below
Average number of days for complaint resolution	See Notes below	See Notes below
Complaints resulting in disciplinary action:	See Notes below	See Notes below
administrative penalty		
reprimand		
probation		
suspension		
revocation		
other		

Table 14 Exhibit 11 Information on Complaints Against Persons or Entities

Note: When FY16-17 biennium changes for performance measures were requested, revisions were approved by the Legislative Budget Board to submit the total number of complaints for all areas. However, the goal remained a percentage (causing a disjoint between methodology and target). The division requested the target be changed for FY2018-2019 to reflect a total count rather than percentage.

Note: Complaints for all of RSD's programs are received by a variety of personnel and areas within the agency and within RSD, including the agency's contact center, the RSD contact center, program areas, commissioned and investigatory personnel in the field, and for the Private Security Program, via the Private Security Board. There is currently not a centralized repository for all RSD program complaints, and within RSD, complaints are handled by a variety of entities including directly by investigatory personnel in the field, by supervisors within the programs, or by the division's Regulatory Assistance and Analysis Bureau (RAAB). A centralized complaint system has been identified and is currently being developed.

Commissioned Online Prescription System

Exhibit 11: Information on Complaints Against Regulated Persons or Entities

Fiscal Years 2015 and 2016

	Fiscal Year 2015	Fiscal Year 2016
Total number of regulated persons	See Notes below	See Notes below
Total number of regulated entities	See Notes below	See Notes below
Total number of entities inspected	See Notes below	See Notes below
Total number of complaints received from the public	See Notes below	See Notes below
Total number of complaints initiated by agency	See Notes below	See Notes below
Number of complaints pending from prior years	See Notes below	See Notes below
Number of complaints found to be non-jurisdictional	See Notes below	See Notes below
Number of jurisdictional complaints found to be without merit	See Notes below	See Notes below
Number of complaints resolved	See Notes below	See Notes below
Average number of days for complaint resolution	See Notes below	See Notes below
Complaints resulting in disciplinary action:	See Notes below	See Notes below
administrative penalty		
Reprimand		
Probation		
Suspension		
Revocation		
Other		

Table 15 Exhibit 11 Information on Complaints Against Persons or Entities

Note: The COPS portal as a result of SB 195 from the 84th (2015) Texas Legislature went into effect September 1, 2016.

Note: When FY16-17 biennium changes for performance measures were requested, revisions were approved by the Legislative Budget Board to submit the total number of complaints for all areas. However, the goal remained a percentage (causing a disjoint between methodology and target). The division requested the target be changed for FY2018-2019 to reflect a total count rather than percentage.

Note: Complaints for all of RSD's programs are received by a variety of personnel and areas within the agency and within RSD, including the agency's contact center, the RSD contact center, program areas, commissioned and investigatory personnel in the field, and for the Private Security Program, via the Private Security Board. There is currently not a centralized repository for all RSD program complaints, and within RSD, complaints are handled by a variety

of entities including directly by investigatory personnel in the field, by supervisors within the programs, or by the division's Regulatory Assistance and Analysis Bureau (RAAB). A centralized complaint system has been identified and is currently being developed.

Peyote Distributors
Exhibit 11: Information on Complaints Against Regulated Persons or Entities
Fiscal Years 2015 and 2016

	Fiscal Year 2015	Fiscal Year 2016
Total number of regulated persons	3	3
Total number of regulated entities	See Notes below	See Notes below
Total number of entities inspected	See Notes below	See Notes below
Total number of complaints received from the public	See Notes below	See Notes below
Total number of complaints initiated by agency	See Notes below	See Notes below
Number of complaints pending from prior years	See Notes below	See Notes below
Number of complaints found to be non-jurisdictional	See Notes below	See Notes below
Number of jurisdictional complaints found to be without merit	See Notes below	See Notes below
Number of complaints resolved	See Notes below	See Notes below
Average number of days for complaint resolution	See Notes below	See Notes below
Complaints resulting in disciplinary action:	See Notes below	See Notes below
administrative penalty		
reprimand		
probation		
suspension		
revocation		
other		

Table 16 Exhibit 11 Information on Complaints Against Persons or Entities

Note: When FY16-17 biennium changes for performance measures were requested, revisions were approved by the Legislative Budget Board to submit the total number of complaints for all areas. However, the goal remained a percentage (causing a disjoint between methodology and target). The division requested the target be changed for FY2018-2019 to reflect a total count rather than percentage.

Note: Complaints for all of RSD's programs are received by a variety of personnel and areas within the agency and within RSD, including the agency's contact center, the RSD contact

center, program areas, commissioned and investigatory personnel in the field, and for the Private Security Program, via the Private Security Board. There is currently not a centralized repository for all RSD program complaints, and within RSD, complaints are handled by a variety of entities including directly by investigatory personnel in the field, by supervisors within the programs, or by the division's Regulatory Assistance and Analysis Bureau (RAAB). A centralized complaint system has been identified and is currently being developed.

Precursor Chemical and Laboratory Apparatus
Exhibit 11: Information on Complaints Against Regulated Persons or Entities
Fiscal Years 2015 and 2016

	Fiscal Year 2015	Fiscal Year 2016
Total number of regulated persons	12	9
Total number of regulated entities	1,344	1,339
Total number of entities inspected	119	110
Total number of complaints received from the public	See Notes below	See Notes below
Total number of complaints initiated by agency	See Notes below	See Notes below
Number of complaints pending from prior years	See Notes below	See Notes below
Number of complaints found to be non-jurisdictional	See Notes below	See Notes below
Number of jurisdictional complaints found to be without merit	See Notes below	See Notes below
Number of complaints resolved	See Notes below	See Notes below
Average number of days for complaint resolution	See Notes below	See Notes below
Complaints resulting in disciplinary action:	See Notes below	See Notes below
administrative penalty		
reprimand		
probation		
suspension		
revocation		
other		

Table 17 Exhibit 11 Information on Complaints Against Persons or Entities

Note: When FY16-17 biennium changes for performance measures were requested, revisions were approved by the Legislative Budget Board to submit the total number of complaints for all areas. However, the goal remained a percentage (causing a disjoint between methodology and target). The division requested the target be changed for FY2018-2019 to reflect a total count rather than percentage.

Note: Complaints for all of RSD's programs are received by a variety of personnel and areas within the agency and within RSD, including the agency's contact center, the RSD contact center, program areas, commissioned and investigatory personnel in the field, and for the Private Security Program, via the Private Security Board. There is currently not a centralized repository for all RSD program complaints, and within RSD, complaints are handled by a variety of entities including directly by investigatory personnel in the field, by supervisors within the programs, or by the division's Regulatory Assistance and Analysis Bureau (RAAB). A centralized complaint system has been identified and is currently being developed.

Vehicle Inspection

Exhibit 11: Information on Complaints Against Regulated Persons or Entities Fiscal Years 2015 and 2016

	Fiscal Year 2015	Fiscal Year 2016
Total number of regulated persons	41,676	50,252
Total number of regulated entities	11,499	11,715
Total number of entities inspected	85,159	92,399
Total number of complaints received from the public	See Notes below	See Notes below
Total number of complaints initiated by agency	See Notes below	See Notes below
Number of complaints pending from prior years	See Notes below	See Notes below
Number of complaints found to be non-jurisdictional	See Notes below	See Notes below
Number of jurisdictional complaints found to be without merit	See Notes below	See Notes below
Number of complaints resolved	See Notes below	See Notes below
Average number of days for complaint resolution	See Notes below	See Notes below
Complaints resulting in disciplinary action:	See Notes below	See Notes below
administrative penalty		
reprimand		
probation		
suspension		
revocation		
other		

Table 18 Exhibit 11 Information on Complaints Against Persons or Entities

Note: When FY16-17 biennium changes for performance measures were requested, revisions were approved by the Legislative Budget Board to submit the total number of complaints for all

areas. However, the goal remained a percentage (causing a disjoint between methodology and target). The division requested the target be changed for FY2018-2019 to reflect a total count rather than percentage.

Note: Complaints for all of RSD's programs are received by a variety of personnel and areas within the agency and within RSD, including the agency's contact center, the RSD contact center, program areas, commissioned and investigatory personnel in the field, and for the Private Security Program, via the Private Security Board. There is currently not a centralized repository for all RSD program complaints, and within RSD, complaints are handled by a variety of entities including directly by investigatory personnel in the field, by supervisors within the programs, or by the division's Regulatory Assistance and Analysis Bureau (RAAB). A centralized complaint system has been identified and is currently being developed.

Salvage Yards

Exhibit 11: Information on Complaints Against Regulated Persons or Entities Fiscal Years 2015 and 2016

	Fiscal Year 2015	Fiscal Year 2016
Total number of regulated persons	No data to report	No data to report
Total number of regulated entities	No data to report	No data to report
Total number of entities inspected	No data to report	No data to report
Total number of complaints received from the public	No data to report	No data to report
Total number of complaints initiated by agency	No data to report	No data to report
Number of complaints pending from prior years	No data to report	No data to report
Number of complaints found to be non-jurisdictional	No data to report	No data to report
Number of jurisdictional complaints found to be without merit	No data to report	No data to report
Number of complaints resolved	No data to report	No data to report
Average number of days for complaint resolution	No data to report	No data to report
Complaints resulting in disciplinary action:	No data to report	No data to report
administrative penalty		
reprimand		
probation		
suspension		
revocation		
other		

Table 19 Exhibit 11 Information on Complaints Against Persons or Entities

Ignition Interlock Devices
Exhibit 11: Information on Complaints Against Regulated Persons or Entities
Fiscal Years 2015 and 2016

	Fiscal Year 2015	Fiscal Year 2016
Total number of regulated persons	NA	NA
Total number of regulated entities	260	298
Total number of entities inspected	103	60
Total number of complaints received from the public	See Notes below	See Notes below
Total number of complaints initiated by agency	See Notes below	See Notes below
Number of complaints pending from prior years	See Notes below	See Notes below
Number of complaints found to be non-jurisdictional	See Notes below	See Notes below
Number of jurisdictional complaints found to be without merit	See Notes below	See Notes below
Number of complaints resolved	See Notes below	See Notes below
Average number of days for complaint resolution	See Notes below	See Notes below
Complaints resulting in disciplinary action:	See Notes below	See Notes below
administrative penalty		
reprimand		
probation		
suspension		
revocation		
other		

Table 20 Exhibit 11 Information on Complaints Against Persons or Entities

Note: When FY16-17 biennium changes for performance measures were requested, revisions were approved by the Legislative Budget Board to submit the total number of complaints for all areas. However, the goal remained a percentage (causing a disjoint between methodology and target). The division requested the target be changed for FY2018-2019 to reflect a total count rather than percentage.

Note: Complaints for all of RSD's programs are received by a variety of personnel and areas within the agency and within RSD, including the agency's contact center, the RSD contact center, program areas, commissioned and investigatory personnel in the field, and for the Private Security Program, via the Private Security Board. There is currently not a centralized repository for all RSD program complaints, and within RSD, complaints are handled by a variety

of entities including directly by investigatory personnel in the field, by supervisors within the programs, or by the division's Regulatory Assistance and Analysis Bureau (RAAB). A centralized complaint system has been identified and is currently being developed.

Capitol Access Pass
Exhibit 11: Information on Complaints Against Regulated Persons or Entities
Fiscal Years 2015 and 2016

	Fiscal Year 2015	Fiscal Year 2016
Total number of regulated persons	629	662
Total number of regulated entities	See Notes below	See Notes below
Total number of entities inspected	See Notes below	See Notes below
Total number of complaints received from the public	See Notes below	See Notes below
Total number of complaints initiated by agency	See Notes below	See Notes below
Number of complaints pending from prior years	See Notes below	See Notes below
Number of complaints found to be non-jurisdictional	See Notes below	See Notes below
Number of jurisdictional complaints found to be without merit	See Notes below	See Notes below
Number of complaints resolved	See Notes below	See Notes below
Average number of days for complaint resolution	See Notes below	See Notes below
Complaints resulting in disciplinary action:	See Notes below	See Notes below
administrative penalty		
reprimand		
probation		
suspension		
revocation		
other		

Table 21 Exhibit 11 Information on Complaints Against Persons or Entities

Note: When FY16-17 biennium changes for performance measures were requested, revisions were approved by the Legislative Budget Board to submit the total number of complaints for all areas. However, the goal remained a percentage (causing a disjoint between methodology and target). The division requested the target be changed for FY2018-2019 to reflect a total count rather than percentage.

Note: Complaints for all of RSD's programs are received by a variety of personnel and areas within the agency and within RSD, including the agency's contact center, the RSD contact

center, program areas, commissioned and investigatory personnel in the field, and for the Private Security Program, via the Private Security Board. There is currently not a centralized repository for all RSD program complaints, and within RSD, complaints are handled by a variety of entities including directly by investigatory personnel in the field, by supervisors within the programs, or by the division's Regulatory Assistance and Analysis Bureau (RAAB). A centralized complaint system has been identified and is currently being developed.

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

Name of Program or Function: *Regulatory Licensing*

Location/Division: *Regulatory Services Division (RSD)*

Contact Name: *Division Director RenEarl Bowie*

Actual Expenditures, FY 2016: *\$6,289,908*

Number of Actual FTEs as of June 1, 2017: *47*

Statutory Citation for Program: *Texas Government Code, Chapter 411*

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

The Regulatory Licensing program is responsible for issuing licenses, permits, and registrations and for tracking the number of license, permit, and registration holders. Regulatory Licensing ensures the integrity of regulatory programs through a rigorous licensing process which includes receiving and reviewing license, permit, and registration applications, and ensuring compliance with applicable policies, administrative rules, and statutes.

Major activities include these regulatory programs: Compassionate Use, Private Security, Handgun Licensing, Metals Registration, Commissioned Online Prescription System, Peyote Distributors, Precursor Chemical and Laboratory Apparatus, Vehicle Inspection, Salvage Yards, Ignition Interlock Device, and Capitol Access Pass.

Compassionate Use

The Texas Compassionate Use Act (Senate Bill 339), enacted by the Texas Legislature in 2015 (84th Texas Legislature), requires DPS to create a secure registry of physicians who treat epilepsy for the purpose of prescribing low-THC cannabis to patients who have been diagnosed with intractable epilepsy. In addition, the bill requires DPS to license at least three dispensing organizations, and register their directors, managers, and employees, by September 1, 2017. The license will authorize the organizations to cultivate, process, and dispense low-THC cannabis to prescribed patients.

The post-licensure activities will focus on the licensees' compliance with administrative rules and statute, including regular audits of the facilities and investigation of complaints. The processing of employee registration applications will be on-going as well.

Private Security

DPS regulates the private security profession in Texas via the Private Security Program. DPS protects the public by conducting fingerprint-based background checks on applicants, licensing training schools and instructors, investigating and resolving complaints, and taking disciplinary action against licensees or seeking criminal prosecution of those who perform private security services without a license.

The private security profession includes armed and unarmed security guards, personal protection officers, private investigators, private security consultants, alarm systems installers and monitors, guard dog trainers, armored car couriers, electronic access control device installers, and locksmiths. DPS regulates the private security profession under the authority of the Texas Occupations Code, Chapter 1702, and the related administrative rules.

The Private Security Program is charged with the licensing or registration of individuals and companies for the private security industry in Texas. Additionally, the program conducts testing of qualified manager applicants for each company license. The division works with the Private Security Board to ensure compliance with all statutory requirements. The Private Security Program successfully promotes an efficient and service-oriented licensing process by providing customers with licenses or certifications.

Handgun Licensing

The objective of the Handgun Licensing Program is to license eligible applicants in accordance with Texas Government Code, Chapter 411, Subchapter H, and meet statutory timeframe requirements for issuing an original or renewal handgun license. Handgun Licensing personnel review applications and supporting documents for accuracy to determine statutory qualifications and eligibility. The program is responsible for the production and issuance of licenses, maintenance of records, and the denial, suspension, and revocation of licenses within statutory timeframes and according to legal requirements. In addition, the Handgun Licensing Program trains handgun instructors on license application procedures and certifies qualified handgun instructors after successful completion of classroom training and handgun proficiency conducted by the DPS Education, Training, and Research Division. The program also monitors all handgun license holders to ensure continued eligibility. The accurate issuance of licenses to eligible license holders is a program priority.

Metals Registration

RSD is required by statute to provide a statewide electronic reporting system to track the sales of regulated metal. DPS posts on its website a summary by region or county the frequency with which a person presents regulated materials for sale to a metal recycling entity (MRE). DPS may use the information provided for law enforcement purposes. DPS must maintain the confidentiality of all information provided. Information provided is not subject to disclosure under Chapter 552, Government Code.

Commissioned Online Prescription System, Peyote Distributors, and Precursor Chemical and Laboratory Apparatus

DPS is responsible for fulfilling law enforcement requests for controlled substances prescription data, including patient prescription histories and pharmacy dispensing histories. Regulatory Services Division is specifically responsible for vetting law enforcement and prosecutorial personnel to ensure the request complies with the statutory confidentiality provisions (Texas Health and Safety Code §481.076). RSD also

provides tactical and strategic analytical reports. Law enforcement and prosecutorial support is provided to local, county, state (not limited to Texas) and federal agencies.

Peyote is a Schedule I controlled drug. DPS was mandated by the Texas Legislature to regulate peyote distributors. Peyote distributors are required to be registered first with the Federal Drug Enforcement Administration (DEA), and second with DPS.

The Precursor Chemical/Laboratory Apparatus (PCLA) program processes one-time and annual applications, renews annual permits, records sales transactions, conducts business inspections and audits, gathers intelligence from law enforcement contacts throughout the country, networks with business representatives and assists law enforcement investigators nationwide by providing current information relating to methods, ingredients, places of purchase, contacts, etc., related to covert laboratory activity.

Vehicle Inspection

The Vehicle Inspection (VI) program licenses all official vehicle inspection stations and inspectors to conduct annual safety and emissions inspections of vehicles registered in Texas. RSD provides oversight of the program by targeting businesses and individuals suspected of violating statutes and administrative rules.

Major activities of the VI program include:

- Audit for compliance with established standards relating to the applications for new and/or renewal vehicle inspection station licensing to including the premises, equipment, owner and/or operator and certified inspector;
- Complete processing of inspector and station license applications;
- Conduct station inspector applicant training and administer exam for certification;
- Audits or investigations of vehicle inspection stations to verify minimum requirements;
- Observe inspections performed by station inspectors and take appropriate action by instructing, counseling, advising, and recommending needed equipment adjustments;
- Identify non-compliance using various computer systems, covert activities, and consumer complaints; and
- Initiate appropriate enforcement actions to correct noted non-compliance issues.

Texas On-Road Vehicle Emissions Testing (TORVET)

This program's primary objective is to improve air quality by identifying and causing the repair of vehicles that are contributing excessive amounts of ozone-producing compounds, such as hydrocarbons and oxides of nitrogen, by complying with Federal Clean Air Act (FCAA) requirements to conduct on-road testing of 0.5% of the subject fleet or 20,000 vehicles, whichever is less.

DPS is utilizing remote-sensing technology to identify vehicles operating within the Inspection Maintenance (I/M) program areas that have a high probability of being high emitters. For this purpose, DPS is focusing on probable high-emitting vehicles that are registered within the subject counties, but are not complying with periodic testing requirements in the I/M program areas and probable high-emitting vehicles commuting from adjacent non I/M program counties. Major activities of the program include maintaining the Texas On-Road Vehicle Inspection Testing (TORVET) database.

Window Tint Medical Exemption

This program assists citizens with an exemption from the current window tint requirements. Currently, all vehicles that are inspected must pass the 25% window tint requirement on the two front windows. Citizens who have a medical condition requiring darker tint on their vehicle below the 25% requirement in order to safeguard their health (skin cancer or sensitivity to sunlight, for example) can apply for an exemption. Major activities of the program include: processing of window tint medical exemption applications, providing information to citizens on program requirements, and managing approved applications in a database.

Recognized Emissions Repair Facilities (RERF)

Recognizing that emissions control and engine performance can be one of the most challenging areas of automotive repair, the program was developed to assist motorists in identifying vehicle emissions repair shops in their area. All repair technicians are certified through the National Institute for Automotive Service Excellence (ASE) and have the experience necessary to diagnose and repair vehicles that have failed an emissions test.

Major activities of the program include: processing of RERF applications and verifying ASE qualifications for certified repair technicians; auditing for compliance with established standards relating to the application for RERF to include repair equipment, owner and/or operator and certified repair technician; providing information to applicants on program requirements; and managing approved facilities and technicians in database.

Salvage Yards

The program regulates salvage motor vehicles that have been damaged or are missing major parts causing the cost to repair the vehicle to be higher than the actual cash value of the vehicle before it was damaged. The state statutes and administrative rules that govern Texas Motor Vehicle Dealers, distributors, converters and manufacturers are applicable to Lemon Law or the General Warranty Rights Programs.

Regulation of salvage motor vehicles resides under the Texas Department of Motor Vehicles (DMV). RSD provides comprehensive oversight of the program through agreement with the DMV by conducting inspections of businesses to ensure compliance with statutes and targeting businesses and individuals suspected of violating statutes.

Ignition Interlock Device

The overall objective of the Ignition Interlock Devices (IID) program is to reduce the number of alcohol-related motor vehicle accidents and deaths on Texas roadways.

The IID program is administered by various entities throughout Texas, including RSD, DLD, and the DPS Crime Laboratory Service, as well as numerous judicial authorities.

The IID program is a court-based system. A motorist is ordered by a judge or magistrate to have an IID installed in their vehicle. The motorist is required to use both an IID that has been approved by DPS Crime Laboratory, and a vendor that is certified by DPS RSD to complete the installation. The Administrative License Revocation (ALR) of a DL places restrictions on or revokes driver licenses of individuals arrested for Driving While Intoxicated (DWI) or Boating While Intoxicated (BWI) and who refuse to take or fail a blood or breath test.

RSD establishes minimum standards for vendors of IIDs who conduct business in Texas, and procedures to ensure compliance with those standards, including procedures for the inspection of a vendor’s facilities.

Monitoring of IID results is conducted by individuals appointed by judicial authorities (generally probation officers).

Capitol Access Pass

The objective for Capitol Access Pass (CAP) is to provide an authorized individual access to the Texas State Capitol and the Capitol Extension through the main and public entrances in the same manner that DPS allows entry to a person who presents a handgun license. CAP staff review applications for accuracy, determine eligibility, maintain license records, and issue, deny, suspend, and revoke licenses.

The CAP program reviews and processes applications, evaluates the eligibility of applicants through criminal history background checks and monitors those who currently have access to ensure continued eligibility.

- C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.**

Compassionate Use

Please see Question C under the RSD Compliance Program.

Private Security

	FY15	FY16	Methodology
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Regulated Persons / Entities			
Companies	5,793	5,724	License/registration with active status
Individuals	157,039	159,264	Total number of individuals licensed
Schools	307	321	License/registration with active status
Performance Measures			
Original/Renewal Licenses/Registrations Issued (Output)	85,625	84,632	FY16: Total number of original and renewal licenses issued
Registered Individuals with Recent Violations (Outcome)	139	352	FY16: The total number of individuals currently registered who have incurred a violation within the current and preceding two years.

During FY16, LRS issued 38,379 new licenses to individuals, issued 834 new licenses to businesses, renewed 5,542 company licenses, and renewed 37,405 individual registrations.

Handgun Licensing

Measure	FY15	FY16
Original/Renewal Licenses Issued (Key)	169,358	270,061
Average Days to Issue Original License (Efficiency)	15.0	38.0
Average Days to Issue Renewal License (Efficiency)	17.8	20.0
% of Original Licenses Issued Within 60 Days (Key) (<i>revised 7-21-17</i>)	98.4%	78.7%
% of Renewal Licenses Issued Within 40 Days (Key)	99.0%	93.4%

Licenses Issued is the total of all licenses issued within a specific time period. The average number of days is calculated by totaling the days between application date and mailing date, then dividing the sum of total days to process within a reporting period.

Percentages Issued is calculated by dividing the number of licenses mailed by the target date by the number of licenses that were issued in the time period.

Metals Registration

	FY15	FY16	Methodology
Regulated Persons/Entities			
Active Dealers	528	497	Count of metal recycling dealers with an active status as of the end of specified month
Active MRE Locations	898	811	Count of metal recycling entities by location as of the end of specified month

Original/Renewal Registration Certificates Issued (Output)	416	274	FY16 - Total number of original registrations issued during the reporting period.
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Commissioned Online Prescription System, Peyote Distributors, and Precursor Chemical and Laboratory Apparatus

Commissioned Online Prescription System (COPS)

FY 2015

Number of registered law enforcement users: 829

Number of requests: 17,293

FY 2016

Number of registered law enforcement users: 984

Number of requests: 9,651

Peyote Distributors

There are only three licensed distributors due to the limited areas of Texas in which peyote grows.

Precursor Chemical and Laboratory Apparatus (PCLA)

	FY15	FY16
Total number of regulated persons (one-time permits)	12	9
Total number of regulated entities (annual permits)	1,344	1,339

The PCLA permit process makes great efforts towards effectively controlling the diversion of chemicals and equipment used in illegal drug manufacturing by registering businesses and individuals who sell, transfer, receive, or otherwise furnish a precursor chemical or laboratory apparatus within the state. This reduces the amount of unauthorized entities having access to illicit materials.

Vehicle Inspection

During FY15 and FY16, VI personnel made 177,558 station contacts and audits to supervise an average of 11,607 licensed inspection facilities and 45,964 certified inspectors. These station contacts resulted in an average of 3,018 enforcement actions and suspension of 80 inspection station licenses and 15,021 inspector certifications.

	FY15	FY16
Stations	11,499	11,715
Inspectors	41,676	50,252

Texas On-Road Vehicle Emissions Testing (TORVET)

Remote-sensing data is used to find the very high-polluting vehicles which contribute disproportionately to a region's vehicle emissions inventory. Owners of these vehicles are contacted through voluntary or mandatory regulatory agency follow-up and informed about emissions control system malfunctions that are raising emissions, reducing their fuel economy and leading to more complex and costly repairs in the future. Additionally, to evaluate the overall program effectiveness, the on-road data collected by remote-sensing is used to validate emissions control strategies and inform future program decisions.

	FY15	FY16
Total samples collected for database	620,037	510,656
Total tests on registered vehicles	283,330	225,348
Potential High Emitters	6,833	2,751
High Emitters Reviewed	532	383
High Emitter Notices Approved and Mailed	450	350

Window Tint Medical Exemption

	FY15	FY16
Exemptions Issued	1,886	536

Recognized Emissions Repair Facilities

	FY15	FY16
Active Repair Facilities	453	431
Total Audits Conducted	209	237

Salvage Yards

	FY15	FY16	Methodology
Regulated Persons / Entities			
Active Dealers	12,486	9,586	Count of active dealers from downloaded information from Dept. of Motor Vehicles website
Performance Measures			
N/A			

Ignition Interlock Device (IID)

The Breath Alcohol Lab has approved 26 IIDs for use in Texas. As of June 23, 2017, RSD has certified 417 IID vendors to install, download, remove, repair, replace and make reports of all required data recorded by the device.

Capitol Access Pass

The CAP database contained approximately 662 license holders, as of August 31, 2016. The program received 43 new applications in FY16 and 213 in FY15.

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

Compassionate Use

DPS originally interpreted the statute as requiring a market-based system by which the number and location of licensees are determined by market factors rather than by regulation – as not mandating or limiting the number of licensed distributors. It was originally understood that the applicants would be required to satisfy certain basic requirements prior to licensure, and the ability to maintain compliance with DPS guidelines will be evaluated through on-going audits and inspections.

In late 2016, DPS modified its approach to restrict the number of licenses to three. This necessitated the development of a competitive review process, where three applicants were conditionally approved based on the review of the submitted application materials. Upon successful onsite inspection of their facilities, qualified applicants will be issued licenses.

Private Security

The Private Security Bureau (PSB) was created in 1969 as the Texas Board of Private Investigators and Private Security Agency. In 1998, the agency was renamed the Texas Commission on Private Security. In 2003, the Texas Legislature abolished the commission, moved all duties to DPS, and created a new board within DPS (HB 28, 78th (2003) Texas Legislature, 3rd Special Session). In 2010, RSD completed a reorganization of multiple programs, separating functions of each bureau into services forming LRS, RCS, OSS and CES. With the separation of functions, the PSB became the Private Security Program.

In September 2016, the Private Security Program transitioned to a new online, paperless application process and a new licensing database called Texas Online Private Security (TOPS). TOPS is more user-friendly, provides faster application processing, allows communication by email, and includes real-time licensing and registration information.

Handgun Licensing

Historical information on the Handgun Licensing Program:

- The 74th (1995) Texas Legislature passed Senate Bill 60, the Texas Concealed Handgun License bill.
- The 79th (2005) Texas Legislature passed bills to extend licenses from four years to five years, reduced fees on new licenses for active military and renewals for senior citizen, and allowed eligible military personnel to receive a handgun license at 18 years of age.

- The 83rd (2013) Texas Legislature passed SB 1857, the School Safety Certification for Qualified Handgun Instructors. Also, other legislative changes included reducing the concealed carry initial class hours from 10 hours to 4-6 hours, eliminating the renewal class, and eliminating the weapon type category.
- The 84th (2015) Texas Legislature passed House Bill 910, Open Carry and SB 11, Campus Carry. Other bills that passed included creating a new special condition with reduced fee for community supervision, juvenile probation officers, and correctional officers; exempted the active peace officer requirement to submit fingerprints, and repealed the sworn statement needed from the head of law enforcement agency; reduced the fee for a retired judge; and allowing a handgun license to be used as a valid proof of identification.
- The 85th (2017) Texas Legislature passed SB 16, reducing certain fees. Other changes included waiving the application fee for peace officers, Texas military forces, county jailers, and Texas Department of Criminal Justice corrections officers; eliminating the .32-caliber or above requirement to qualify with a handgun; and creating an approved online course provider to administer the classroom instruction part of the handgun proficiency and associated examination.

Metals Registration

The original intent of the Texas Metals program remains intact. DPS registers and oversees all MREs in Texas. MREs are required to collect certain identifying information from sellers of regulated materials to assist law enforcement with monitoring those who are buying and selling regulated materials. The program has improved its online website, Texas Online Metals (TOM) for user interface and law enforcement research. TOM is capable of retaining administrative letters, inspections reports, and MRE applications and transactions. TOM provides law enforcement a search engine and a statistical dashboard. HB 2187 was signed on June 19, 2015, and became effective September 1, 2015. This bill relates to the regulation of MREs; imposing an administrative penalty, and amending provisions subject to criminal penalty. HB 2187 also requires MREs to issue cash transaction cards to any seller of regulated material being paid by cash or debit card. Cash transaction cards are non-transferable and the metal recycler will be required to keep copies of each application and a copy of each cash transaction card for two years. DPS has developed the Application for Cash Transaction Card for use by MREs. Unless a seller had been issued a cash transaction card, a recycler is only able to pay for a purchase of regulated material by check, money order or electronic funds transfer. The PSC adopted the Texas Metals Program administrative rules at its December 17, 2015, meeting. The administrative rules became effective Jan. 10, 2016. These administrative rules reflect the approach taken by DPS, with the advice of the Texas Metals Advisory Committee, on various topics.

Commissioned Online Prescription System, Peyote Distributors, and Precursor Chemical and Laboratory Apparatus

Commissioned Online Prescription System (COPS)

RSD provides support in the investigation of persons and entities involved in the illegal use, theft, fraud, and abuse of controlled substances. Commissioned Online Prescription System (COPS) is a secure, online system dedicated solely for law enforcement use in their prescription drug investigations. The portal provides law enforcement officials an effective tool for investigating and preventing drug diversion. It assists with identifying potential prescription drug abusers who are doctor shopping or forging prescriptions, and physicians who are illicitly prescribing drugs. SB 195 of the 84th (2015) Texas Legislature transferred the responsibility for the issuance of official prescription forms and the reporting of Controlled Substances Schedules II through V to the Texas State Board of Pharmacy (TSBP). The bill tasked DPS with creating and maintaining a secure portal for law enforcement to facilitate criminal investigations while protecting the confidentiality of the data.

Peyote Distributors

Texas Administrative Code (TAC), Chapter 13 Controlled Substances, Subchapter C, Peyote Distributors was recently rewritten in its entirety, in cooperation with the Native American Church.

Historically, the department provided identification to peyote purchasers; however, that is no longer in effect. In accordance with TAC, Chapter 13 Controlled Substances, Subchapter C, Peyote Distributors §13.35, distributors are responsible for confirming the purchaser's identification and legal authority to possess peyote.

Precursor Chemical and Laboratory Apparatus (PCLA)

The PCLA statute was enacted by the 70th Texas Legislature (1987) for the purpose of controlling the diversion of chemicals used in the illegal manufacture of drugs, primarily methamphetamine and amphetamine. In 1989, the statute was amended and requires anyone who sells, transfers, furnishes, or purchases certain precursor chemicals or certain laboratory apparatus to be regulated by DPS.

Vehicle Inspection

Texas passed the first motor vehicle equipment requirements in 1907. The first vehicle inspection requirements were implemented in 1925 with the inspection of head lamps.

Except for a brief period in the mid-1990s, the Vehicle Inspection service has been responsible for administering required exhaust emissions testing of gasoline powered on-road motor vehicles since 1983. Where required, the emissions test is conducted at the same time and at the same independently owned and operated inspection facility as the annual safety inspection. Emissions testing has been expanded and enhanced over the years and is currently conducted in seventeen counties in order to comply with requirements of the U.S. Environmental Protection Agency (EPA) for improving air quality in Texas.

Texas On Road Vehicle Emissions Testing (TORVET)

- November 5, 1992: amendments to the Federal Clean Air Act (FCAA) required on-road testing, Code of Federal Regulations, § 51.371 On-Road Testing;
- 1995: Texas Legislature passed SB 19 and SB 178 restructuring the Inspection and Maintenance (I/M) in Texas;
- February 1996: Gov. George Bush issued Executive Order GWB-96-1 requiring High Emitter Identification using remote-sensing;
- May 1996: Revised State Implementation Plan (SIP) for the control of ozone air pollution;
- June 1997: Texas Legislature passed SB 1856 defining the decentralized I/M program including on-road testing; and
- Enhanced inspections began in Collin, Dallas, Denton, Harris and Tarrant counties on May 1, 2002, and in Brazoria, Ellis, Fort Bend, Galveston, Johnson, Kaufman, Montgomery, Parker, and Rockwall counties on May 1, 2003. Travis and Williamson counties implemented enhanced inspections on September 1, 2005, and El Paso County on January 1, 2007.

Salvage Yards

The salvage program relates to vehicle titles which are enforceable by DPS per the following statute:

Texas Transportation Code, Chapter 501 of the Title Act.

§ 501.100. Application for Regular Certificate of Title for Salvage Vehicle.

(a) The owner of a motor vehicle for which a non-repairable vehicle title issued prior to September 1, 2003, or for which a salvage vehicle title or salvage record of title has been issued may apply for a title after the motor vehicle has been repaired, rebuilt, or reconstructed and, in addition to any other requirement of law, only if the application:

- (1) describes each major component part used to repair the motor vehicle;
- (2) states the name of each person from whom the parts used in assembling the vehicle were obtained; and
- (3) shows the identification number required by federal law to be affixed to or inscribed on the part.

(b) On receipt of a complete application under this section accompanied by the fee for the title, DPS shall issue the applicant a title.

(c) A title issued under this section must describe or disclose the motor vehicle's former condition in a manner reasonably understandable to a potential purchaser of the motor vehicle.

(d) In addition to the fee described by Subsection (b), the applicant shall pay a \$65 rebuilder fee. The applicant shall include the fee with the statement submitted under Section 502.156 for the vehicle.

(e) On or after the 31st day after the date the department receives a rebuilder fee under Subsection (d), the department shall deposit \$50 of the fee to the credit of the state highway fund to be used only by the Department of Public Safety to enforce this chapter and \$15 to the credit of the general revenue fund.

(f) The department may not issue a regular title for a motor vehicle based on a:

- (1) nonrepairable vehicle title or comparable out-of-state ownership document;
- (2) receipt issued under Section 501.1003(b); or
- (3) certificate of authority.

Ignition Interlock Device

The statewide breath alcohol ignition interlock program began in 1988. Originally, the law required the Breath Alcohol Testing Bureau to establish rules for and approve ignition interlocks by model and class, only. Service centers were not certified. In 1999, the Legislature added the certification of service centers to the responsibilities of the bureau. The interlock providers were also required to report to the courts evidence of persons attempting to start their vehicle after consuming alcohol. The ignition interlock program has grown tremendously and continues to evolve as interlock technology progresses.

In 2010, Regulatory Services Division completed a reorganization of multiple programs, separating functions of each bureau into services forming LRS, Regulatory Crimes Service (RCS), Operation and Shared Services (OSS), and Compliance and Enforcement Service (CES). With the separation of functions, the Breath Alcohol Testing Bureau became the Ignition Interlock Devices program operating across multiple divisions and services within DPS. The primary function of the IID program, to prevent a person who has been drinking alcohol from driving a vehicle, remains the same. However, with the change in the law in 1999 and the ever-evolving interlock technology, the ability of the program to accomplish its primary function was enhanced.

Capitol Access Pass

The 82nd Texas Legislature (2011) passed House Bill 2131 – Pass for Expedited Access to Capitol.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

Please see Question E under the Compliance Program. Information is provided for all of RSD's regulated programs.

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

Compassionate Use

Please see Question F under the RSD Compliance Program.

Private Security

Functions include the commissioning of private security officers, the licensing of private security companies and the registration of the following private security individuals: private investigators, unarmed security officers, alarm system installers, security salespersons, personal protection officers, instructors, security consultants, locksmiths, and electronic access installers. Companies licensed include private investigation, guard, alarm system, guard dog, armored car, electronic access control, armed courier and locksmith companies.

LRS receives and reviews original and renewal applications, as well as supporting documentation for all categories of licensing and registration regulated by Texas Occupations Code, Chapter 1702, to ensure compliance with statute and administrative code prior to issuing an original, renewal or updated license or registration.

Handgun Licensing

Upon receipt of an application for handgun license, statutory requirements allow 60 days to process an original license and 45 days for a renewal. The program receives and reviews applications for accuracy according to special condition (if applicable); evaluates the eligibility of applicants through criminal background checks; and monitors those who are currently licensed to ensure continued eligibility. Applicants are requested to supply additional information or missing materials as needed. A license is issued to those individuals who are deemed eligible under Texas Government Code, Chapter 411.

Metals Registration

Please see Question F under the RSD Compliance Program.

Commissioned Online Prescription System, Peyote Distributors, and Precursor Chemical and Laboratory Apparatus

Please see Question F under the RSD Compliance Program.

Vehicle Inspection

Please see Question F under the RSD Compliance Program.

Salvage Yards

Please see Question F under the RSD Compliance Program.

Ignition Interlock Device

IID vendor applications are submitted via mail to DPS. Payments are processed by DPS’ Central Cash Receiving staff. The application is forwarded to the RSD mailroom for sorting and delivery to LRS. LRS staff verifies the application is completed in its entirety, including proof of liability insurance. If all required items are present, LRS staff generates a certificate, mails the certificate to the vendor’s address and enters the vendor’s information into a spreadsheet. Every month, the spreadsheet reflecting the locations of all certified vendors is posted on the DPS website. LRS staff notifies Compliance and Enforcement Service (CES) of the newly certified vendor. CES staff then conducts an inspection of the vendor location. LRS sends re-certification notices to certified vendors annually.

Capitol Access Pass

The program receives and reviews applications for accuracy, evaluates the eligibility of the applicants through criminal history background checks, and monitors those who are currently licensed to ensure continued eligibility. Applicants are requested to supply additional information or missing materials as needed.

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

AY 2016

Regulatory Licensing	0001 General Revenue	\$4,474,629
	0666 Approp Receipts	\$1,815,278
	Total	\$6,289,908

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

Compassionate Use

No other federal or state agency licenses or regulates the Compassionate Use Program.

Private Security

Although no other federal or state agency regulates or licenses any function within the private security profession (as described in Texas Occupations Code, Chapter 1702), alarm companies are licensed through DPS for burglar alarms and licensed through Texas Department of Insurance (TDI) for fire alarms.

Handgun Licensing

No other federal or state agency licenses individuals to carry handguns in the State of Texas.

Metals Registration

Please see Question H under the RSD Compliance Program.

Commissioned Online Prescription System, Peyote Distributors, and Precursor Chemical and Laboratory Apparatus

Commissioned Online Prescription System

Please see Question H under the RSD Compliance Program.

Peyote Distributors

The federal Drug Enforcement Agency (DEA) provides similar functions regarding inspections and registration of peyote distributors in accordance with Title 21 Code of Federal Regulations, §1307.31.

Precursor Chemical and Laboratory Apparatus (PCLA)

The federal Drug Enforcement Agency (DEA) provides similar functions in regards to inspections and registration pertaining to certain chemicals and limited laboratory apparatus in accordance with Title 21 Code of Federal Regulations. However, Texas Health and Safety Code, Chapter 481, is more specific and expands the list of chemicals and restricted laboratory apparatus.

Vehicle Inspection

Please see Question H under the RSD Compliance Program.

Salvage Yards

None.

Ignition Interlock Device

No other federal or state agency registers IID centers.

Capitol Access Pass

No other state or federal agency issues the Capitol Access Pass in the state of Texas.

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

Compassionate Use

RSD has no contractual agreements related to CUP.

Private Security

RSD has an interdivisional memorandum with DLD for photo sharing from the Driver License System, which allows TOPS to use a private security licensee's DL or ID to be used on a private security license.

RSD and DLD utilize DPS enterprise contracts for license production, license validation, and mailing for the purpose of leveraging volume discounts with the respective vendors.

Handgun Licensing

RSD has an interdivisional memorandum with the Driver License Division (DLD) for photo sharing from the Driver License System (DLS), which allows a handgun licensee's DL or ID photo to be used on the LTC license.

RSD and DLD utilize DPS' enterprise contracts for license production, license verification and mailing for the purpose of leveraging volume discounts with the respective vendors.

Metals Registration

DPS does not coordinate with LeadsOnline. TOM is free to the MREs and LeadsOnline would place an additional financial cost on the MRE.

Commissioned Online Prescription System, Peyote Distributors, and Precursor Chemical and Laboratory Apparatus

Commissioned Online Prescription System

RSD has no contractual agreements related to the Licensing Program.

Peyote Distributors

RSD has no contractual agreements related to the Licensing Program.

Precursor Chemical and Laboratory Apparatus (PCLA)

RSD works closely with DEA regarding registrants and or potential registrants ensuring that both DPS and DEA are deconflicting and sharing relevant information.

DPS maintains MOUs with the Texas Education Agency (TEA) and the Texas Higher Education Coordinating Board for implementing and maintaining a program for reporting information concerning controlled substances, controlled substance analogues, chemical precursors, and chemical laboratory apparatus used in education or research activities of institutions of higher education.

Vehicle Inspection

DPS and TCEQ each have a unique function within the program and therefore duplication of effort and services is avoided. TCEQ develops testing standards and protocols which comply with EPA standards, while DPS implements those standards and insures the correct application by inspection stations providing vehicle emissions

testing.

DPS has an MOU with TCEQ and DMV for vehicle inspection and registration data to comply with requirements of HB 2305 (83rd Texas Legislature).

Salvage Yards

RSD has no contractual agreements related to Salvage Yards.

Ignition Interlock Device

RSD has no contractual agreements related to IID

Capitol Access Pass

There are no contractual agreements with other governmental entities related to the CAP function.

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

Compassionate Use

Not applicable.

Private Security

Using the Integrated Automated Fingerprint Identification System (IAFIS), FBI fingerprint cards are submitted electronically for a criminal background check regarding an individual who is seeking licensure. Criminal background checks are submitted to the FBI based upon specific federal and state laws. This national fingerprint background check is part of the screening process to determine if the individual has been arrested and convicted of a crime that would disqualify a person from having a license under federal and state laws. Additionally, the RSD's Regulatory Assistance & Analysis Bureau (RAAB) works with various local law enforcement agencies and courts to obtain background information on applicants.

Handgun Licensing

Using the Integrated Automated Fingerprint Identification System (IAFIS), FBI fingerprint cards are submitted electronically for a criminal background check regarding an individual who is seeking licensure. Criminal background checks are submitted to the FBI based upon specific federal and state laws. This national fingerprint background check is part of the screening process to determine if the individual has been charged with or convicted of a crime that would disqualify a person from having a license under federal and state laws. Additionally, the RSD's Regulatory Assistance & Analysis Bureau (RAAB) works with various local law enforcement agencies and courts to obtain background information on applicants.

Metals Registration

Local, federal, and other state agencies may use the statewide electronic reporting system for law enforcement purposes, Texas Occupations Code §1956.015. Law enforcement personnel are vetted to gain access. They may also request case support to enhance their investigative efforts.

Commissioned Online Prescription System, Peyote Distributors, and Precursor Chemical and Laboratory Apparatus

Commissioned Online Prescription System

A law enforcement or prosecutorial official as described under Texas Health and Safety Code (HSC) §481.076 (a-3) may obtain information submitted to Texas State Pharmacy Board (TSBP) under HSC §481.074 (q) and HSC §481.075 only if the official submits a request to DPS. If DPS finds that the official has shown proper need for the information, DPS shall provide access to the relevant information. Information provided must meet the intent of HSC §481.076 and is available to all state and federal agencies as well as law enforcement agencies outside of Texas that meet that intent.

Peyote Distributors

Peyote distributors are required to be registered first with DEA, and second with DPS. In addition, inspections are conducted by DEA prior to issuance of a DPS registration.

Precursor Chemical and Laboratory Apparatus (PCLA)

DEA provides similar functions in regards to inspections and registration pertaining to certain chemicals and limited laboratory apparatus in accordance with Title 21 Code of Federal Regulations. However, Texas Health and Safety Code, Chapter 481, is more specific and expands the list of chemicals and restricted laboratory apparatus.

Vehicle Inspection

Texas Health & Safety Code, Chapter 382 is also known as the "Clean Air Act." Section 382.220 involves local taskforces funded by TCEQ to combat counterfeiting and fraud as it applies to vehicle registration insignia and Vehicle Inspection Reports (VIR). Section 382.220(b) (4) states taskforce efforts must be coordinated with DPS. Specifically, "develop and implement projects in consultation with the director of the Department of Public Safety for coordinating with local law enforcement officials to reduce the use of counterfeit registration insignia and vehicle inspection reports by providing local law enforcement officials with funds to identify vehicles with counterfeit registration insignia and vehicle inspection reports and to carry out appropriate actions..." In 2016, there were investigations of 503 VIRs and in 2017, there were investigations of 264 VIRs (to date). Currently, there are taskforces funded by TCEQ that will focus on this law.

Salvage Yards

Local, regional, or federal units of government may have their own ordinances.

Ignition Interlock Device

None.

Capitol Access Pass

Using the Integrated Automated Fingerprint Identification System (IAFIS), Federal Bureau of Investigation (FBI) fingerprint cards are submitted electronically for a criminal background check regarding an individual who is seeking licensure. Criminal background checks are submitted to the FBI based upon specific federal and state law. This national fingerprint background check is part of the screening process to determine if the individual has been charged with or convicted of a crime that would disqualify a person from having a license under state and federal law. Additionally, the Regulatory Assistance & Analysis Bureau (RAAB) for handgun licensing works with various other state and local agencies to determine whether applicants meet the eligibility requirements for a license.

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

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2016;**
- **the number of contracts accounting for those expenditures;**
- **the method used to procure contracts;**

DPS follows the procurement method requirements as defined in Texas Gov't Code Chapters 2155, 2156, 2157, 2158, and 2161 and 34 Texas Administrative Code (TAC) Chapter 20. DPS also follows the state's Contract Management Guide and Procurement Manual that are published by the Comptroller of Public Accounts.

In FY16, DPS procured goods and services using Council on Competitive Government, Texas Correctional Institute, Texas Institute for the Blind and Handicapped, Term, Managed, and TXMAS contracts available through TX SmartBuy. These contracts are managed by the Comptroller of Public Accounts, and state agencies issue purchase orders against those contracts.

DPS also procured goods and services using DIR contracts for certain technology related procurements in FY16. These contracts are managed by the DIR, but agencies can issue purchase orders and agreements against these contracts.

DPS also procured goods and services on the open market in those instances where there was no state contract in place or where the dollar amount associated with the procurement exceeded the limits of use for the state contract. For example, in FY16 SB 20 required that any technology procurements that were over 1 million be solicited on the open market. For non-technology goods that were over 25K and services that were over 100k, DPS would be required to seek delegation from the Comptroller's office before being authorized to solicit on the open market. In some cases the Comptroller would decide to perform the solicitation on behalf of the Department.

- **top five contracts by dollar amount, including contractor and purpose;**

- **PO- 405-16-P003995** valued at \$1,520,726.64 with STAPLES PRINT SOLUTIONS for Prescription Pads
- **PO- 405-16-P004331** valued at \$484,503.69 with OPUS INSPECTION INC for Texas On-Road Vehicle Emission Testing services
- **PO- 405-16-P008165** valued at \$317,323.24 with MORPHOTRUST USA for Card Production
- **PO- 405-15-P003916** valued at \$291,300.00 with APPRISS INC for the Prescription Management Program
- **PO- 405-16-P004065** valued at \$248,099.49 with TIBH INDUSTRIES, INC. for Temporary services

- **the methods used to ensure accountability for funding and performance; and**

Each contract has an assigned contract monitor from the division that has been provided with internal training and procedures for monitoring the deliverables and performance of the contract and supplying vendor performance reports. The official contract manager in Procurement & Contract Services works with the division contract monitor, OGC, and Finance to administer and manage contract and vendor performance, ensure compliance with applicable statutes, rules, and policies, and officially address any needed corrective action. Finance is responsible for maintaining compliance with payment rules based on validation from the division that goods and services were received and performance criteria were met.

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

The largest issue with contracting at DPS is the lack of delegated authority for many purchases from the Comptroller's office. Please see the Major Issue regarding delegated authority.

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

None of the functions/activities in this program awards grants.

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

Compassionate Use, Private Security,

None.

Private Security

Handgun proficiency provision should be amended to require demonstration of proficiency within 90 days (or changed to within 12 months) of submission of application (current statute provided confusing reference to 90 days prior to license issuance).

Change instructor registrations to expire after two years, to conform to other individual registration periods.

The statute has confusing and inconsistent references to the Board and the Commission that should be amended to clarify respective responsibilities of the Private Security Board and the Public Safety Commission.

Handgun Licensing

The requirement that DPS accept cash for application fee is administratively problematic and inefficient.

Metals Registration

None.

Commissioned Online Prescription System, Peyote Distributors, and Precursor Chemical and Laboratory Apparatus

None.

Vehicle Inspection

None.

Salvage Yards

None.

Ignition Interlock Device

The statute does not provide language to enable certifications issued for vendors to expire.

Capitol Access Pass

None.

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

Compassionate Use

See the [CUP website](#).

Private Security

See the [Private Security website](#).

Handgun Licensing

See the [Handgun Licensing website](#).

Metals Registration

The statewide electronic reporting system provides the means for MREs to report transactions, a method for law enforcement to seek compliance, and a tool for enforcement of Texas Occupations Code, Chapter 1956 and Texas Administrative Code, Chapter 36.

See the [Metals Registration website](#).

Commissioned Online Prescription System, Peyote Distributors, and Precursor Chemical and Laboratory Apparatus

Commissioned Online Prescription System (COPS)

COPS provides prescription and dispensing histories. It is also capable of providing unique reports designed to identify doctor shoppers and the top patients, prescribers and pharmacies in any given ZIP code or department region. These reports are proactive and can aid law enforcement with their specific mission requirements.

See the [COPS website](#).

Peyote Distributors

Any person who distributes peyote to be used in bona fide religious ceremonies of the Native American Church is required to obtain registration annually and to comply with all other requirements of law.

See the [Peyote Distributors website](#).

Precursor Chemical and Laboratory Apparatus (PCLA)

The regulation of chemical precursors and laboratory apparatus bolsters the effort in preventing the use of these items in clandestine laboratories.

Inspections and background checks are conducted on all new applicants before a permit is issued. Records submitted for the sale and transfer of the controlled items are reviewed for compliance.

DPS has the authority to conduct follow-up inspections and may examine, audit and copy any item or record on the premises. The sanctions available to ensure compliance include denial, suspension, revocation, probation and modification of the permit.

If a complaint/inquiry is received, the subject of the complaint is researched and contacted if appropriate. In all cases, an effort is made to resolve all issues in question.

See the [PCLA website](#).

Vehicle Inspection

See the [VI website](#).

See the [TORVET website](#).

See the [Window Tint Medical Exemption website](#).

See the [RERF website](#).

Salvage Yards

Regulation of salvage motor vehicles resides under the Texas Department of Motor Vehicles. The Texas Department of Public Safety, Regulatory Services Division provides comprehensive oversight of the program through agreement with the Texas Department of Motor Vehicles by targeting businesses and individuals suspected of violating statutes.

DPS department personnel conduct inspections of regulated salvage entities to ensure compliance with applicable statute and rules. Inspections may be conducted routinely or as needed if suspected violations have occurred.

Ignition Interlock Device

See the [IID website](#).

Capitol Access Pass

See the [CAP website](#).

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

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

Please see Question O under the RSD Compliance Program. Information is provided for all of RSD's regulated license/registration programs.

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices. Please include a brief description of the methodology supporting each measure.

Please see Question P under the RSD Compliance Program. Information is provided for all of RSD's regulated license/registration programs.

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

Name of Program or Function: *Regulatory Modernization*

Location/Division: *Regulatory Services Division*

Contact Name: *Division Director RenEarl Bowie*

Actual Expenditures, FY 2016: *\$13,205,137*

Number of Actual FTEs as of June 1, 2017: *258*

Statutory Citation for Program: *Texas Government Code, Chapter 411*

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

Regulatory Services Modernization is responsible for improving the operational efficiency and delivery of regulatory services to customers through re-engineered business processes and implementation of improved technological solutions.

RSD maintains LENS-focused regulatory services (lean, efficient, nimble, and scalable) in order to improvise and adapt to an ever-changing environment to provide those services the citizens and the legislature demand. In a LENS business model, services and employees are organized by function, rather than by program which helps to eliminate duplication of effort and increase efficiencies. For example, application processing, customer service, and document imaging personnel handle work for all regulatory programs, and commissioned personnel and non-commissioned auditors, inspectors, and investigators handle compliance and enforcement for all regulatory programs. This strategy ensures minimal impact to regulatory program operations.

In addition to RSD's regulated programs, the Contact Center and Document Services are integral components of the LENS model. The Contact Center provides customer support assistance, information and complaint intakes for all RSD regulated licenses. Service delivery is provided through skilled representatives with specialized training by phone from 7am to 7pm, weekdays and via email through the agency website 'Contact Us.' This team is closely familiar with division operations and is able to provide vital information to customers due to the close relationship with division activities such as Handgun Licensing and Private Security.

Document Services supports RSD Licensing by performing the following front end functions of the application process: open, date stamp, sort, research incoming documents and upload / scan them into the work queue.

The division's key functions are statutorily required and continue to serve a clear and on-going objective to protect Texans' health, safety and property. The division defines these key functions as "programs" for consistency. These programs include:

- Compassionate Use Program

- Private Security
- Handgun Licensing
- Texas Metals Program
- Commissioned Online Prescription System, Peyote Distributors, and Precursor Chemical and Laboratory Analysis
- Vehicle Inspection
- Salvage Yards
- Ignition Interlock Devices
- Capitol Access Pass

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.

Working with other DPS divisions, external entities such as physicians, external contractors, as well as external state agencies, RSD has established online processes and tools, streamlined support, and established automated systems for RSD customers to be able to achieve their licensing requirements and for RSD to perform its missions. Key initiatives facilitated by Modernization include:

- DPS Direct (Includes Vehicle Inspection Connection (VIC))
 - Replacement application to submit vehicle safety inspections, license inspectors and stations, schedule and conduct inspector training, manage inspection units and perform compliance activity from prescribed audits through case management. System was functional in eight months, including defining requirements and coding.
 - Streamlined vehicle inspection process to include an intuitive interface, allowing for pass/fail and also recommended items that may need replacement before the next inspection is due.
- Single sticker program (inspection based registration)
 - First program at DPS to use the cloud for data storage to allow DPS and Texas Commission on Environmental Quality (TCEQ) to upload inspection data in real-time for DMV to use in vehicle registration.
 - Development completed ahead of time and specific set points (changes) released on timers and updating inspection fees.
- Texas Online Private Security (TOPS)
 - Paperless workflow for required documents – transition in two steps:
 - Documents uploaded to RSD’s Contact Us pages
 - Applicants upload documents directly to TOPS

- Secure login for registrants and businesses allows them to view current registrations, renew, submit applications to update employer affiliations, employers can approve affiliations and pay for employee applications, employers can terminate employee affiliations online. All affiliation related items on the employer side had previously been done on paper applications.
- Compassionate Use Program (CUP)/Compassionate Use Registry (CURT) Paperless Workflow for required documents – transition in two steps
 - CUP/CURT was established by SB 339 in the 84th (2015) legislative session to require DPS to create a secure registry of physicians who treat epilepsy for the purpose of prescribing low-THC cannabis to patients who have been diagnosed with intractable epilepsy.
 - Operations and Shared Services (OSS) staff, working with the Regulatory Crimes Service program staff, legal support, DPS IT, and several physicians, are developing the CURT software application in-house.
 - Development tools and methodologies being used are new to the agency. As such, OSS staff facilitate between the parties by seeking information, solidifying and implementing decisions, and most importantly, ensuring solid communication so that all involved parties have the information necessary to make decisions to ensure the registry is a tool that is useful, accurate, and meets standards set forth by statute.
 - OSS was instrumental in facilitating screening and vetting potential CUP dispensaries for provisional licensing to cultivate, process, and dispense low-THC cannabis to prescribed patients.

Additionally, the Contact Center team initiated and has successfully functioned with a team of 17 telecommute representatives. This increased the overall volume of calls and emails handled by approximately 30%, created office space available for other staff, enabled extended queue coverage for early morning and late afternoons, and supports continuance of service for an emergency contingency plan.

Document Services averages 26,000 documents per month. Once Licensing has received the documents, they are processed by the next business day. Any documents that are sent directly to Issuance for processing are routed back to Document Services for archive imaging into the database. Document Services also image documents from all sections of RSD, averaging 6,300 documents and 36,000 pages per month.

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

During the 82nd legislative session, RSD reorganized its structure to a business model where the goal is to build and maintain LENS focused regulatory services (lean, efficient, nimble, and scalable). Services and employees were reorganized by function, rather than by program. For example, application processing and customer service personnel handle work for all regulatory programs, and commissioned personnel and non-commissioned auditors, inspectors, and investigators handle compliance and enforcement for all regulatory programs. This legislatively approved strategy consolidated all of the regulatory programs into two strategies in the Regulatory Services Division: 1) Compliance; and 2) (License) Issuance and Modernization. All of the regulatory programs in RSD now follow this consolidated business model.

- E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.**

Modernization supports the licensing and compliance functions and all business aspects in order to maximize efficiency for internal and external customers.

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

Modernization provides strategic advantage to the division by focusing on continuous process improvement across the division and immediate support for special and emerging situations specific to RSD's regulatory programs like Handgun Licensing. With Modernization focusing on new or evolving requirements for all RSD service areas, each program can focus on operations and day to day business. Having the Modernization team separate from the RSD areas allows a holistic view across all programs, processes, and needs; ensures RSD processes and technology are standardized and leveraged; and facilitates application of changes functionality. Modernization autonomy is a distinct advantage and necessity in order to provide neutral, specific, and comprehensive support for RSD.

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

AY 2016

Regulatory Modernization	0001 General Revenue	\$4,886,947
	0666 Approp Receipts	\$100
	Total	\$4,887,047

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

None.

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

RSD provides its expertise of all regulatory programs to work closely with other divisions in the agency, including Finance, Procurement, and IT to develop tools and increase efficiencies specific to RSD's programs. RSD also works closely with other state agencies including TCEQ, DMV, and the Board of Pharmacy relating to RSD's programs. The key advantage to the modernization aspect of RSD ensures familiarity specific to RSD regulatory programs, while also being a liaison to other support areas of the agency. This provides better communication and understanding for the division and all of its internal and external customers.

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

Not applicable.

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

- a short summary of the general purpose of those contracts overall;
- the amount of those expenditures in fiscal year 2016;
- the number of contracts accounting for those expenditures;
- the method used to procure contracts;

DPS follows the procurement method requirements as defined in Texas Gov't Code Chapters 2155, 2156, 2157, 2158, and 2161 and 34 Texas Administrative Code (TAC) Chapter 20. DPS also follows the state's Contract Management Guide and Procurement Manual that are published by the Comptroller of Public Accounts.

In FY16, DPS procured goods and services using Council on Competitive Government, Texas Correctional Institute, Texas Institute for the Blind and Handicapped, Term, Managed, and TXMAS contracts available through TX SmartBuy. These contracts are managed by the Comptroller of Public Accounts, and state agencies issue purchase orders against those contracts.

DPS also procured goods and services using DIR contracts for certain technology related procurements in FY16. These contracts are managed by the DIR, but agencies can issue purchase orders and agreements against these contracts.

DPS also procured goods and services on the open market in those instances where there was no state contract in place or where the dollar amount associated with the procurement exceeded the limits of use for the state contract. For example, in FY16 SB 20 required that any technology procurements that were over 1 million be solicited on the open market. For non-technology goods that were over 25K and services that were over 100k, DPS would be required to seek delegation from the Comptroller's office before being authorized to solicit on the open market. In some cases the Comptroller would decide to perform the solicitation on behalf of the Department.

- **top five contracts by dollar amount, including contractor and purpose;**
 - **PO- 405-16-P007365** valued at \$400,000.00 with DEPARTMENT OF MOTOR VEHICLES for Inspection and Registration Program System
 - **PO- 405-15-P001244** valued at \$253,376.13 with CBM ARCHIVES CO LLC for Software Maintenance and Support
 - **PO- 405-15-P001277** valued at \$102,577.00 with CBM ARCHIVES CO LLC for RSD Digital Imaging System Hardware, Software, and Maintenance
 - **PO- 405-16-P005121** valued at \$20,563.00 with VISTA COM for Verint, Vista Com Voice and Screen monitoring software
 - **PO- 405-16-P007982** valued at \$12,225.88 with PLUMAGE AND CAPE LLC for Training

- **the methods used to ensure accountability for funding and performance; and**

Each contract has an assigned contract monitor from the division that has been provided with internal training and procedures for monitoring the deliverables and performance of the contract and supplying vendor performance reports. The official contract manager in Procurement & Contract Services works with the division contract monitor, OGC, and Finance to administer and manage contract and vendor performance, ensure compliance with applicable statutes, rules, and policies, and officially address any needed corrective action. Finance is responsible for maintaining compliance with payment rules based on validation from the division that goods and services were received and performance criteria were met.

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

The largest issue with contracting at DPS is the lack of delegated authority for many purchases from the Comptroller's office. Please see the Major Issue regarding delegated authority.

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

No grants are awarded by this program.

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

Not applicable.

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

Modernization provides exceptional customer service to keep Texans current by using email, updated websites, updated web-based documents, and an information-based contact center. Modernization increases employee involvement with system applications and processes, leverages current technologies to create efficiencies for employees through automation, and provides document management and new employee onboarding. Modernization also improves operational efficiency and delivery to customers through re-engineered business processes and implementation of new and/or improved technological solutions.

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

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

Not applicable.

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices. Please include a brief description of the methodology supporting each measure.

Not applicable.

VIII. Statutory Authority and Recent Legislation

- A. Fill in the following charts, listing citations for all state and federal statutes that grant authority to or otherwise significantly impact your agency. Do not include general state statutes that apply to all agencies, such as the Public Information Act, the Open Meetings Act, or the Administrative Procedure Act. Provide information on Attorney General opinions from FY 2011–2015, or earlier significant Attorney General opinions, that affect your agency's operations.

**Texas Department of Public Safety
Exhibit 12: Statutes / Attorney General Opinions**

Agriculture Code	
Chapter 12. Powers and Duties. Sec. 12.0012. Notice of Quarantine.	DPS to be notified of quarantines.
Chapter 71. General Control. Sec. 71.0101. Department of Public Safety to Cooperate.	DPS assist Texas Department of Agriculture in enforcement matters.
Chapter 161. General Disease and Pest Control. Sec. 161.051. Memorandum of Understanding on Enforcement of Commission Powers.	DPS to execute MOU with Animal Health Commission.
Alcoholic Beverage Code	
Chapter 106. Provisions Relating to Age. Sec. 106.02. Sale to Minors. Sec. 106.041. Driving Under the Influence by Minor. Sec. 106.117. Reports of Court to Department. Sec. 109.532. Criminal History Background Checks.	DPS suspends certain driver licenses for violations of Code; enforces offense for minor driving under the influence; courts to notify DPS of adjudications. DPS will maintain appropriate records; provides criminal histories to Commission.
Chapter 109. Miscellaneous Regulatory Provisions. Sec. 109.532. Criminal History Background Checks.	Alcoholic Beverage Commission authorized to obtain criminal history information from DPS.
Civil Practice & Remedies Code	
Title 5. Governmental Liability. Chapter 101. Tort Claims. Subchapter A. General Provisions. Sec. 101.065. Negligence of Off-Duty Law Enforcement.	Chapter does not apply to wrongful act or omission or negligence by officers commissioned by DPS if the officer was not on active duty at the time the act, omission, or negligence occurred.
Title 5. Governmental Liability. Chapter 103. Compensation to Persons Wrongfully Imprisoned. Sec. 103.051. Application Procedure.	To apply for compensation under this subchapter, the claimant must file with the comptroller's judiciary section: (4) if applicable, a statement from the Department of Public Safety verifying registration as a sex offender and length of registration.
Code of Criminal Procedure	
Chapter 2. General Duties of Officers.	DPS criminal law enforcement procedures and practices are subject to requirements stated in Code of Criminal

	Procedure.
Art. 2.022. Assistance of Texas Rangers	The attorney representing the state may request the Texas Rangers division of the provide assistance to a local Department of Public Safety to law enforcement agency investigating specific offenses.
Art.2.12 Who are Peace Officers and Art. 2.121. Railroad Peace Officers.	DPS director appoints certain peace officers.
Chapter 5. Family Violence Prevention. Art. 5.05. Reports and Records.	Family violence offense records are submitted to DPS.
Chapter 17. Bail. Art. 17.293. Delivery of Order for Emergency Protection to Other Persons.	Court orders for emergency protection that suspends a license to carry a handgun are submitted to DPS.
Chapter 18. Search Warrants. Art. 18.20. Interception and Use of Wire, Oral, or Electronic Communications. Sec. 5. Control of Intercepting Devices. Sec. 6. Request for Application for Interception. Sec. 15. Reports Concerning Intercepted Wire, Oral, or Electronic Communications. Art. 18.21. Pen Registers and Trap and Trace Devices; Access to Stored Communications; Mobile Tracking Devices.	DPS is authorized to use a variety of intercept devices.
Chapter 38. Art. 38.43 Evidence Containing Biological Material	<p>A county with a population less than 100,000 is authorized to deliver the biological evidence to the DPS for storage in accordance with Section 411.053, Government Code.</p> <p>Before a defendant is tried for a capital offense in which the state is seeking the death penalty, subject to Subsection (j), the state shall require either the Department of Public Safety through one of its laboratories or a laboratory accredited under Article 38.01 to perform DNA testing, in accordance with the laboratory's capabilities at the time the testing is performed, on any biological evidence that was collected as part of an investigation of the offense and is in the possession of the state.</p>
Chapter 42. Judgment and Sentence. Art. 42.016. Special Driver's License or Identification Requirements for Certain Sex Offenders.	Special driver license or identification for sex offenders issued by DPS.
Chapter 42a. Community Supervision Art. 42a.301. Basic Discretionary Conditions.	Conditions of community supervision may include conditions requiring the defendant to: (21) submit a DNA sample to the Department of Public Safety under Subchapter G, Chapter 411, Government Code, for the purpose of creating a DNA record of the defendant.
Art. 42a.403. Educational Program for Certain Intoxication Offenders, Waiver or Extension of	The Department of Public Safety is one of the entities to jointly approve an educational program designed to

Time.	rehabilitate persons who have driven while intoxicated.
Art. 42a.406. Effect of Educational Program Requirements on Driving Record and License and Art. 42a.407. Suspension of Driver's License.	Notices given to the Department of Public Safety.
Art. 42a.408. Use of Ignition Interlock Device.	The Department of Public Safety shall approve ignition interlock devices for use under this article.
Art. 42a.451. Sex Offender Registration; DNA Sample.	DNA sample submitted to DPS for the purpose of creating a DNA record of the defendant.
Chapter 45. Justice and Municipal Courts.	Reports of certain judgments and sentences are submitted to DPS; availability of driving records to courts; defensive driving and driving safety courses.
Chapter 49. Inquests Upon Dead Bodies. Art. 49.04. Deaths Requiring an Inquest.	Certain deaths reported to DPS missing children clearinghouse and national crime information clearinghouse within 10 working days.
Chapter 51. Fugitives from Justice. Art. 51.12. Sheriff to Report.	Fugitive reports are submitted to DPS by sheriffs.
Chapter 55. Expunction of Criminal Records.	DPS participates in criminal records expunction matters.
Chapter 56. Rights of Crime Victims. Art. 56.065. Medical Examination for Sexual Assault Victim Who has not Reported Assault; Costs.	The Department shall pay the appropriate fees for the forensic portion of the medical examination and for the evidence collection kit and shall develop procedures for transfer and preservation of evidence collected.
Chapter 59. Forfeiture of Contraband.	DPS is notified of forfeiture matters. DPS utilizes forfeiture statutes.
Chapter 60. Criminal History Record System. Arts. 60.01 – 60.21.	DPS maintains comprehensive criminal history record system.
Chapter 61. Compilation of Information Pertaining to Criminal Combinations and Criminal Street Gangs.	DPS establishes and maintains a specialized database.
Chapter 62. Sex Offender Registration Program.	DPS administers sex offender registration program.
Chapter 63. Missing Children and Missing Persons.	DPS administers missing children and missing persons clearinghouse.
Chapter 64. Motion for Forensic DNA Testing.	DPS performs forensic DNA testing based on court order.
Chapter 102. Costs Paid by Defendants. Art. 102.016 Costs for Breath Alcohol Testing Program.	Funds collected for breath alcohol testing by municipal and counties are reported to DPS.
Education Code	
Chapter 19. Schools in the Texas Department of Criminal Justice. Sec. 19.0041. Program Data Collection and Biennial Evaluation and Report.	The Windham School District may enter into a memorandum of understanding with various Departments including DPS to obtain and share data necessary to evaluate district programs.
Chapter 33. Service Programs and Extracurricular Activities. Sec. 33.053. Fingerprints of Children.	A representative of a law enforcement agency or DPS shall make one complete set of fingerprints for each child participating in the program. DPS may provide

	fingerprint training.
Chapter 34. Transportation. Sec. 34.002. Safety Standards. Sec. 34.007. Public School Transportation System.	DPS administers provisions related to school bus safety.
Chapter 51. Provisions Generally Applicable to Higher Education. Sec. 51.207. Vehicle Identification Insignia; Vehicle Permits.	DPS performs duties and a contract relating to driver education and driving safety in coordination with Texas Education Agency.
Chapter 1001. Driver and Traffic Safety Education.	The Public Safety Commission administers rules for vehicle emissions inspection for students enrolled at learning institutions with unregistered out-of-state vehicles.
Election Code	
Title 2. Voter Qualifications and Registration. Chapter 16. Cancellation of Registration. Subchapter A. Official Notice to Registrar.	DPS notifies Secretary of State of felony convictions.
Chapter 20. Voter Registration Agencies.	DPS administers "voter" registration program, providing registration forms at the time of driver license issuance.
Chapter 273. Criminal Investigation and Other Enforcement Proceedings.	DPS may be directed by the attorney general to provide criminal investigation assistance.
Family Code	
Chapter 54. Judicial Proceedings.	DPS suspends juvenile licenses on court order and performs other duties under Juvenile Justice Code.
Chapter 58. Records; Juvenile Justice Information System. Subchapter A. Records. Sec. 58.001. Collection of Records of Children. Sec. 58.003. Sealing of Records. Subchapter B. Juvenile Justice Information System. Sec. 58.101. Definitions.	DPS maintains juvenile justice information system.
Chapter 65. Truancy Court Proceedings. Sec. 65.103. Remedial Order.	Truancy court may order the DPS to suspend the driver's license or permit of a child who has been found to have engaged in truant conduct.
Chapter 85. Issuance of Protective Order.	Clerk of court to submit protective order suspending concealed handgun license to DPS.
Chapter 86. Law Enforcement Duties Relating to Protective Orders. Sec. 86.0011. Duty to Enter Information into Statewide Law Enforcement Information System.	DPS to maintain a statewide law enforcement information system for entry of protective orders.
Chapter 203. Domestic Relations Offices. Sec. 203.007. Access to Records; Offense.	Domestic relations offices authorized to obtain certain information from DPS.
Subtitle D. Administrative Services. Chapter 232. Suspension of License. Sec. 232.002. Licensing Authorities Subject to Chapter. Sec. 232.015. Cooperation Between Licensing Authorities and Title Iv-D Agency.	DPS is a licensing authority required to comply with statutory suspension requirements. DPS gathers Social Security numbers for driver licensing purposes.
Chapter 261. Investigation of Report of Child Abuse or Neglect. Sec. 261.301. Investigation	If the location of the child and the child's family is unknown the department shall notify the DPS. If the DPS

of Report.	locates the child and the child's family, the DPS shall notify the department of the location of the child and the child's family.
Chapter 264. Child Welfare Services. Subchapter F. Child Fatality Review and Investigation. Sec. Sec. 264.502. Committee.	The child fatality review team committee includes a representative of the DPS.
Finance Code	
Chapter 14. Consumer Credit Commissioner. Subchapter D. Criminal History Record Information. Sec. 14.151. Obtaining Information. Sec. 14.153. Action by Law Enforcement Agencies.	DPS receives and retains records of fingerprints and other identification information; searches the state criminal history files; forwards information to FBI; and provides the criminal history information to the consumer credit commissioner.
Chapter 59. Miscellaneous Provisions. Subchapter B. Safe Deposit Boxes. Sec. 59.110. Routing Number on Key.	DPS is notified by institutions believing safe deposit box routing numbers have been altered, defaced, or illegible.
Chapter 125. Credit Union Accounts and Services. Subchapter F. Safe Deposit Boxes. Secs. 125.501-511.	When an institution believes that the routing number used to open a safe deposit box has been altered, DPS is notified.
Chapter 151. Regulation of Money Services Businesses. Sec. 151.104. Investigations.	DPS assists the commissioner in enforcing this chapter.
Chapter 157. Mortgage Bankers. Sec. 157.0132. Criminal and Other Background Checks.	DPS provides criminal history information to the commissioner.
Chapter 371. Pawnshops. Sec. 371.057. Investigation. Notice of Application.	DPS receives notice of pawnshop applications.
Government Code (Excluding Statutes of General Applicability)	
Title 2. Judicial Branch Subtitle E. Juries. Chapter 62. Petit Juries Subchapter A. General Provisions. Sec. 62.001. Jury Source; Reconstruction of Jury Wheel. Subtitle F. Court	DPS furnishes driver license data to the Secretary of State.
Chapter 72. Office of Court Administration. Subchapter F. Task Force to Promote Uniformity in Collection and Reporting of Information on Family Violence, Sexual Assault, Stalking, and Human Trafficking. Sec. 72.102. Task Force Membership. Administration. Chapter 76. Community Supervision and Corrections Department. Sec. 76.003. Community Justice Council.	DPS participates in task forces on behalf of local community justice councils.
Title 3. Legislative Branch. Subtitle A. Legislature. Chapter 301. Legislative Organization. Subchapter B. Legislative Reorganization Act. Sec. 301.021. General	DPS assists standing and general investigating committees for the Legislature.

Investigating Committee Employees. Sec. 301.028. Cooperation of Other Agencies.	
Chapter 322. Legislative Budget Board. Sec. 322.019. Criminal Justice Policy Analysis.	DPS provides the board with criminal justice policy analysis data.
Chapter 402. Attorney General. Subchapter B. Duties. Sec. 402.033. Reporting Fraudulent Activities.	A person may report fraudulent activity to DPS.
Title 4. Executive Branch. Subtitle B. Law Enforcement and Public Protection. Chapter 411. Subchapter A. General Provisions and Administration. Subchapter B. Texas Rangers. Subchapter C. Texas Highway Patrol. Subchapter D. Administrative Division. Subchapter E. Capitol Complex. Subchapter F. Criminal History Record Information. Subchapter G. DNA Database System. Subchapter H. License to Carry Concealed Handgun. Subchapter K. Department of Public Safety Historical Museum and Research Center. Subchapter L. Statewide America's Missing: Broadcast Emergency Response (Amber) Alert System for Abducted Children.	Enabling statutes for DPS. Identifies specific duties and responsibilities of DPS.
Chapter 418. Emergency Management.	DPS provides facilities and administrative support to Governor's Division of Emergency Management under Executive Order RP-32.
Chapter 420. Sexual Assault Prevention and Crisis Services. Subchapter B-1. Analysis of Sexual Assault Evidence. Sec. 420.043. Database Comparison Required.	The DPS shall compare the DNA profile obtained from the biological evidence with other DNA profiles in various databases.
Chapter 421. Homeland Security. Subchapter A. General Provisions. Sec. 421.003. Criminal Intelligence Information. Sec. 421.021. Membership. Sec. 421.081. Facilities and Administrative Support. Sec. 421.082. Powers and Duties.	DPS is the repository for collection of multi-jurisdictional criminal intelligence information; serves on Homeland Security Council; provides administrative support.
Chapter 423. Use of Unmanned Aircraft. Sec. 423.007. Rules for Use by Law Enforcement.	The DPS shall adopt rules and guidelines for use of an unmanned aircraft by a law enforcement authority in this state.
Subtitle C. State Military Forces and Veterans. Chapter 433. State of Emergency. Sec. 433.004. Duties of Law Enforcement Agency.	In state of emergency, DPS performs functions at the direction of the governor. DPS director receives notice of threatened or actual disturbances from counties or municipalities.
Chapter 434. Veteran Assistance Agencies. Subchapter D. Texas Coordinating Council for Veterans Services. Sec. 434.153. Composition	A DPS representative serves on the council.

of Council.	
Chapter 443. State Preservation Board. Sec. 443.015. Parking Meters. Sec.443.0151. Visitor Parking Facilities.	DPS enforces parking and traffic control for the Capital Complex.
Chapter 447. Energy Conservation Office. Sec. 447.009. Energy and Water Management Planning.	DPS provides assistance in energy emergency contingency planning.
Chapter 466. State Lottery. Subchapter B. Administration. Sec. 466.023. Department of Public Safety Records. Sec. 466.026. Amber Alert. Subchapter D. Licensing of Sales Agents. Sec. 466.152. License Application Fee. Subchapter E. Criminal History Investigations. Sec. 466.201. Access to Criminal History Record Information. Sec. 466.203. Department of Public Safety Assistance. Costs of Investigation. Chapter 467. Texas Lottery Commission. Subchapter B. Commission. Sec. 467.036. Access to Criminal History Records.	DPS assists in lottery law enforcement matters; notifies the commission when an Amber Alert has been activated so information may be disseminated through the lottery operator system at retail locations.
Chapter 501. Inmate Welfare. Sec. 501.0165. State-Issued Identification; Necessary Documentation.	DPS shall enter into a memorandum of understanding that establishes responsibilities with respect to the issuance of a personal identification certificate to an inmate.
Chapter 531. Health and Human Services Commission. Sec. 531.02414. Administration and Operation of Medical Transportation Program. Sec. 531.1022. Peace Officers. Sec. 531.384. Training Programs.	The Health and Human Services Commission shall enter into a memorandum of understanding with DPS to obtain the driver's license information of a provider of medical transportation services Peace officers employed under this section are administratively attached to the DPS. The DPS assists commission to create training programs designed to increase the awareness of judges, prosecutors, and law enforcement personnel of the needs of domestic victims.
Chapter 535. Provision of Human Services and Other Social Services Through Faith- and Community-Based Organizations. Subchapter B. Governmental Liaisons for Faith- and Community-Based Organizations. Sec. 535.051. Designation of Faith- and Community-Based Liaisons.	A designated DPS employee shall serve as a liaison for faith- and community-based organizations.
Chapter 552. Public Information. Sec. 552.009. Open Records Steering Committee: Advice to Commission; Electronic Availability of Public Information.	A DPS representative serves as a member of the Open Records Steering Committee to provide advice to the commission.
Chapter 557. Sedition, Sabotage, and Communism.	DPS is responsible to enforce state laws relating to sedition, sabotage, and communism.
Title 6. Public Officers and Employees Subtitle A. Provisions Generally Applicable to Public	Complaint procedures relevant to state peace officers.

Officers and Employees. Chapter 614. Peace Officers and Fire Fighters. Subchapter B. Complaint Against Law Enforcement Officer or Fire Fighter. Sec. 614.021. Applicability of Subchapter.	
Subtitle B. State Officers and Employees. Chapter 659. Compensation. Subchapter E. Additional Compensation and Expenses. Sec. 659.302. Entitlement to Receive Hazardous Duty Pay. Chapter 660. Travel Expenses. Subchapter B. Administrative Provisions. Sec. 660.024. Advance Approval for Certain International Travel.	DPS personnel are eligible/subject to law related to hazard duty pay and travel.
Chapter 661. Leave. Subchapter Z. Miscellaneous Leave Provisions for State Employees. Sec. 661.907. Red Cross Disaster Service Volunteer. Sec. 661.918. Injury Leave for Certain Peace Officers.	DPS, Division of Emergency Management, maintains a list of eligible state employees who are certified disaster service volunteers of the American Red Cross. DPS commissioned officers are entitled to injury leave.
Chapter 662. Holidays and Recognition Days, Weeks, and Months. Subchapter A. Holidays for State Employees. Sec. 662.005. Entitlement to Paid Day Off.	DPS commissioned peace officers and DPS employees who perform communications or dispatch services related to traffic law enforcement who are required to work on a national or state holiday on a Saturday or Sunday are entitled to compensatory time off.
Chapter 772. Governmental Planning. Sec. 772.0101. Border Inspection, Trade, and Transportation Advisory Committee. Sec. 772.011. Interagency Work Group on Border Issues.	A DPS representative serves as a member of the Border Inspection, Trade, and Transportation Advisory Committee. The DPS Director or his designee is a member of the work group to discuss border issues.
Chapter 2054 Information Resources. Sec. 2054.271. Authentication of Individual Identities and Signatures; Rules.	DPS authenticates an individual's identity for Department of Information Resources, state agencies, and local governments that use the project.
Chapter 2165. State Buildings, Grounds, and Property. Sec. 2165.258. Office Space for Department of Public Safety; American Legion Building.	DPS is provided office space at the Capitol.
Chapter 2171. Travel and Vehicle Fleet Services. Sec. 2171.104. Management Plan.	DPS assists the office of vehicle fleet management in preparing the management plan for the state's vehicle fleet.
Health and Safety Code	
Title 2. Health. Sec. 12.013. Driving and Traffic Policies. Expired. Sec. 12.092. Medical Advisory Board; Board Members. Sec. 12.095. Board Panels; Powers and Duties. Sec. 12.096. Physician Report.	The Medical Advisory Board assists DPS in evaluating license applicants.
Chapter 81. Communicable Diseases. Sec. 81.011. Request for Information.	In emergencies or epidemics, DPS may provide driver's license record information to the Texas Department of Health.

Chapter 161. Public Health Provisions. Subchapter N. Tobacco Use By Minors. Sec. 161.254 Driver's License Suspension or Denial.	By court order, DPS suspends or denies issuance of driver's license or permit.
Title 5. Sanitation and Environmental Quality. Subtitle C. Air Quality. Subchapter B. Powers and Duties of Commission. Sec. 382.0622. Clean Air Act Fees. Sec. 382.202. Vehicle Emissions Inspection and Maintenance Program.	DPS administers a vehicle emission testing program under provisions of the Federal Clean Air Act.
Chapter 481. Texas Controlled Substances Act. Secs. 481.001 – 481.151. Chapter 483. Dangerous Drugs.	DPS enforces provisions of the Texas Controlled Substances Act and the Texas Dangerous Drug Act.
Chapter 487. Texas Compassionate-Use Act.	DPS administers the Compassionate-Use Program.
Subtitle D. Hazardous Substances. Chapter 503. Health Risk Assessment of Toxic Substances and Harmful Physical Agents. Sec. 503.002. Toxic Substances Coordinating Committee.	DPS participates in the Toxic Substances Coordinating Committee to promote agency controls on the use of toxic substances and harmful physical agents.
Chapter 751. Mass Gatherings. Sec. 751.010. Rules.	DPS administers rules relating to mass gatherings and public safety.
Chapter 758. Bicycle Safety	DPS may administer regulations governing bicycle safety.
Chapter 773. Emergency Medical Services. Subchapter B. State Plan for Emergency Services. Sec. 773.023. Area Plans.	DPS coordinates with the Board of Health concerning the implementation of emergency service planning.
Chapter 778. Emergency Management Assistance Compact.	DPS, Division of Emergency Management, assists the Governor in administering the Compact to utilize resources from participating states and the Federal Government to respond to emergencies or disaster recovery.
Chapter 780. Trauma Facilities and Emergency Medical Services. Sec. 780.002. Deposits to Account.	DPS remits surcharges collected under the driver responsibility program to the comptroller. DPS receives one percent of the surcharges from the comptroller for administration of the program.
Chapter 841. Civil Commitment of Sexually Violent Predators. Sec. 841.022. Multidisciplinary Team. Sec 841.0822. Required Procedures Before Release From Secure Correctional Facility. Sec. 841.083. Treatment; Supervision.	A DPS representative is a member of the team. DPS issues a personal identification to a committed person prior to their release. The council maintains an MOU with DPS for provision of a tracking service and assistance in the apprehension and arrest of a person.
Human Resources Code	
Title 2. Department of Human Services and Department of Protective and Regulatory Services. Chapter 23. Suspension of Driver's or Recreational License for Failure to Reimburse Department.	DPS cooperates with DHS in driver's license suspensions.
Human Resources Code. Sec. 40.072. Duty to Report; Department Records.	If it does not interfere with ongoing criminal investigation, DPS reports to TDPR the presence of a

	child in location where methamphetamine is manufactured.
Local Government Code	
Chapter 362. Law Enforcement Services Provided Through Cooperation of Municipalities, Counties, and Certain Other Local Governments. Sec. 362.005. Texas Transnational Intelligence Center.	The DPS assists sheriff and police departments with the establishment and operation of Transnational Intelligence Centers.
Natural Resources Code	
Title 3. Oil and Gas. Chapter 88. Control of Oil Property. Subchapter E. Enforcement; Penalties. Subtitle D. Regulation of Specific Businesses and Occupations. Chapter 112. Used Oil Field Equipment Dealers. Subchapter C. Enforcement; Penalty. Sec. 112.033. Inspection.	In enforcement of the conservation laws, a Texas Ranger may serve civil or judicial process, citation, notice, warrant, subpoena, or writ. DPS law enforcement officers may inspect used field equipment dealers to determine compliance with law.
Chapter 113. Liquefied Petroleum Gas. Subchapter E. Motor Vehicles and Testing Laboratories. Sec. 113.134. Department of Public Safety. Chapter 115. Regulation of Certain Transporters of Oil or Petroleum Products. Sec. 115.044. Service of Process. Certain Transporters of Oil or Petroleum Products. Sec. 115.044. Service of Process.	DPS cooperates with the Railroad Commission in enforcement related to applicable motor vehicles and a Texas Ranger may serve any judicial process.
Chapter 116. Compressed Natural Gas. Subchapter D. Motor Vehicle Regulation. Sec. 116.074. Cooperation of The Department of Public Safety.	DPS cooperates with Railroad Commission on regulation of motor vehicles registered with the Commission.
Occupations Code	
Chapter 169. Authority to Prescribe Low-THC Cannabis to Certain Patients for Compassionate Use.	DPS regulates the Low-THC Cannabis Use Program.
Subchapter B. Commission on Law Enforcement Officer Standards and Education. Sec. 1701.051. Commission Membership.	The Director of DPS serves as an ex-officio member of the commission.
Sec. 1701.156. Law Enforcement Officer Standards and Education Fund.	The Department may use appropriated money to award grants to local law enforcement agencies for training on incident-based reporting systems.
Chapter 1702. Private Security.	The Private Security Board of DPS administers the private security program, investigates criminal and administrative violations of Ch. 1702 and related administrative rules.
Chapter 1805. Sale of Secondhand Business Machines. Sec. 1805.102. Purchase At Temporary Location of Secondhand Dealer.	DPS maintains records from secondhand business machine sales at temporary locations.
Chapter 1956. Sales to Metal Dealers and Metal Recycling Entities.	DPS maintains records from secondhand metal dealers.

Chapter 2003. Inspection and Regulation of Gambling Vessels. Sec. 2003.052. Inspection. Sec. 2003.051. Criminal History Record Information.	DPS may obtain criminal history information relating to operators of vessels, maintain records of information, and may inspect vessels.
Chapter 2302. Salvage Vehicle Dealers. Sec. 2302.0015. Consent to Entry and Inspection.	DPS inspects salvage vehicle dealers to assist in the recovery of stolen vehicles and parts.
Chapter 2303. Vehicle Storage Facilities. Sec. 2303.303. Authority to Arrest.	DPS enforces violations of the Vehicle Storage Facility Act.
Chapter 2305. Records of Certain Vehicle Repairs, Sales, and Purchases.	DPS inspects business records, vehicle parts, or other items to assist in the recovery of stolen vehicles and parts.
Subtitle C. Regulation of Transportation Services. Chapter 2401. Transportation Service Providers.	DPS regulates transportation service providers.
Penal Code	
Various provisions	DPS investigates violations of the state penal laws.
Property Code	
Title 6. Unclaimed Property. Chapter 74. Report, Delivery, and Claims Process. Subchapter H. Enforcement. Sec. 74.704. Assistance In Enforcement.	DPS assists in the enforcement of statutory provisions.
Transportation Code (See Also Uncodified Provisions In Section 2 of this Exhibit)	
Various provisions	DPS enforces many of the laws contained in the Transportation code. All of the Transportation Code is significant to DPS operations.
Chapter 8. Protecting Movement of Commerce. Sec. 8.004. Use of Texas Rangers.	DPS Texas Rangers may assist in the enforcement.
Chapter 24. Operation of Aircraft. Sec. 24.013. Aircraft Fuel Containers; Offense.	DPS may receive seized aircraft subject to forfeiture.
Title 5. Chapter 192. Engineer's Operator Permit and Train Operator Permit. Sec. 192.005. Record of Accident or Violation.	An operator's accident or violation relation to a train is not recorded in a person's individual driving record maintained by DPS.
Chapter 193. Hazardous Materials. Sec. 193.002 (G)	The DPS Division of Emergency Management shall once each year distribute information compiled by the Texas Department of Transportation to appropriate officials for local emergency management plans.
Title 6. Chapter 201. General Provisions and Administration. Sec. 201.612. Approval By Commission of Bridge Over Rio Grande.	DPS provides advice to the Texas Transportation Commission on the bridge construction over the Rio Grande.
Chapter 370. Regional Mobility Authorities. Sec. 370.191. Commercial Transportation Processing Systems.	In conjunction with the Texas Department of Transportation and the comptroller, DPS prepares the Texas ITS/CVO Business Plan.
Title 7. Vehicles and Traffic. Chapter 501. Certificate of Title Act. Chapter 502. Registration of Vehicles. Sec. 502.253. Fee: Vehicles That Weigh More Than 6,000 Pounds. . Sec. 502.256. Fee: Road Tractor. Sec. 502.254.	DPS enforces sales of motor vehicles and transfers of title, including non-repairable and salvage motor vehicles. DPS inspectors participate in the enforcement of commercial motor vehicle registration violations and related matters.

Fee: Trailer or Semitrailer. Sec. 502.255. Truck-Tractor or Commercial Motor Vehicle Combination Fee; Semitrailer Token Fee.	
Chapter 504. Specialty License Plates. Sec. 504.851. Contract With Private Vendor.	DPS determines color restrictions of specialty license plates.
Subtitle B. Driver's Licenses and Personal Identification Cards. Chapter 521. Driver's Licenses and Certificates. Chapter 522. Commercial Driver's License. Chapter 523. Driver's License Compact of 1993. Chapter 524. Administrative Suspension of Driver's License for Failure to Pass Test for Intoxication.	DPS administers driver licensing program; issues driver licenses and identification cards; administers license suspension program for persons failing to pass test for intoxication.
Chapter 525. Motorcycle and Bicycle Awareness.	DPS administers motorcycle and bicycle awareness program.
Subtitle C. Rules of The Road. Chapters 541 – 553 and 600.	DPS enforces statutory rules relating to the operation of vehicles on the highway.
Subtitle D. Motor Vehicle Safety Responsibility. Chapter 601. Motor Vehicle Safety Responsibility Act.	DPS enforces statutes relating to financial responsibility.
Subtitle E. Vehicle Size and Weight. Chapters 621 and 623.	DPS enforces commercial motor vehicle size and weight laws.
Subtitle F. Commercial Motor Vehicles. Chapter 644	Rules adopted by the Department prevail over conflicting federal or local provision.
Subtitle F. Commercial Motor Vehicles. Chapter 648	DPS, in conjunction with TDI and DMV, administers laws relation to Foreign Commercial Motor Vehicles.
Subtitle G. Motorcycles and All-Terrain Vehicles. Chapters 661 – 663.	DPS administers motorcycle headgear protection regulations, vehicular restrictions, and motorcycle operator training.
Subtitle G. Motorcycles and All-Terrain Vehicles. Chapter 680.	DPS administers sale of motorcycles without serial numbers regulations.
Subtitle H. Parking, Towing, and Storage of Vehicles. Chapter 683. Abandoned Motor Vehicles. Subchapter A. General Provisions. Sec. 683.001. Definitions. Subchapter C. Vehicle Abandoned In Storage Facility. Sec. 683.031. Garage Keeper's Duty: Abandoned Motor Vehicles.	DPS may issue notices relating to abandoned vehicles and take custody of abandoned vehicles.
Chapter 703. Nonresident Violator Compact of 1977.	DPS complies with provisions of Nonresident Violator Compact of 1977.
Chapter 706. Denial of Renewal of License for Failure to Appear.	DPS contracts with political subdivisions to provide information necessary for DPS to deny renewal of the driver's license of a person who fails to appear for a complaint or citation or fails to pay or satisfy a judgment.
Subtitle J. Miscellaneous Provisions. Chapter 724. Implied Consent. Subchapter A. General Provisions. Sec. 724.001. Definitions.	DPS administers administrative license suspension proceedings jointly with the State Office of Administrative Hearings.

Chapter 730. Motor Vehicle Disclosure Act.	DPS administers state law for motor vehicle records disclosure.
Water Code	
Chapter 6. Texas Water Development Board. Sec. 6.1555. Referral for Investigation or Enforcement.	DPS Texas Rangers assist the board with investigations and enforcement.
Chapter 16. Provisions Generally Applicable to Water Development. Sec. 16.055. Drought Response Plan.	The chief of the Texas Division of Emergency Management is the state drought manager who manages and coordinates the drought response component of the state water plan.

Uncodified Statutory Provisions – Other General Statutes

Citation/Title	Authority/Impact on Agency
VCS Art. 179e Texas Racing Act.	Public Safety Commission chair serves on Racing Commission Board. DPS provides criminal history information to Commission and investigates criminal activity.
Art. 4413(34e). State Trust Funds; Periodic Reporting.	DPS member serves as ex-officio member.
VCS Art. 4413(37) Automobile Theft Prevention Authority.	DPS member serves as ex-officio member of ATPA. DPS administers statewide automobile registration program developed by ATPA.
VCS Art. 5190.14. Pan American Games. Olympic Games. Sec. 8.	DPS may assist a local organizing committee, endorsing municipality, or endorsing county in developing applications and planning for the games and enter into contracts, agreements, or assurances related to the presentation of the games.
VCS Art. 6701j-2 Railroad and Highway Grade Crossing Safety Instruction Secs. (A-B).	Driving safety courses approved by DPS are to provide highway and railroad grade crossing instruction. DPS to promulgate rules.

Table 4 Exhibit 12 Uncodified Statutory Provisions – Other General Statutes

Federal Laws and Regulations

Citations/Title	Authority/Impact on Agency
Laws Affecting General Operations	The Department operates communication facilities and equipment subject to regulation by the Federal Communication Commission including 47 C.F.R. Part 90 et seq. The Department operates aircraft subject to oversight by the Federal Aviation Administration under Titles 14 and 49 of the Code of Federal Regulations. The Department operates facilities that are subject to the accessibility requirements of the Americans with Disabilities Act regulations and accessibility guidelines contained in Title 29 of the Code of Federal Regulations. Some fleet operations are subject to federal motor carrier safety regulations under Title 49 Code of Federal Regulations. The Department is

	<p>subject to restrictions on the release of information subject to federal privacy protection under Title 18 U.S.C. §§ 2721 et seq.</p>
<p>Commercial Motor Vehicle and Commercial Driver License</p>	<p>The Department implements and enforces Federal Hazardous Materials Regulations, Federal Motor Carrier Safety Regulations, and Commercial Drivers License Regulations codified in 49 C.F.R. Parts 100-399.</p>
	<p>The Department complies with Drug and Alcohol Regulations, 49 C.F.R. Part 40, and Truck Size and Weight, Route Designations – Length, Width and Weight Limitations, 23 C.F.R. Part 658. The Department performs functions under the Intermodal Surface Transportation Efficiency Act, 23 U.S.C. § 134. The Department complies with the Federal Commercial Motor Vehicle Safety Act of 1986.</p>
<p>Crime Records Laws</p>	<p>The Department is subject to regulations relating to federal computerized information systems under 28 C.F.R. Part 20 et seq. The Department has responsibilities under the “Brady Bill,” 18 U.S.C. §§ 921 et seq., the Omnibus Crime Bill, and the National Child Search Assistance Act of 1990 which provides for federal, state, and local law enforcement agencies to report each case of a missing child under the age of 21 to the National Crime Information Center and update records every 60 days and coordinates closely with the National Center for Missing and Exploited Children and federal requirements contained in the Housing Opportunity Program Extension Act of 1996, 12 U.S.C. § 1701.</p> <p>The Department is subject to policies, procedures, and contractual obligations promulgated by the FBI concerning criminal records and the National Criminal History Improvement Program, a grant program. Other statutory and regulatory requirements are listed under the category Federal Law Enforcement Provisions, below.</p>
<p>Driver License/Motor Vehicles</p>	<p>The Department is subject to and implements federal regulations promulgated by the National Highway Traffic Safety administration codified in Title 23 of the Code of Federal Regulations. The Department enforces applicable Federal Motor Vehicle Safety Standards (FMVSS) as adopted in 49 C.F.R. 571 et seq. and Commercial Driver's License Standards as adopted in 49 C.F.R. Part 383 and 49 U.S.C. 521(b). The Department implements provisions of the Driver's Privacy Protection Act of 1994, 18 U.S.C. §§ 2721, National Emission Standards Act, previously known as</p>

	<p>the Motor Vehicle Air Pollution Control Act, 42 U.S.C. §§ 7521 et seq., the Automobile Information Disclosure Act, 15 U.S.C. §§ 1231 et seq., the Clean Air Act, 42 U.S.C. §§ 7401 et seq., National Motor Vehicle Theft Act (Dyer Act), 18 U.S.C. §§ 10, 2311- 2313, and the Driver's Privacy Protection Act, 18 U.S.C. §§ 2721 et seq.</p>
	<p>Other regulations of significance include the Motor Vehicle Air Pollution Act, 42 U.S.C. §§ 7401 et seq. and Division B – REAL ID Act of 2005, the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005., Pub. L. 109-13, 119 Stat. 231, 302 (2005) (codified at 49 U.S.C. 30301 note).</p>
<p>Emergency Management</p>	<p>The Department participates in federal emergency assistance programs authorized under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 5121 et. seq., Title 44, Code of Federal Regulations. The Department assists the Governor in administering the Emergency Management Assistance Compact (Pub. L. No. 104-321, enacted by Texas Health Safety Code, Chapter 778) to provide for effective utilization of resources from participating states and the Federal Government. The Department will provide education and training of local officials on activation of the Emergency Alert System established under 47 C.F.R. Part 11 and other necessary matters relating to disasters.</p>
<p>Federal Law Enforcement Provisions</p>	<p>The Department participates in enforcement activities authorized under the Federal Controlled Substance Act, Federal Comprehensive Drug Abuse Prevention and Control Act of 1970, 21 U.S.C. §§ 801 et seq. and implementing regulations contained in Title 21 of the Code of Federal Regulations. Triplicate prescription registration laws are addressed in 21 U.S.C. §§ 821 et seq. The Department participates in cooperative agreements to combine resources with local, county, and federal agencies to combat criminal activity including the activities to reduce drug trafficking. The Department participates with the High Intensity Drug Trafficking Areas program (HIDTA) authorized under Office of National Drug Control Policy Reauthorization Act of 2006 (Pub. L. No. 109-469) Title III – High Intensity Drug Trafficking Areas, Sec. 301. High Intensity Drug Trafficking Areas Program. Sec. 707 [of the Office of National Drug Control Policy Reauthorization Act of 1998 (Pub. L. No. 105- 277; 21</p>

	<p>U.S.C. §§ 1701 et seq.)). The Department is a member of the task force to combat drug and firearm trafficking, violence, and kidnapping along the U.S. and Mexico border authorized by United States-Mexico Border Violence Task Force Act, Pub. L. No. 109-162.</p> <p>The Department participates in a number of federal juvenile justice programs provided under the Juvenile Justice and Delinquency Prevention Act of 1974 and the Juvenile Justice, Runaway Youth, and Missing Children’s Act Amendments of 1984. The Department implements and enforces portions of federal statutes relating to missing persons and criminal activity including the Violent Crime Control & Law Enforcement Act of 1994, 42 U.S.C. § 14071(d), “Megan’s Law,” the “Jacob Wetterling Act,” the “Pam Lychner Notification and Registration Act,” the Uniform Child Custody Jurisdiction and Enforcement Act, the Parental Kidnapping Prevention Act of 1980, the Visitation Rights Enforcement Act, the Missing Children Act, the Hague Convention on the Civil Aspects of International Child Abduction, the International Child Abduction Remedies Act, the Federal Kidnapping Act, the International Parental Kidnapping Act of 1993, the Violent Crime Control and Law Enforcement Act of 1994, the DNA Identification Act of 1994, Jennifer’s Law, Prosecutorial Remedies and Other Tools to End the Exploitation of Children Today Act of 2003, Amber Alert, and Code Adam Act of 2003.</p> <p>The Department participates in equitable sharing of federally forfeited property under 18 U.S.C. § 981, 19 U.S.C. § 1616a, 31 U.S.C. § 9703, and related statutes. The Department complies with wire interception, pen register and tracing device laws under Title 18 U.S.C. §§ 2510 et seq.</p> <p>The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 may impact the functions of the Department in the future if the Department participates in immigration control activities. DPS officers are in contact with illegal immigrants and comply with federal laws.</p> <p>The Department complies with international law and federal statutes pertaining to diplomatic and consular officials.</p>
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	The Department administers crime laboratory accreditation in compliance with all state and federal laws and regulations including 42 U.S.C § 14131 Quality Assurance and Proficiency Testing Standards and the DNA Identification Act of 1994.
Federal Homeland Security	The Department cooperates with other law enforcement agencies under the Homeland Security Act of 2002, Pub. L. No. 107-296, 116 Stat. 2135 (2002) (codified primarily at 6 U.S.C. §§101-557), for cyber security, infrastructure protection, threat assessment, and information sharing. The Department cooperates with other law enforcement agencies under the USA PATRIOT Act, Pub. L. No. 107-56, 115 Stat. 272 (2001), regarding money laundering, financial crimes, surveillance, and transportation of hazard materials.
School Bus Safety	DPS administers provisions related to school bus safety. DPS requires that all school buses chassis and body manufacturers meet or exceed all federal standards specified in the Code of Federal Regulations, Title 49 Part 571 and DPS requires school bus drivers to submit the results of an annual physical examination on the Medical Examination Report for Commercial Driver Fitness Determination form as published by the U.S.DOT, Federal Motor Carrier Safety Administration in 49 C.F.R. Part 391.41.
Miscellaneous Programs	<p>The Department evaluates concealed handgun applicant eligibility under the “Brady” criteria specified in 18 U.S.C. §§ 921 et seq. and complies with all federal firearm laws.</p> <p>The Department enforces vehicle emission provisions of the Federal Clean Air Act, 42 U.S.C. § 7407. DPS, Criminal Intelligence Service, functions as the state liaison coordinator for International Criminal Police Organization (INTERPOL), which allows foreign countries to request assistance from Texas law enforcement agencies and vice versa.</p>

Table 5 Exhibit 12 Federal Laws and Regulations

Attorney General Opinions

Attorney General Opinion No.	Impact on Agency
KP-0150 (2017)	Opinion whether municipal courts are authorized to report juvenile convictions for drug paraphernalia offenses to the Texas Department of Public Safety.
KP-0076 (2016)	Opinion whether Texas law allows photographic insurance enforcement systems.

Attorney General Opinion No.	Impact on Agency
GA-1056 (2014)	Opinion whether section 720.002 of the Transportation Code prohibits a political subdivision or state agency from requiring peace officers to issue a certain number of warning citations.
GA-1044 (2014)	Opinion whether justice courts are authorized to charge a fee for filing a petition to apply for an occupational driver's license.
GA-1027 (2013)	Opinion whether landowners may be liable for the actions of law enforcement officers that occur on the landowners' property or for livestock that escape due to actions over which the landowners have no control.
GA-0976 (2012)	Opinion whether a home-rule municipality may require sex offenders who reside within the city to register with the sheriff rather than with the chief of police.
GA-0974 (2012)	Opinion whether there is a conflict between two provisions of the Transportation Code that permit judges and peace officers to omit their residence address from their drivers' licenses, and a provision of the Tax Code that requires the submission of proof of the residence address of an applicant for a homestead exemption.
GA-0917 (2012)	Opinion regarding the Authority of the Department of Public Safety to contract with a county tax assessor-collector to perform its duties relating to the issuance of driver's licenses and personal identification certificates.
GA-0879 (2011)	Opinion whether a law enforcement agency is required to furnish information about alleged child abuse or neglect by a person responsible for the child's care, custody, or welfare to the Department of Family and Protective Services.
GA-0877 (2011)	Opinion regarding responsibility for an individual who is the subject of an emergency detention order.
GA-0866 (2011)	Opinion regarding the investigative authority of the Texas Forensic Science Commission (the "FSC").
GA-0800 (2010)	Opinion whether the exemption for a person engaged exclusively in the business of repossessing property, provided by section 1702.324(b)(3) of the Occupations Code, applies only to investigative services or to all services regulated under the Private Security Act.

Attorney General Opinion No.	Impact on Agency
GA-0753 (2009)	Opinion whether a peace officer who has taken a person into custody under chapter 573 of the Health and Safety Code may be required to transport that individual to a medical facility for evaluation prior to taking that person to a mental health facility.
GA-0680 (2008)	Opinion whether the Texas Department of Insurance may access criminal history record information that is subject to a nondisclosure order under Government Code section 411.081(d).
GA-0675 (2008)	Opinion whether section 521.126 of the Transportation Code permits the Texas Lottery Commission to use electronically readable information encoded on the magnetic stripe of a driver's license to verify the age of persons using self-service terminals and vending machines to purchase lottery tickets.
GA-0598 (2008)	Opinion whether section 521.032, Transportation Code, which permits the Department of Public Safety to issue an enhanced driver's license or personal identification certificate for the purpose of crossing the border between Texas and Mexico conflicts with federal law.
GA-0564 (2007)	Opinion whether 18 U.S.C. §926C preempts portions of Texas Occupations Code section 1701.357.
GA-0547 (2007)	Opinion regarding the Validity of a rule adopted by the Texas Board of Veterinary Medical Examiners that prohibits a Board licensee from dispensing any controlled substance unless the licensee is registered with the Texas Department of Public Safety.
GA-0526 (2007)	Opinion whether municipality may prohibit registered sex offenders from living in certain locations within the municipality.
GA-0524 (2007)	Opinion whether the State Office of Administrative Hearings ("SOAH") is required to furnish a free transcript in an administrative driver's license suspension appeal.
GA-0509 (2007)	Opinion whether a county may require an overweight vehicle to obtain an operating permit in addition to the permit required by the Department of Transportation.

Attorney General Opinion No.	Impact on Agency
GA-0479 (2006)	Opinion regarding application of Chapter 706 of the Texas Transportation Code, which permits a political subdivision to contract with the Texas Department of Public Safety to provide information necessary for the department to deny renewal of the driver's license of a person who fails to appear in court or fails to pay or satisfy a judgment ordering payment of a fine and costs.
GA-0454 (2006)	Opinion regarding whether a sex offender with a reportable conviction based on an out-of-state offense prior to September 1, 1995, must register as a sex offender if he resides in Texas even though he was not under the supervision and control of a Texas-based penal institution, probation department, or parole office for the offense.
GA-0435 (2006)	Opinion regarding whether a reserve peace officer may wear his official uniform and display the insignia of an official law enforcement agency while working as a private security officer licensed by the Texas Private Security Board.
GA-0409 (2006)	Opinion regarding authority of the Private Security Board to adopt certain rules regulating newly registered alarm installers.
GA-0365 (2005)	Opinion regarding whether a peace officer commissioned by the Texas Department of Public Safety is an "appointed officer" for purposes of article XVI, Section 1 of the Texas Constitution.
GA-0335 (2005)	Opinion regarding whether a business that holds an on-premises alcoholic beverage permit may host a poker tournament.
GA-0331 (2005)	Opinion regarding whether federal law preempts Transportation Code Section 471.007, which imposes a criminal penalty against a railway company if its train blocks a railroad crossing for more than ten minutes.
GA-0275 (2004)	Opinion regarding whether Section 1702.323(e) of the Occupations Code makes a paralegal or other person working under an attorney's direct supervision subject to regulation by the Texas Private Security Board.
GA-0256 (2004)	Opinion regarding whether a commissioned peace officer employed by the state or a political subdivision violates Section 36.07 of the Penal Code by working off-duty for a private employer.

Attorney General Opinion No.	Impact on Agency
GA-0172 (2004)	Opinion regarding whether an ad hoc committee organized for designing an emergency reroute plan is immune from civil liability under chapter 79 of the Civil Practice and Remedies Code.
GA-0122 (2003)	Opinion regarding district attorney's obligations as administrator of forfeited real property.
GA-0106 (2003)	Opinion regarding reporting and investigating child sexual abuse.
GA-0088 (2003)	Opinion regarding authority of a county commissioners' court partially to close or, alternatively, limit truck traffic on a county road.
GA-0022 (2003)	Opinion regarding whether the Department of Public Safety is authorized to inspect a rebuilt vehicle for which a Texas Salvage Certificate has been issued before the Department of Transportation issues a regular certificate of title for the vehicle.
JC-0551 (2002)	Opinion regarding whether the term "two designated lanes of a highway," as used in Section 545.0651(b) of the Texas Transportation Code, may be construed to mean "two or more lanes."
JC-0520 (2002)	Opinion regarding whether a hotel, motel, or dormitory is within the meaning of "domicile" for the purposes of Transportation Code Section 522.022.
JC-0451 (2002)	Opinion regarding whether a driver who falls asleep and drives off the road has committed an offense under Section 545.060(a) of the Transportation Code.
JC-0416 (2001)	Opinion regarding whether the Texas Department of Public Safety has authority to establish and administer a training and safety program for off- road dirt bikes.
JC-0409 (2001)	Opinion regarding furnishing of a social security number as a requirement for a Texas driver's license.
JC-0343 (2001)	Opinion regarding applicability of the weight limits in chapters 621 and 622 of the Transportation Code to ready-mixed concrete trucks.
JC-0317 (2000)	Opinion regarding whether the addition of certain protest words to a traffic citation constitutes a valid promise to appear in court.

Attorney General Opinion No.	Impact on Agency
JC-0021 (1999)	Opinion regarding whether certain provisions of the Texas Controlled Substances Act, Tex. Health & Safety Code Ann. Ch. 481 (Vernon 1992 & Supp. 1999), that authorize warrantless administrative searches violate article I, Section 9 of the Texas Constitution.
LO98-127 (1998)	Opinion regarding whether the 1997 amendment to Transportation Code Section 642.002, which requires certain motor vehicles to have markings identifying the address of the vehicle's owner or operator, is invalid because it was intended to impose the address requirement only on tow trucks, and related question.
LO97-114 (1997)	Opinion regarding whether V.T.C.S. article 6687-2(k) authorizes the Texas Department of Public Safety to seize motor vehicles from persons other than salvage vehicle dealers.
DM-400 (1996)	Opinion regarding whether a parent or guardian who teaches a driver education course under Section 7A of Article 6687b, V.T.C.S., must be licensed under article 4413(29c), V.T.C.S., and related questions.
DM-261 (1993)	Opinion regarding constitutionality of provisions of Section 4A, V.T.C.S. Article 6701h, pertaining to impoundment of out-of-state vehicles involved in accidents where proof of financial responsibility is not shown, and related questions.
LO93-76 (1993)	Opinion regarding whether Sections 51.14 through 51.16 of the Family Code require the Department of Public Safety to destroy or seal records of crimes committed by juveniles prior to 1975, and related question.
LO93-32 (1993)	Opinion regarding whether the Department of Public Safety is authorized to require the presentation of an original Social Security card when a person applies for a new or a renewal driver's license.
DM-64 (1991)	Opinion regarding whether the Texas Krishnas may distribute religious literature on Department of Public Safety property.
DM-28 (1991)	Opinion regarding whether Section 5B of article 6701d-11, V.T.C.S., authorizes a vehicle to operate at five percent over the maximum gross weight for which the vehicle can be registered, or whether the vehicle is limited to five percent over the posted load limit of the road over which it is traveling.

Attorney General Opinion No.	Impact on Agency
JM-567 (1986)	Opinion regarding whether exemption for certain commodities in Section 5(b) of article 6701d-11, V.T.C.S., applies to Section 5(a) of article 6701d- 11, V.T.C.S.
MW-7 (1979)	Opinion regarding registration of machinery used to transport and apply fertilizer.
H-536 (1975)	Opinion regarding whether cattle manure is an "agricultural product in its natural state" within article 6701d-11, Section 3a, V.T.C.S.
M-638 (1970)	Opinion regarding authority to move over public highways overwidth trailers used in their owners' agricultural operations without the permit required by Article 827a, Section 3(a), Vernon's Penal Code.

Table 6 Exhibit 12 Attorney General Opinions

- B. Provide a summary of recent legislation regarding your agency by filling in the charts below or attaching information already available in an agency-developed format. Briefly summarize the key provisions. For bills that did not pass, briefly explain the key provisions and issues that resulted in failure of the bill to pass (e.g., opposition to a new fee, or high cost of implementation). Place an asterisk next to bills that could have a major impact on the agency.**

**Texas Department of Public Safety
Exhibit 13: 85th Legislative Session**

Legislation Enacted - See [Appendix VIII.1 – 85th Implementation Chart](#).

Legislation Not Passed

Bill Number	Author	Summary of Key Provisions	Reason for not passing
HB 3609	Burns	Relating to the administrative and civil consequences imposed by the Department of Public Safety.	His local hospital district complained due to loss of revenue to DRP/trauma fund
SB 1299	Huffman	Relating to access to criminal history record information (removal of SSN)	Ran out of time
HB 1775	Dale	Relating to the expiration of an instructor approval letter issued by the Texas Private Security Board.	Ran out of time
HB 1777	Dale	Relating to eligibility for a security officer commission.	Ran out of time
HB 1778	Dale	Relating to the expiration of certain security officer commissions.	Ran out of time

Bill Number	Author	Summary of Key Provisions	Reason for not passing
HB 1779	Dale	Relating to the authority of the Department of Public Safety to obtain and use criminal history record information for the purpose of performing certain departmental functions.	Ran out of time
HB 1781	Dale	Relating to the handgun proficiency examination required for a security officer commission.	Ran out of time
HB 1223	Murr	Relating to the operation and movement of authorized emergency vehicles.	Caught up in politics
HB 3651	Wray	Relating to exempting certain trailers from being equipped with emergency brakes.	Caught up in politics

[Table 22 Exhibit 13 Legislation Not Passed 85th Leg](#)

IX. Major Issues

The purpose of this section is to briefly describe any potential issues raised by your agency, the Legislature, or stakeholders that Sunset could help address through changes in statute to improve your agency's operations and service delivery. Inclusion of an issue does not indicate support, or opposition, for the issue by the agency's board or staff. Instead, this section is intended to give the Sunset Commission a basic understanding of the issues so staff can collect more information during our detailed research on your agency. Some questions to ask in preparing this section may include: (1) How can your agency do a better job in meeting the needs of customers or in achieving agency goals? (2) What barriers exist that limit your agency's ability to get the job done?

Antiquated Facilities

A. Brief Description of Issue

DPS manages 3.9 million square feet of owned and leased real estate assets supporting all DPS missions. The Department's inventory is comprised of 2.7 million square feet of state-owned facilities and 1.2 million square feet of leased facilities. The average age of DPS' owned facilities is 31.3 years. Many DPS facilities and supporting infrastructure (electrical, HVAC, plumbing, security systems, etc.) are antiquated and in dire need of repair, refurbishment, or in some extreme cases, complete replacement of entire buildings. Growth opportunities needed to meet the increasing demands for services are constrained by space limitations in the older sites and buildings. Renovation of older facilities necessitates complying with current building codes and the Americans with Disability Act (ADA). DPS needs newer technology and comprehensive services to better manage the millions of dollars' worth of real estate assets, such as a Facilities Condition Assessment (FCA) and implementation of an Integrated Workplace Management System (IWMS).

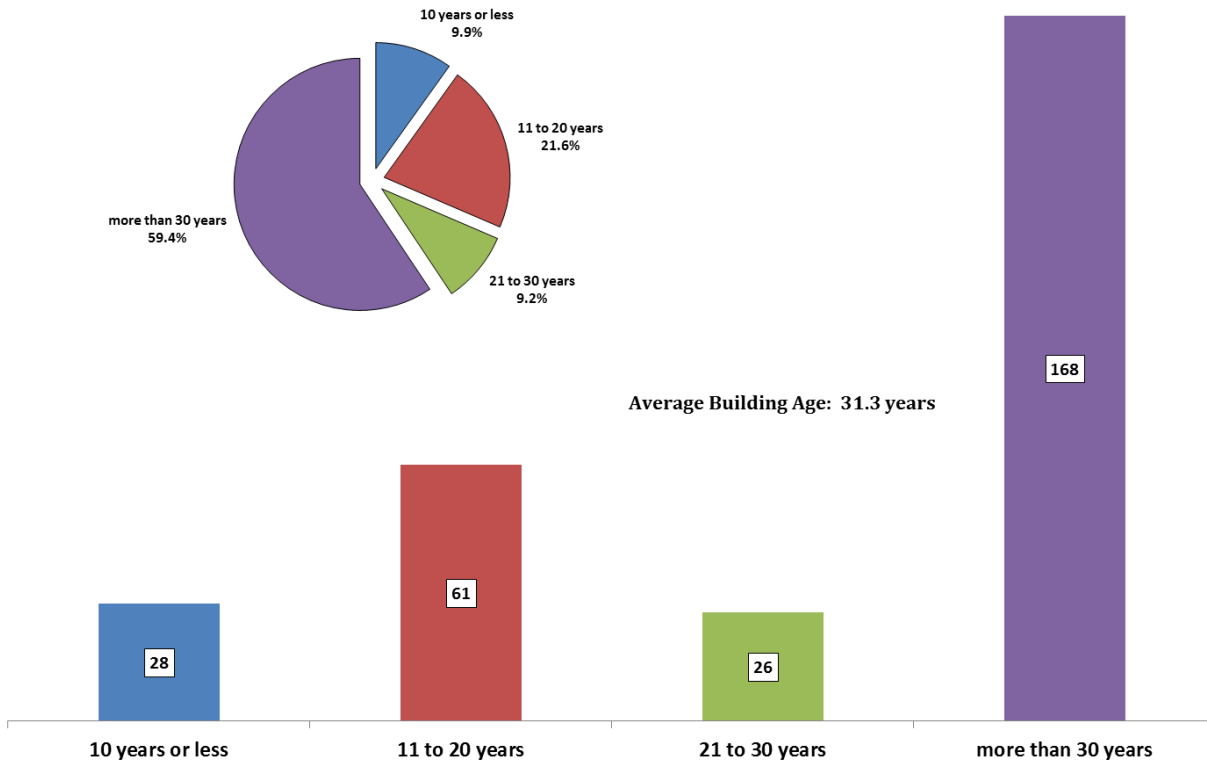
Antiquated facilities also cause a lack of flexibility to implement new or expanded programs which may require adding staffing and/or parking. Older facilities have infrastructure that do not meet current building codes and if changes are made to that facility, then they must be brought up to code. This can increase the cost of projects. Due to population growth, sites are limited in the ability to increase in size as needed because adjacent property has been developed and/or is not available.

B. Discussion

The average age of DPS owned buildings is 31.3 years with a median age of 35 years. For example, the DPS Headquarters Building A was built in 1953. This facility houses critical agency functions such as the State Operations Center and data center. These are supported by aging infrastructure and have numerous single points of failure which could result in catastrophic

consequences for the State. For example, if the delivery of power fails during a natural disaster, then the central command for the State of Texas will not be operational, resulting in potential loss of lives. DPS is responsible for providing a healthy and environmentally safe workplace for its employees as well as an accessible and safe facility to provide the required services to the citizens of Texas.

Number of Buildings



Below are examples of several deteriorated infrastructures that negatively impact the facilities and the employees and public who use them.

Old and failing roofs leak, causing environmental issues and do not meet current energy codes.



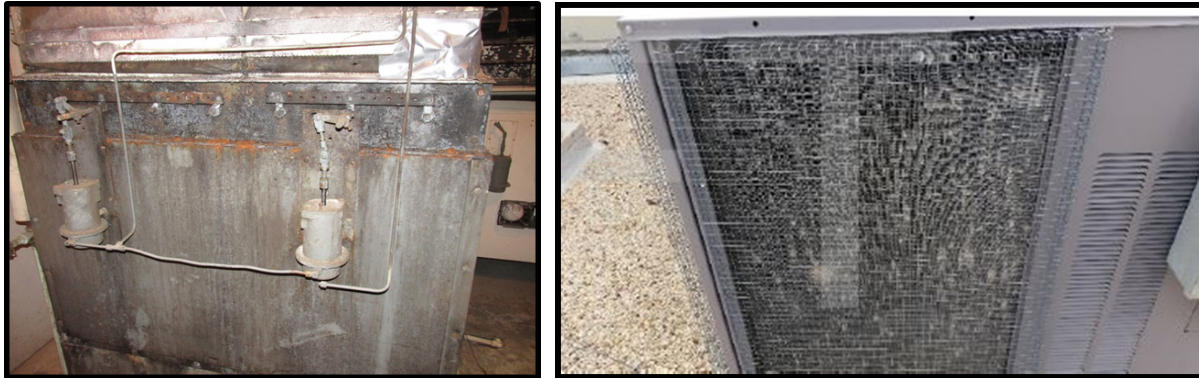
Improper drainage and failing pavement are safety issues. In the driver license office at Houston Gessner, the deteriorated parking lot was so bad, that a member of the public damaged her vehicle.



Fire alarm panels that do not meet codes should be replaced to safeguard the building occupants.



HVAC systems that are beyond useful life require frequent repair and a strong preventative maintenance schedule.



In 2010, a Facilities Condition Assessment (FCA) Report was completed by a professional firm, Parsons. Parsons evaluated the current state of DPS owned buildings, analyzed repair needs and costs, reviewed systems for deficiencies, provided a capital renewal forecast and funding stabilization for a ten (10) year period. The detailed report is attached for reference. In sum, it describes that DPS has an outdated building system infrastructure, with accumulated backlogs of deferred maintenance and capital renewal and therefore, are in need of on-going facility renewals, repairs and renovations. This report provided information relating to the true shape of our real property, and serves as a guide for Deferred Maintenance and Capital Renewal projects from 2010 to 2017.

A comprehensive FCA has not been conducted since 2010. Industry standards indicate a comprehensive FCA should be completed every three (3) to five (5) years. The Parson's FCA was a key factor in determining how to categorize facility needs and prioritize funding. The FCA benefits are numerous for developing strategies to maintain the state's facilities assets and are necessary for long term planning. The investment in contracting with a professional company to conduct the assessment leads to overall cost savings by helping to identify problems early. A current assessment is critical for making decisions about facilities and is the best way to ensure issues are addressed proactively.

An Integrated Workplace Management System (IWMS) is needed to replace existing tools. A single, integrated system would manage the multiple components required for facilities maintenance; including real estate and lease management, space management, preventative maintenance schedules, facilities equipment warranties, and would provide for stronger inventory control.

Another major issue related to facility management of antiquated buildings is the lack of authority to use unexpended balances (UB) outside of one biennium for DM. Major construction projects often take a significant period of time to complete. Regulatory agency approvals, design processes, bid solicitations and actual construction cannot always be completed within a single biennium cycle. The lack of UB authority is problematic and has a negative impact on DPS' ability to address facility needs through major deferred maintenance projects.

C. Possible Solutions and Impact

In order to continue to effectively determine the best use of the State's limited resources, another FCA needs to be conducted in the very near future. It is difficult to make informed decisions regarding the millions of dollars of real property that must be maintained based upon seven year old information. Since 2011, DPS has been responsible for effectively and efficiently managing \$60.5M worth of DM projects, including another \$12M from the 85th Legislative Session. Using the FCA Report, DPS leadership was able to present a clear picture to the Legislature showing the true impact of our antiquated facilities. We were also able to make informed recommendations on where the DM funding should be used. In order to continue to make good business decisions with the State's limited resources and prioritize critical infrastructure needs, we need a current FCA.

Since the 81st Legislative Session, DPS has received \$60.5M in funding to address DM projects and received an additional \$21M in authorization to expend for DM projects, but this funding was not appropriated. While the DM funding was a positive step, it does not fully address the backlog of \$194M identified in the 2010 FCA with another \$176M estimated future capital renewal through 2020. The appropriated funding addressed approximately 16% of the \$370M of identified projects.

DM funding granted by the Legislature has proven to be a good investment. For example: Emergency repairs for HVAC have been reduced because we were able to replace some of the older, unreliable air handle units before they became completely inoperable. Roofs were replaced with energy efficient systems or repairs were made to some buildings which reduced costs caused by leaks during inclement weather while the new roof systems also produced energy savings.

Another positive aspect of continuing to fund DM projects and upgrade aging infrastructure is uncovering hidden conditions that are potentially life threatening. As an example, during a deferred maintenance project which encompassed replacing the building's original switchgear, electrical panels, some mechanical and replacing the waterproofing over the existing basement mechanical room, the design team discovered an unforeseen existing condition. The preconstruction meeting for the waterproofing occurred on site in the courtyard. After the roof was unearthed in order to prepare for the new waterproofing, the structural columns that support the lobby storefront and monumental stair were exposed. The base of these structural columns have rust and created a potential concern since they support the main staircase inside the lobby area. Since the condition was uncovered and we are currently in process with the structural engineer to determine the repair plan.



Outdated technology used for managing our facilities is also a major issue. An Interactive Workplace Management System (IWMS) is the most appropriate technological tool available. In addition to performing routine maintenance, preventive maintenance, deferred maintenance, and on-demand work orders, Facility Management must oversee the allocation and management of resources (such as office space, parking space, and storage space), the costs associated with the maintenance and resources, and foresee changes in the demands for such resources. As the population of the State of Texas continues to increase, so is the demand for DPS services. A single comprehensive, integrated approach provides the best opportunity for DPS to meet these increased needs. The Facility Management industry has already developed tools capable of meeting the demand in the form of an Integrated Workplace Management System. In addition, an IWMS can use the data provided in the FCA to generate

the baseline from which the data structure is developed, which could significantly reduce the overall cost of implementation. This will afford DPS the opportunity to schedule preventative and routine maintenance, allow the technicians to better manage repair requests, and analyze facility maintenance staffing needs. Although additional funding and process improvements are still needed to adequately and efficiently address the facilities managements needs of the agency.

A critical solution to allow DPS to continue to address the aging infrastructure issues is to authorize UB authority across biennium's to ensure money appropriated for major projects is made available for the project's entire life cycle. Typically, major construction projects allow for current plus four additional years to complete. If authority was granted, there would not be a negative fiscal impact to the State.

ALR – License Suspension Hearings

A. Brief Description of Issue

In administrative license revocation hearings before the State Office of Administrative Hearings (SOAH), state law should require subpoenas for arresting officers be based on a showing of good cause.

B. Discussion

Currently, individuals who are contesting administrative license revocation proceedings do not have to show good cause to have a subpoena issued for arresting officers to attend an Administrative License Revocation (ALR) administrative hearing. Individuals or their defense attorneys are allowed to issue two subpoenas on their own without those subpoenas being ruled on or seen by a SOAH judge. This results in officers of local law enforcement agencies as well as the Department, being required to attend hearings in which they are not actually needed. This is not an effective use of valuable law enforcement resources.

In past legislative action, the Transportation Code was amended to deal with the identical problem with subpoenas for breath test operators and technical supervisors. Section 524.039(a) of the Transportation Code was changed to require breath test operators and technical supervisors to attend ALR hearings only after a showing of good cause.

C. Possible Solutions and Impact

The Department recommends adopting a new statute that mirrors Transportation Code Section 524.039(a) and provides that not later than the fifth day before the date of a scheduled hearing, the person who requested a hearing may apply to SOAH to issue a subpoena for the attendance of the arresting officer and the subpoena shall issue only on a showing of good cause.

The benefits of the change would be a more effective use of law enforcement officer time throughout the state and would have a positive fiscal impact on operations since less travel and overtime would be necessary.

Clarify Certain Records as Protected from Disclosure under the Public Information Act without Requirement of Attorney General Opinion

A. Brief Description of Issue

Allowing the Department to withhold certain records that are clearly subject to exceptions to disclosure under the Texas Public Information Act (TPIA) and other laws without the requirement of requesting attorney general rulings would allow Department personnel to provide faster and more efficient compliance with public information laws.

B. Discussion

For the last five years (2012-2016), the Department has submitted an average of 652 requests for rulings to the Open Records Division of the Attorney General's Office (OAG) per year, requiring personnel around the State to gather records and send records to OGC in Austin for submission to the OAG. Issues arise when law enforcement personnel are on special assignment or involved in high priority criminal investigations and must take time to copy and send records to Austin, often via overnight mail, to meet the tight deadlines in the Texas Public Information Act. The OAG rules that DPS can withhold all of the submitted records in the vast majority of these referrals.

Below is a list of common exceptions the Department raises to required public disclosure. The Department has received previous determinations from the AG allowing records to be withheld without the necessity of requesting a ruling for the statutory provisions noted with an asterisk. However, changes to the statute could affect this previous determination and questions sometimes arise about what records are included within the previous determination ruling.

1. License to carry records – Gov't Code §411.192*
2. Criminal history record information (CHRI) - Gov't Code §411.083*
3. Commissioned officer personnel records – Gov't Code §411.00755
4. DNA records – Gov't Code §411.153*
5. Names and identifying information of EPB agents, undercover officers, Capitol Complex officers - Gov't Code §§418.176, 552.108(b)(1), 552.152, common law physical safety exception
6. Law enforcement sensitive records – Gov't Code §552.108(b)(1)
7. Active criminal cases - Gov't Code §552.108(a)(1)
8. Juvenile offender records – Family Code §58.007
9. Child abuse investigation – Family Code §261.201
10. Communications between physician and patient – Occ. Code §159.002
11. EMS records – Health & Safety Code §773.091
12. Polygraph results – Occ. Code §1703.306
13. Risk Assessments – Gov't Code §418.177

14. Critical Infrastructure – Gov't Code §418.181
15. Security Camera video – Gov't Code §418.182
16. Identity of complainants against Private Security Board license holders – Occ. Code §1702.084
17. Home address, home telephone number, driver's license number, or social security number of a Private Security Board applicants/license holders/registrants – Occ. Code §1702.085
18. Sex Offender information – Code of Crim. Procedure Art. 62.005(b)
19. Bid tabulations – Gov't Code §552.104
20. Capitol entrance and exit logs – Gov't Code §§552.108(b)(1) & 552.152, common law privacy

C. Possible Solutions and Impact

DPS seeks a statutory change that all of the categories of information listed above may be withheld from disclosure under the TPIA without the necessity of requesting a decision from the OAG under Subchapter G, Chapter 552, Texas Government Code.

This solution would improve the ability of the Department to timely respond to the large number of public information requests for routine information that is typically disclosed. It would also benefit general operations of the Department by reducing the number of request for rulings.

Clarify Exceptions under the Open Meetings Law

A. Brief Description of Issue

There is currently an exception from the Open Meetings Act for Public Safety Commission discussions regarding ongoing criminal investigations under Government Code §411.0041. The exception authorizes deliberations of criminal investigations in the closed executive session but does not authorize the Commission to deliberate regarding means and methods of detection and investigation outside the context of specific ongoing criminal investigations.

The Department believes that the Commission should be able to be briefed regarding sensitive law enforcement techniques in executive session without the necessity of presenting that information in the context of an ongoing criminal investigation. This will enable the Commission to provide more effective oversight of the Department and its investigations.

B. Discussion

Inability to brief the Commission in a closed session on new and developing law enforcement techniques and methods outside of the context of an ongoing investigation limits the ability of the Commission to effectively supervise the Department. Some discussions cannot be presented in open session without compromising the method or violating specific nondisclosure agreements that may be required by other investigative agencies. By allowing for an exception for the presentation in a closed executive session, the Commission will be able to deliberate regarding the means and methods prior to the actual use of those methods in criminal investigations.

C. Possible Solutions and Impact

The recommended solution for this problem is to provide for a limited exception from the Open Meetings Act for deliberations regarding means and methods of investigations and detection.

Information Technology and Cyber Security Needs

A. Brief Description of Issue.

The Information Technology/Cyber Security program's major issues are the aging of critical applications that are hosted on legacy technology and the enhancement of our cyber security capabilities to secure and protect the agency's information and technology systems.

B. Discussion

The agency's networks, applications, and cyber security technology must be modernized to leverage current technology in the agency's mission of protecting and serving Texas. Antiquated networks have a risk of failure, can be less secure and are not as efficient in delivering information as modern network technologies. We are unable to meet agency demand to for increased network speed required to support video and audio transfers.

Several critical agency applications are hosted on legacy technology, increasing our risk of catastrophic failure and security breaches. Out-of-date technology has a higher risk of failure, is more difficult to support due to a diminishing pool of available IT professionals with the required skillset and is more difficult than modern technology to secure. This issue could impact our mission of Protecting and Serving Texas. House Bill 2738 of the 83rd Legislative session required state agencies to conduct a study to identify legacy technology systems. Multiple legacy applications were identified during this study and reported by the Texas Department of Information Resources. Applications written in aging languages or on obsolete platforms are challenging or impossible to modify and are difficult supported by the agency's technology staff, resulting in potential non-compliance with legislative mandates and manual cumbersome workarounds to accomplish new business processes.

Ensuring our systems and information are available in support of our mission is the fundamental element of our cyber security program. Cyber security policies, technologies and processes protect the integrity and availability of our information. The sophistication and complexity of cyber-attacks on our networks and applications continues to increase as the number of attacks escalates. We must improve our ability to protect the integrity of our systems and information and proactively mitigate risk of losing data. If our systems are breached we could lose the functionality of critical law enforcement systems impacting the privacy and safety of all Texans.

Senate Bill 1910 of the 85th Legislative Session requires us to conduct a security assessment of our cyber security vulnerabilities and develop a data security plan for online and mobile applications. Vulnerabilities discovered and documented in the plan will be difficult to address if we do not have the technology and full time equivalent (FTE) resources with the required cybersecurity skills required to protect our information. To address the predicted shortage of cybersecurity professionals we have established an internship program that is targeting high

schools, colleges and universities that have cyber security curriculums. If a student is selected for an internship and passes a background check they will spend up to 12 weeks totally submerged in agency cyber security activities. During the internship program we evaluate the students and actively recruit them by recommending they apply for posted positions. We have hired 3 interns into full time positions to date.

C. Possible Solutions and Impact

Legacy Systems

This risk of failure and inherent inefficiencies of obsolete technology requires we aggressively retire and replace aging computer infrastructure and applications. We completed the legacy systems study required by HB 2738 of the 83rd Legislative session which assisted in the identification and documentation of our legacy systems. We are actively partnering with the Texas Department of Information Resources in their proof of concept (POC) for an application portfolio management (APM) solution. The APM solution will allow transparent planning and execution of our IT modernization strategy which includes addressing aging technology to migrate risk of failure.

Reducing or eliminating legacy systems will allow the agency to mitigate the risk of technology failure and leverage new technology solutions to drive efficiencies in technology system development, support and business processes.

The drawback to modernizing the agency's computer technology includes the cost and time associated with the modernization effort. New technologies, training and skills will be required to transition to modern technology solutions.

Cyber Security

Protecting our information from unauthorized access and ensuring our systems are secure will benefit all Texans. By increasing our cyber security efficiency we will have the capacity to proactively plan for and block cyber security attacks. The benefits of increasing our cyber security capabilities include increased security and availability of our information and systems. As we improve our cyber security capabilities we will continue to share critical cyber information with agencies and universities. All agencies benefit when working together to combat cyber threats.

There are no identified drawbacks of increasing our cyber security program. Fiscal investments in training, tools, certifications and resources must be made to improve our cyber security program.

FBI Criminal History Background Checks for Compassionate Use Program

A. Brief Description of Issue

RSD has been advised that the FBI believes that DPS' current statutory language does not authorize access to the federal National Crime Information Center (NCIC) database for criminal history background checks on applicants for licenses under the Compassionate Use Program.

RSD is proposing to amend the necessary provision within the Department's enabling statute, Texas Government Code §411.0891, to provide the authority for the Department to run its own background checks, including the federal background check for its own regulatory programs.

B. Discussion

Without the ability to run federal background checks on applicants, RSD is unable to comply with the statutory mandate to ensure applicants meet the eligibility criteria. There is no assurance the applicant does not have a disqualifying offense in another state or in federal court. This would affect all applicants for licenses as dispensing organization directors, managers or employees under the Compassionate Use Program.

The Department is required to confirm eligibility through review of criminal history records on applicants.

HB 1779 filed by Rep. Tony Dale during the 85th Texas Legislature would have resolved this issue, but it was not enacted.

C. Possible Solutions and Impact

The language from HB 1779 has been approved by the FBI and will provide the necessary authority. The other changes are intended to consolidate the existing statutory authority for the other RSD programs.

The only individuals affected by this change will be those with disqualifying criminal histories from other states or from federal courts. It will provide the basis for the denial of their applications.

This language will provide the authority necessary for RSD to comply with the statutory mandate to ensure applicants meet the eligibility criteria.

Licensure of Independent Testing Labs for Compassionate Use Program

A. Brief Description of Issue

The Compassionate Use Program's enabling statute does not authorize the licensure of independent testing laboratories. Only licensed dispensing organizations are authorized to possess low-THC cannabis or the raw materials involved in its processing, with the result that only dispensing organizations can test the materials or product. This results in no independent third party being able to evaluate the dispensing organization.

B. Discussion

The Compassionate Use Program currently requires licensed dispensing organizations to conduct their own testing and to maintain records for the department's review. However, if statutory authority was granted for the licensing of independent testing labs, this would allow them to test the materials and product of the dispensing organizations and provide greater protection to patients and greater assurance of the tests' accuracy.

This would affect patients who are prescribed and who use low-THC cannabis.

The Department has an interest in ensuring the safety of the patient population.

SB 269 by Sen. Jose Menendez during the 85th Texas Legislature, would have authorized the licensing of testing laboratories. The relevant provisions of this bill would have resolved this issue. This was not enacted.

C. Possible Solutions and Impact

The relevant provisions of SB 269 would have resolved this issue by providing independence to the testing of low-THC cannabis products and therefore, greater credibility to the results. This change would provide greater assurance to physicians and patients that the product is safe and as represented.

This change would require the creation of a new license, with the accompanying administrative processes. This could lead to a potentially higher cost of the product for patients (due to the cost of testing passed on to consumers).

A cost to the Department is estimated as one lab needed for three low-THC cannabis organizations. Cost to provide one annual inspection and four quarterly inspections and related costs, plus additional employee costs is estimated to be \$7,600 the first year and \$5,800 the second year.

Modify the Process for Procuring a Lease for a Radio Tower

A. Brief Description of Issue

The Department seeks an exemption from the statutory competitive bidding requirements for procuring a lease for a radio tower or land under a radio tower.

Because of the requirement to bid radio tower leases competitively, 3 companies or individuals within a 3-mile radius of the current tower site are contacted for bids. Often times, when a bid is requested, the Procurement Office will not hear back from company or individuals.

B. Background

Radio tower sites are necessary to continue law enforcement communications for the protection of the law enforcement officers and the citizens of the State of Texas.

This affects the citizens of Texas and Law Enforcement officers where the tower sites are needed and located.

The Department's role is to make sure the citizens of Texas are safe and when law enforcement officers are needed they can be contacted via mobile radio when cell phone service is non-existent.

C. Possible Solutions and Impact

Currently, the competitive procurement process is not very valuable in this type of lease, as towers only exist on certain properties in remote locations.

Handling these as proprietary procurements would save time and effort. It is often the case that there is only one site that can meet the needs of the agency for placement of a tower. Factors that render this type of procurement as proprietary include geographic location of a tower or site to place a tower where it can fill a void in the coverage network, the elevation of the location as well as accessibility of the site by Department personnel.

This proprietary classification is also valuable for tower lease renewals. If no agreement is in force at the time of a renewal, land or tower owners still have to be paid, and even more paperwork is required to document and secure their money for our equipment on their premises.

Receiving Delegated Authority

A. Brief Description

DPS currently works with our partners at the Comptroller's Office (CPA) and the Texas Facilities Commission (TFC) on issues of purchasing (CPA) and construction, maintenance, repairs of buildings and leasing (TFC). If DPS were to be delegated authority to handle these items internally, that would provide much needed efficiencies.

Delegated Authority - CPA

Texas Government Code 2155.061 provides authority to the CPA to purchase "all manner of goods and services for a state agency..." Because DPS is one of the CPA's many customers, having delegated authority to purchase high value goods and services directly would benefit DPS and shorten procurement times for many needed agency goods and services.

Delegated Authority – TFC

Texas Government Code Chapter 2165 requires the Texas Facilities Commission to conduct all land purchases, design and construction, maintenance and repairs and building leasing for state agencies, including DPS.

B. Background

Delegated Authority - CPA

The Comptroller's Statewide Procurement Division (SPD) develops statewide contracts for non-technology contracts and services for state government entities and institutions of higher education. Commodities and services contracts developed by SPD are available for DPS purchase through the Tx SmartBuy portal.

Most state agencies, including DPS, are required to submit requests for review and delegation from the Comptroller's Office when a request to purchase goods or services exceed the established dollar limits (commodities \$50,000 or more and services \$100,000 or more for DPS) and the requested item is not available on an existing state contract. This submission adds to the length of time it takes to receive the goods/services requested. In a law enforcement environment, this additional time can have a negative impact on public safety. Other services provided by DPS to the public can also be impacted.

Each time DPS identifies the need for non-technology goods or services not available on an active state contract and expects that they will spend at least \$50,000 on that good or \$100,000 on that service, a delegation request is submitted to SPD. In most cases, DPS requests delegation for a new need that has been identified. In numerous cases over the past few years however, DPS has had to request delegation because the statewide contract expired, and SPD did not have a new contract in place in time to ensure continuity and availability of the needed items. It is difficult to plan procurements when a contract may lapse without a replacement in

place. One example of this is the contract for uniforms for DPS commissioned personnel. In the past few years, SPD has been working on the statewide contract and has delegated the purchase back to DPS to handle because the statewide contract was not ready.

SPD has the option of soliciting to have the requested goods or services included on a state contract, soliciting for a “one-time buy” on behalf of DPS, or allowing DPS to conduct the solicitation. Due to the high volume workload that SPD faces to support and address all of the state agencies, institutions of higher education, and other government entities needs, these requests can cause the schedule for each procurement to be delayed. Additionally, DPS has many specialized functions such as law enforcement, emergency management, and crime lab services. Because of these specializations, there can be challenges with SPD understanding DPS’ particular requirements and specifications. This lack of expert knowledge results in even further delays in those instances where SPD solicits for a state contract but does not fully understand the requirements of the agency. In extreme cases, this has resulted in the wrong item being awarded and the agency’s needs not being met. For example, SPD solicited and awarded bulletproof vests for DPS that were incompatible with the inserts that were bid and awarded separately from the vest. This meant that the vests that are vital to our officers’ safety were not usable because the insert did not fit in the vest.

Delegated Authority – TFC

DPS relies on TFC as an agent or broker to facilitate construction projects with a cost of services fee ranging from 3.6% to 6.10%. From FY09 – FY17 (paid to date), DPS has paid approximately \$11,457,564M to TFC in fees. Projected TFC fees for on-going projects will exceed \$400,000 for the remainder of FY17 and FY18.

In addition, much like with the CPA, DPS projects must compete with other projects managed by TFC. Delegation of these functions would allow DPS to provide the needed oversight without delays from a third party.

Finally, when DPS does have a lease or other building projects through TFC, there have been instances where, although DPS perceives there is an issue, it has not been evident to TFC. Despite being the customer, DPS must persuade TFC staff that there is an issue to address before they will raise it with the vendor. In the past, this lack of in-depth understanding to our unique needs has caused issues that took unnecessary time to resolve.

For example, DPS has suggested strengthening lease contract language to better protect agency interests when repairs are not completed timely. There have been several instances where default letters to the lessors were issued only after DPS placed pressure on TFC to actively pursue stronger response, such as for the Rosenberg DL Center and Winkler leases. These items that were not repaired for a long period of time reflected negatively on the image DPS to the public.

Additionally there have been situations in new construction where design flaws have led to a negative impact on the operation of the building, but TFC did not have the level of urgency

necessary in pushing the vendor to develop a solution. Issues with the HVAC system in the Corpus Christi Crime Lab and the ongoing problems with the Bryan District Office foundation are prime examples.

DPS would have been able to escalate such issues with the vendor in more timely manner if these project been under DPS purview from the beginning.

C. Possible Solutions

Delegated Authority - CPA

Texas Government Code §2155.131 provides that the Comptroller may delegate purchasing functions to a state agency. Other sections of Chapter 2155 exempt other agencies (§2155.144 for Health and Human Services agencies) and functions (§2155.1441 for health care purchasing) specifically.

If DPS were granted an exemption to procure the goods and services it requires, the agency would be positioned to manage the requests based upon agency priorities and need. This would support better planning, as DPS would have more control over the timelines associated with the solicitation process.

DPS will continue to follow all applicable state procurement and contracting statutory requirements and rules regardless of any exemption authority. DPS will also solicit based on a strategic sourcing model to yield volume pricing benefits when applicable and to achieve best value for the state.

In addition, due to the markup on items purchased through TX SmartBuy, DPS could also potentially save a significant amount over the course of a fiscal year. DPS would also explore the ability to take advantage of alternative cooperative purchasing options that would achieve significant value for the state. For fiscal year 15 through fiscal year 17, DPS procured over 167 million worth of items that were subject to the 1.5% markup. That equates to a potential savings of over 2.5 million.

Delegated Authority – TFC

Texas Government Code §§2165.007, 2166.003 and 2166.004 provides full or partial exemptions for institutions of higher education, the Department of Agriculture, Texas Parks and Wildlife Department, the Texas Department of Criminal Justice, and the Texas Department of Transportation, the Texas Commission on Environment Quality, the Texas Department of Housing and Community Affairs, the Texas State Affordable Housing Corporation, and the Veteran's Land Board, the Texas Historical Commission.

DPS continuously has numerous construction and deferred maintenance projects that require an in-depth understanding of the complex requirements of the various programs, coordination between multiple divisions and the type of building infrastructure; as an external entity, TFC cannot attend to those internal variables as efficiently as DPS Facilities staff

In addition, TFC has a tremendous workload, such as projects for the Capitol Complex, which take precedence over DPS projects. This lack of prioritization ultimately impacts efficiency and productivity at DPS.

As a result, DPS has created an internal program for planning, construction, maintenance and repairs of DPS owned, leased and shared facilities across the state. These programs are staffed with highly skilled professionals who have a proven track record for successful, timely completion of projects at reduced costs.

The proposed solution would give DPS the ability to make decisions, act quickly when necessary and ensure the money invested in facilities management is used in the most cost effective manner.

There would be some fiscal impact for the additional FTE resources and operational costs that would need to be needed by DPS. However, the overall implication would be more fiscally responsible use of appropriated funds on infrastructure improvements instead of administrative project management costs.

Our objective is to ensure construction and repair projects performed by and for DPS are completed expeditiously, achieve a specified level of quality at a minimum cost to the taxpayers, and in complete compliance with all state laws and regulations. We believe this proposal supports that objective and would benefit both agencies by allowing TFC to focus their efforts on other high priority projects under their responsibility.

X. Other Contacts

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

Texas Department of Public Safety

Interest Groups

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

Group or Association Name/ Contact Person	Address	Telephone	Email Address
American Association of Retired Persons	98 San Jacinto Blvd, Ste 750 Austin 78701	(866) 227-7443	
American Civil Liberties Union (ACLU)	1210 Rosewood Austin, TX 78702	(512) 478-7300	www.aclu.org
Associated Security Services & Investigators of Texas (ASSIST)	3300 Bee Caves Road, Suite 650-119, Austin TX 78746	(512) 619-7280	www.assisttexas.org
Associated Security Services and Investigators of the State of Texas	3300 Bee Caves Road Suite 650-119 Austin, TX 78746	(832) 274-1079	www.assisttexas.org/
Association of Ignition Interlock Program Administrators (AIIPA)	5030 N. May Ave., #212 Oklahoma City, OK 73112	N/A	aiipaonline@gmail.com
Bexar County Sheriff's Office/Deputy Chief of Technical Support Dennis Casillas	200 N. Comal Street, San Antonio, TX 78207	(210) 335.6503	dcasillas@bexar.org
Combined Law Enforcement Assoc. of Texas	400 W 14 th ST #100 Austin 78701	(512) 495-9111	
County and District Clerks Association	http://www.cdcatexas.com/		
DPS Foundation Texas	9600 Escarpment Blvd Suite #46 Austin, Texas 78749	(800) 951-8592	info@texasdpsfoundation.org
Houston Gulf Coast Alarm Association (HGCAA)	7635 Ashton Drive Houston TX 77095	(281) 859-4569	www.hgcaa.org
Humble Police Department/Detective/Child Abuse Division K.F. Hickey	310 Bender Avenue, Humble, TX 77338	(210) 945-1700 (281) 319-9723	dpue@liveoaktx.net
Institute of Scrap Recycling Industries (ISRI)	1250 H St. NW, Suite 400 Washington DC 20005	(202) 662-8500	isri@isri.org

Group or Association Name/ Contact Person	Address	Telephone	Email Address
International Outlaw Motorcycle Gang Investigators Association/ Charles Schoville, President	Arizona State Police 22424 S. Ellsworth Loop Rd, #574 Queen Creek, AZ 85142	(602) 223-2569	admin@iomgia.net
League of United Latin American Citizens (LULAC)	700 Lavaca Austin, TX 78701	(512) 477-7910	www.lulac.org
Mothers Against Drunk Driving (MADD)	MADD National Office 511 E. John Carpenter Fwy, Ste. 700 Irving, Texas 75062	(800) 438-6233	tx.state@madd.org
National Alliance of Gang Investigators Association/ Charles Schoville, President	Arizona State Police 22424 S. Ellsworth Loop Rd, #574 Queen Creek, AZ 85142	(602) 223-2569	cschoville@nagia.org
National Association for the Advancement of Colored People (NAACP)	1107 E 11th Austin, TX 78702	(512) 322-0757	www.texasnaacp.org
National Insurance Crime Bureau (NICB)/Fred Lohmann	320 Decker Drive, Suite 100, Irving, TX 75062	(972) 739-6026	Flohmann@nicb.org
San Antonio Police Department/Captain David Scepanski	4204 Woodcock Drive, Suite 202, San Antonio, TX 78228	(210) 207-2399	dscepanski@sanantonio.gov
Sheriff's Association of Texas	1601 S. IH 35 Austin, Texas 78741	(512) 445-5888	
Southwest Transportation Security Council/J.J. Coughlin	5501 LBJ Freeway, Suite 500, Dallas, TX 75240	(214) 649-6441	jj@swtsc.com
Texas Association of Licensed Investigators (TALI)	P.O. Box 670344 Dallas TX 75367-0344	(877) 444-8254	www.tali.org
Texas Black State Troopers Association	P.O. Box 472524, Garland, Texas 75047-2524		
Texas Border Prosecutors Unit/Tom Krampitz, General Counsel	749 North Main Street, Fort Worth, TX 76164	(817) 528-5475	tom@tlklaw.com
Texas Burglar & Fire Alarm Association (TBFAA)	3880 Hulen St., Suite 650, Fort Worth TX 76107	(877) 908-2322	www.tbfaa.org
Texas Department of Public Safety Officers Association	P.O. Box 4998 Austin, Texas 78765	(512) 451-0571	
Texas District and County Attorney's Association	505 W. 12th St., Ste 100 Austin, TX 78701	(512) 474-2436	Robert.Kepple@tdcaa.com
Texas Driver and Traffic Safety Education Association	PO Box 1350, Huntsville, TX 77342	(936) 435-8382	Website – www.tdtsea.com

Group or Association Name/ Contact Person	Address	Telephone	Email Address
Texas Gang Investigators Association (Central Region)/ Rhonda Chevalier	Bell County Community Supervision 550 E.2 nd Avenue, Belton, TX 76513	(254) 933-5335	Centraldir1@tgia.net or Rhonda.Chevalier@bellcounty.texas.gov
Texas Gang Investigators Association (East Region)/ Rick Muniz	Houston TAG Center	(281) 932-6574	Eastdir1@tgia.net
Texas Gang Investigators Association (North Region)/ B. K. Nelson, Dallas PD	Dallas Police Department 1400 South Lamar St., Dallas, Tx 75215	(214) 671-4227	Northdir1@tgia.net
Texas Gang Investigators Association (Panhandle Region)/Delbert Rodriguez, TDCJ	Texas Department of Criminal Justice/Smith Unit 1313 CR 19, Lamesa, TX 79331	(806) 872-6741	Panhandleir1@tgia.net
Texas Gang Investigators Association (South Region) Paul Zamarripa, Adult Probation	24 th District Adult Probation 205 North Bridge St, Suite #201, Victoria, TX 77902	(361) 782-7668	Southdir1@tgia.net or PZamarripa@cscd.net
Texas Gang Investigators Association (West Region)/ Frank Balderrama, El Paso PD	El Paso Police Department 911 N. Raynor St., El Paso, TX 79903	(915) 212-4000	Westdir1@tgia.net
Texas Gang Investigators Association/Martin "Ringo" Deleon, President	321 John Sartain St. Corpus Christi, TX 78401	(361) 510-0562	martind@cctexas.com
Texas Law Enforcement Intelligence Units/Clifford Duncan, President	1500 N. Congress, Austin, TX 78701	(512) 424-0208	Clifford.Duncan@dps.texas.gov
Texas Locksmiths Association (TLA)	P.O. Box 15242 Austin TX 78761-5242	(877) 852-4636	www.texaslocksmiths.org
Texas Motorcycle Safety Coalition/Christine Haverman	2929 Research Parkway Collage Station, Texas 77843	(949) 458-1229	Tti.tamu.edu/cts
Texas Municipal Police Assoc.	6200 La Calma Dr. Suite 200 Austin 78752	(800) 848-2088	
Texas Police Assoc.	314 E. Highland Mall Blvd #402 Austin 78752	(512) 458-3140	
Texas Police Chiefs Association	1312 E. Hwy 290 Suite C Elgin, Texas 78621	(877) 776-5423	
Texas Ranger Association Foundation	104 Texas Ranger Trail Waco, Texas 76706	(254) 752-1001	TheTexasRangers1@TheTexasRangers.org

Group or Association Name/ Contact Person	Address	Telephone	Email Address
Texas State Agency Business Administrators' Association (TSABAA)	P.O. Box 13164 Austin, Texas 78711		tsabaa@tsabaa.com
Texas State Troopers Association	5555 N Lamar Blvd Austin, 78751	512-450-1814	
Texas Transportation Institute Texas A&M University System	3135 TAMU College Station, Texas 77843-3135	(979) 845-1713	
Texas Violent Gang Task Force (Central Region) / Chief Dexter Jones, TABC	Texas Alcoholic Beverage Commission 5806 Mesa Dr, Austin, TX 78731	(512) 206-3302	dexter.jones@tabc.texas.gov
Texas Violent Gang Task Force (East Region)/Robert Grant, TDCJ	Texas Department of Criminal Justice, STG PO Box 99, Huntsville, TX 77324	(936) 437-8924	Robert.grant@tdcj.texas.gov
Texas Violent Gang Task Force (North Region)/ Detective Jabari Howard	Dallas Police Department 1400 South Lamar St., Dallas, Tx 75215	(214) 671-4227	Jabari.howard@dpd.dallascityhall.com
Texas Violent Gang Task Force (Panhandle Region)/ Sgt. Jordan Roberts, LCSO	Lubbock County Sheriff's Office, 811 Main Street, Lubbock, TX 79408	(806) 775-1400	jroberts@co.lubbock.tx.us
Texas Violent Gang Task Force (South Region)/Major Manuel Espinosa, Tx DPS	Tx. Dept. of Public Safety – Criminal Investigations Division, Austin, TX 78752	(512) 424-2505	Manuel.Espinosa@dps.texas.gov
Texas Violent Gang Task Force/Patrick Natividad, Chairman	911 North Raynor, El Paso, TX 79901	(915) 759-2000	natividadp@elpasotexas.gov
Universal City Police Department/Chief Gary Speer	2150 Universal City Blvd., Universal City, TX 78148	(210) 658-5353	gspeer@ucpdtx.org

Table 23 Exhibit 14 Interest Groups

Interagency, State, or National Associations*(that serve as an information clearinghouse or regularly interact with your agency)*

Group or Association Name/ Contact Person	Address	Telephone	Email Address
AAMVA/Reporting Analyst/Jessie Rogers		(703) 908-8264	jrogers@aamva.org

Group or Association Name/ Contact Person	Address	Telephone	Email Address
AAMVA/Systems Analyst/Oscar Castillo			OCastillo@aamva.org
Alabama-Coushatta Tribe of TX	Livingston, TX		
Alvin Miguez, Disaster Relief Director, The Salvation Army		(682) 300-2415	Alvin.Miguez@uss.salvationarmy.org
American Association of Motor Vehicle Administrators (AAMVA) Director Brian Ursino	4301 Wilson Boulevard, Ste 400 Arlington, Virginia 22203	(703) 350-5103	Bursino@aamva.org
American Association of Motor Vehicle Administrators (AAMVA)/Help Desk	4401 Wilson Blvd, Suite 700, Arlington, VA 22203	(888) 226-8280	helpdesk@aamva.org
APCO (Association of Police Comm Officials)			
Arizona Dept of Public Safety / Major Philpot	PO box 6638 Phoenix, AZ 85005	(602) 659-5148	jphilpot@azdps.gov
ASCLD	65 Glen Road, Suite 123 Garner, NC 27529	(919) 773-2044	asclddirector@gmail.com
Assistant Chief, Regional Fire Coordinator, Texas A&M Forest Service/ Jimmy Mullis	200 Technology Way, College Station, TX 77840	(979) 218-2407	jmullis@tfs.tamu.edu
Assistant United States Attorney-Trafficking	601 NW Loop 410 San Antonio, Texas Suite 600	(210) 384-7100	BRichardson@usa.doj.gov
Association of Criminal Investigative Agencies (ASCIA)- Homeland Security Committee			Executive.Director@ascia.org
Austin Police Department/Jeff Allen	715 E. Eighth St. Austin, TX 78701	(512) 974-5000	jeff.allen@austintexas.gov
Automobile Burglary and Theft Prevention Authority (ABTPA)/Bryan Wilson - ABTPA Director	4000 Jackson Avenue, Austin, TX 78731	(512) 465-4012	Bryan.Wilson@txdmv.gov

Group or Association Name/ Contact Person	Address	Telephone	Email Address
Bexar County District Attorney's Office/Criminal Investigator Johnny Santana	Paul Elizondo Tower 101 W. Nueva St. 4 th Floor, San Antonio, TX 78205	(210) 335-3989	jsantana@bexar.org
Bexar County District Attorney's Office-Trafficking Cases	101 W. Nueva San Antonio, Texas	(210) 335-2311	Dlunan@bexar.org
Bexar County Juvenile Probation Office- Eliseo Mat /Trafficking and Gangs	301 E. Mitchell , San Antonio, Texas	210-335-7500	emata@bexar.org
Bexar County Sheriff's Office/Lt. Darrel Sanders CID	Bexar County SO 200 N. Comal, San Antonio, TX 78207	(210) 335-5015	dsanders@bexar.org
Border Patrol – Del Rio Sector Chief Rodolfo Karisch	2401 Dodson Ave Del Rio 78840	830-778-7000	
Border Patrol – El Paso Sector Chief Jeffrey Self	8901 Montana Ave, El Paso 79925	915-834-8350	
Border Patrol – Marfa Sector Chief Jesse Shaw	717 S Highland Ave, Marfa 79843	432-729-4250	
Border Patrol – McAllen Sector Chief Raul Ortiz	956-217-3700	3000 W Military Hwy McAllen, 78503	
Border Patrol- Laredo Sector Chief Mario Martinez	9001 San Dario Ave Laredo 78045	956-764-3600	
Caldwell County/Martin Ritchey, Homeland Security and Emergency Management		512-398-1822	martin.ritchey@co.caldwell.tx.us
Capt. Al LeBlanc	5555 Airport Blvd., Austin TX 78751	512 854-9770	Al.Leblanc@traviscountytexas.gov
CBP OI/ Intelligence Liaison Analyst/ Kimberly Shirley	6100 Guadalupe St. Bldg. E Austin, TX 78752	512-424-5505	kimberly.r.shirley@cbp.dhs.gov
CBP/ Border Operations Liaison Officer/ Ken Rhode	6100 Guadalupe St. Bldg. E Austin, TX 78752	512-424-7531	

Group or Association Name/ Contact Person	Address	Telephone	Email Address
Center for Child Protection Team Relations Manager Meagan Webb	8509 FM 969, Bldg. 2 Austin, Texas 78724	512-472-1164	mwebb@centerforchildprotection.org
Central Texas Area Chiefs of Police and Sheriffs Association/ Ryan Holt	Chief Holt Waco Police Department 3115 Pine Ave, Waco, TX 76708	(254) 750-7500	info@centxchief.org
Cynthia Foster, Department Head, Planning & Preparedness, Texas A&M Forest Service		979/218-2313	cfoster@tfs.tamu.edu
Dallas Police Department/Detective Brian Emerson	Dallas Police Dept. 1400 S. Lamar St. Dallas, TX 75215	(214) 671-3326	Brian.emerson@dps.ci.dallas.tx.us
Daniel Ragsdale	Texas A&M university	979-845-7398	ragd@tamu.edu
DEA-EPIC/DEA Senior Liaison Analyst/ Mary Campbell	6100 Guadalupe St. Bldg. E Austin, TX 78752	915-760-2128	Mary.e.campbell@usdoj.gov
Department of Family Protective Services - Investigator	2118 S. Zarzamora San Antonio, Texas	210-270-4000	james.backfisch@dfps.state.tx.us
Department of Homeland Security / Program Chief / Steven Kozar	Office of Policy U.S. Department of Homeland Security, Mail Stop 0445, 110 Hampton Park Blvd, Capitol Heights, MD 20742	202-447-3368	Steven.kozar@dhs.gov
DHS Intelligence and Analysis/ Intelligence Liaison/ Scott Clearly	6100 Guadalupe St. Bldg. E Austin, TX 78752	512-627-0634	Scott.Clearly@dhs.gov
DHS OEC (Dept Homeland Sec – Office Emerg Comm)	Austin		
DHS TSA-ABIA/ Liaison/ Jonathan Sangrey	6100 Guadalupe St. Bldg. E Austin, TX 78752	512-691-7849	jonathan.c.sangrey@ole.tsa.dhs.gov
Driss Benhaddou, PhD	University of Houston	713-743-5818	dbenhadd@Central.UH.EDU

Group or Association Name/ Contact Person	Address	Telephone	Email Address
El Paso Intelligence Center	11339 SSG Sims Street El Paso, TX 79908	(915) 760-2435	
El Paso Intelligence Center/Matthew Swinney, Captain	11612 Scott Simpson, El Paso, TX 79936	(915) 849-4192	Matthew.Swinney@dps.texas.gov
Energy Security Council (ESC)	9720 Cypresswood Dr., Suite 206 Houston, TX 77070	281-587-2700	info@energysecuritycouncil.org
ERCOT/Michael Weeks		512-248-6649	michael.weeks@ercot.com
FBI/ Senior Intelligence Liaison Analyst/ Steve Monson	6100 Guadalupe St. Bldg. E Austin, TX 78752	512-424-7571	Steven.Monson@dps.texas.gov
FCC (Federal Communications Commission)	Washington, DC		
Federal Bureau of Investigation/Betsy Taylor	1000 Custer Hollow Road, Clarksburg, WV 26306	304-625-5429	Betsy.taylor@ic.fbi.gov
Federal Bureau of Investigation/Special Agent Wale Alade	5740 University Heights Blvd., San Antonio, TX 78249	(210) 650-6060	Adebowale.alade@ic.fbi.gov
Federal Bureau of Investigation-CJIS / Beth Hern	100 Custer Hollow Rd., Clarksburg, West Virginia 26306	304-625-5922	Beth.hern@leo.gov
Federal Bureau of Investigations Houston Special Agent in Charge Al Tribble		281-543-7904	Al.tribble@ic.fbi.gov
Federal Bureau of Investigations/Justin Major Intelligence Analyst	3301 Golden Road, Suite 300 Tyler, TX 75701	(903) 594-3536	jjmajor@fbi.gov
Harris County District Attorney Chief Joanna Musick		832-317-1081	Musick_joanne@dao.hctx.net

Group or Association Name/ Contact Person	Address	Telephone	Email Address
Houston Police Department Metal Theft Unit Jesse Fite, Sergeant	9455 W. Montgomery Road, Houston, TX 77088	(832) 394-3727	jesse.fite@houstonpolice.org
ICE/ Special Agent Liaison/ Augustin Ramos	6100 Guadalupe St. Bldg. E Austin, TX 78752	512-424-2733	Agustin.ramos1@dhs.gov
International Association of Auto Theft Investigators (IAATI)/John Abounader, Executive Director	PO Box 223 Clinton, NY 13321	315-853-1913	executivedirector@iaati.org
International Association of Chiefs and Police (IACP)- Homeland Security Committee	44 Canal Center Plaza, Suite 200, Alexandria, VA 22314	703-836-6767	(Address)
International Association of Chiefs of Police	44 Canal Center Plaza, Suite 200 Alexandria, VA 22314	1-800-THE IACP	(Address)
International Association of Law Enforcement Intelligence Analysts (IALEIA)	PO Box 13857 Richmond, VA 23225	424-246-8350	
International Associations of Chiefs of Police / Director Jim Baker	515 N. Washington Street Alexandria, VA 22314-2357	(703) 836-6767	baker@theiacp.org
Jeff Bryan	1891 Forest In. Garland, TX 75042	972 485-4840	bryanj@garlandtx.gov
Jeff Saunders, Director of Emergency Response & Rescue, Texas A&M Engineering Extension Service		979/458-5683	jeff.saunders@teex.tamu.edu
Jessica Debalski, Division Disaster State Relations Director-AZ, NM, TX, American Red Cross		832/293-9662	jessica.debalski@redcro

Group or Association Name/ Contact Person	Address	Telephone	Email Address
Kentucky State Police / Major Robert Shoultz	919 Versailles Rd Frankfurt, KY 40601	502-782-1800	Bob.shoultz@ky.gov
Kickapoo Traditional Tribe of TX	Eagle Pass, TX		
Kristy Leasman	Texas National Guard	210-925-3656	kristy.leasman.7@us.af.mil
Law Enforcement Intelligence Units (LEIU)	1825 Bell Street Suite 205 Sacramento, CA 95825	916-263-1187	leiu@doj.ca.gov
Lower Colorado River Authority/Emily Robertson		512-578-3226	emily.robertson@lcra.org
Lt. Ken Law	2300 Scenic Dr. El Paso, TX 79930	915 637-6338	1532@elpasotexas.gov
Major Mark Hammack, Director of Emergency Services, Texas Wing, Civil Air Patrol		214/478-0955	hammackm@dentoncap.org
Metals Recycling Advisory Board (MRAC) Arnold Gachman, Chair	Gachman Metals & Recycling 2600 Shamrock Ave. Fort Worth, TX 76107	(817) 886-5001	arnold@gachman.com
Michael Rolan	200 SE 3 rd Avenue, Amarillo TX 79101	806 378-4086	michael.rolan@amarillo.gov
Michigan State Police/ Lt Jim Flegel	7150 Harris Dr. Dimondale, MI 48821	517-284-3724	Flegelj@michigan.gov
Motor Vehicle Inspection Advisory Committee (MVIAC) David Lewis, Co-Chair	Shawn Dintino North Central Texas Council of Governments (NCTCOG) 616 Six Flags Drive #200 Arlington, TX 76011	(817) 704-5605	SDintino@nctcog.org
Motor Vehicle Inspection Advisory Committee (MVIAC) Abel Porras, Co-Chair (pending approval)	West Point Service Center 1200 W. Main St. Rio Grande City, TX 78582	(956) 487-2507	vaporras@quikus.com

Group or Association Name/ Contact Person	Address	Telephone	Email Address
Motorcycle Safety Foundation (MSF)/ Robert Gladden	2 Jenner St Suite 150 Irvine, CA	949-727-3227	Robert Gladden rgladden@msf-usa.org
National Association of State Facilities Administrators (NASFA)/ Marcia Stone	1776 Avenue of the States, Lexington, KY 40511	859-244.8181	mstone@csg.org
National Center for Missing & Exploited Children	699 Prince Street, VA 22314	800-843-5678	www.missingkids.com
National Center for Missing and Exploited Children/CEO John Clark	699 Prince Street, Alexandria, VA 22314-3175	703-562-7633	
National Council of Native American Churches, Sandor Iron Rope	1107 Crow Peak Lane Spearfish, SD 57783		sir.nacna18@yahoo.com
National Fusion Center Associations (NFCA)	1609 N. Edgewood Street Arlington, VA 22201		info@nfcausa.org
National Highway Traffic Safety Administration	400 7th St. SW Rm. 5301 Washington, DC 20590	817-978-3655	
National Native American Rights Fund Steven C. Moore, Senior Staff Attorney	1506 Broadway Boulder, CO 80302-6296	(303) 447-8760	smoore@narf.org www.narf.org
Ohio State Patrol / LT Ed Mejia	30 East Broad St Columbus, OH 43215	614-752-6066	emejia@dps.ohio.gov
Oklahoma Highway Patrol / Captain Vowell	PO Box 11415 Oklahoma City, OK 73136	405-425-2285	Garrett.vowell@dps.ok.gov
Peter Cooper	SHSU	936-294-1569	csc_pac@shsu.edu
PSAC (Public Safety Advisory Council)			
Rajendra Boppana, PhD	University of Texas, San Antonio	210-458-5692	boppana@cs.utsa.edu
Rev. Laraine Waughtal, President, Texas Voluntary Organizations Active in Disasters		817/877-5222	larainewaughtal@ctcumc.org

Group or Association Name/ Contact Person	Address	Telephone	Email Address
San Antonio Police Department/Trafficking	315 S. Santa Rosa San Antonio, Texas	210-207-7273	adrian.owens@sanantonio.gov
Santa Cruz, California Police Department Investigations Division	155 Center St, Santa Cruz, CA 95060	(831) 420-5800	lschonfield@cityofsantacruz.com
SEARCH/Scott Came	1900 Point West Way, Suite 275, Sacramento, CA 95815	916-212-5978	(Address)
Sgt. Johnny Martinez	2300 Scenic Dr. El Paso, TX 79930	915 253-4722	1797@elpasotexas.gov
Southwest Border Comms Working Grp	(TX, OK, NM, AZ, CA)		
State Motorcycle Safety Administrator Association/Bret Robertson	1432 Trim Tree Road Indiana, PA 15701	724-801-8075	office@smsa.org
Steven Monson	Federal Bureau of Investigation	512-410-9152	sdmonson@fbi.gov
Tennessee Highway Patrol/Colonel Tracy Trott	1150 Foster Ave Nashville, TN 37243	615-251-5175	Tracy.trott@tn.gov
Texas A&M Engineering Extension Service/Jeff Saunders, Director of Emergency Response & Rescue		979/458-5683	jeff.saunders@teex.tamu.edu
Texas Anti-Gang Center (El Paso)/William Massey, Administrator	6451 Boeing Dr., El Paso, TX 79925	(915) 497-6255	T1819@elpasotexas.gov
Texas Anti-Gang Center (Houston), George Rhyne, Administrator	2500 East TC Jester, Houston, TX 77092	(713) 470-9401	rhyne@houstonhidta.net
Texas Anti-Gang Center (North Texas)/Todd Reichert, Administrator	8404 Esters Blvd, Suite 100, Irving, TX 75063	(972) 915-9540	Todd.Reichert@texomahidta.org
Texas Association of Vehicle Theft Investigators (TAVTI)/ Peter Olivares, President	El Paso Police Dept. 911 N. Raynor El Paso, TX 79903	915-731-5930	1757@elpasotexas.gov

Group or Association Name/ Contact Person	Address	Telephone	Email Address
Texas Law Enforcement Intelligence Units Association	PO Box 200328 Austin, TX 78720	512-464-3306	
Texas Violent Gang Task Force (TVGTF)		512-463-3091	gangs@texasattorneygeneral.gov
Texoma HIDTA Director Lance Sumpter Chicago HIDTA Director Nicholas Roti Arizona HIDTA Director Dawn Mertz SWB HIDTA/West Texas Region Director Travis Kuykendall SWB HIDTA/South Texas Region Director Tony Garcia Houston HIDTA Director Mike McDaniel		202-395-4868	
TIBH Industries/ Customer Service/ Robert Olivo	1011 East 53 ½ St, Austin, TX 78751	512-694-0756	robertolivo@tibh.org
Tigua Indian Tribe of Texas	El Paso, TX		
Tom A. "Andy" Vestal, PhD, Emergency Management Programs Director, Texas A&M AGRILIFE Extension Service		979/862-3013	t-vestal@tamu.edu
Transportation Security Administration (TSA) / Parish Blair		571-227-3280	Parish.blair@tsa.dhs.gov
U.S. Citizenship and Immigration Services (UCIS) / Dept. of Homeland Security (DHS) / Timothy Benz	300 N. Los Angeles Blvd., Room 3204, Los Angeles, CA 90012	877-469-2563	

Group or Association Name/ Contact Person	Address	Telephone	Email Address
U.S. Department of Justice Alcohol, Tobacco, Firearms and Explosives (ATF)	8610 Broadway, Suite 410 San Antonio, Texas 78217		
U.S. Department of Transportation National Highway Traffic Safety Administration	1200 New Jersey Avenue SE – 5th Floor Washington D.C. 20590	1-800-934-8517	
United States Attorney's Office, Waco/Mark Frazier	US Attorney's Office 800 Franklin, Suite 280 Waco, TX 76701	(254) 750-1580	mark.frazier@usdoj.gov
University of North Texas - Center for Human Identification	1508 W. Mulberry Denton, TX 76203	(940) 565-4335	www.untchi.org
US Customs and Border Protection/Jesus Chan Patrol Agent in Charge	207 W Del Mar Blvd Laredo, TX 78041	(956) 764-3227	Jesus.chan@dhs.gov
US Customs and Border Protection/Jesus Chan Patrol Agent in Charge	207 W Del Mar Blvd Laredo, TX 78041	(956) 764-3227	Jesus.chan@dhs.gov
US Department of Homeland Security/ Olga De Luna	6100 Guadalupe (Bldg E) Austin, TX 78753	(512) 462-6138	Olga.a.deluna@cbp.dhs.gov
US Department of Homeland Security/ Olga De Luna	6100 Guadalupe (Bldg E) Austin, TX 78753	(512) 462-6138	Olga.a.deluna@cbp.dhs.gov
US Department of Justice	601 NW Loop 401, Ste. 600 San Antonio, TX 78216	(210) 384-7140	
US DOJ – FBI / Assistant Legal Attache Fernando Benavides III	U.S Embassy Avenida Reforma 7-10, Guatemala City, Guatemala	502-4016-0142 Or 011-502-2326-4708	Fernando.Benavides@ic.fbi.gov
US Marshal Service	655 East Durgano Boulevard, Ste. 235 San Antonio, TX 78206	(210) 472-6540	
US Marshal/Liaison Officer/Justin Vickers	6100 Guadalupe St. Bldg. E Austin, TX 78752	512-595-1282	

Group or Association Name/ Contact Person	Address	Telephone	Email Address
US Treasury- FINCEN/ Intelligence Liaison Officer/Monty Dolieslager	6100 Guadalupe St. Bldg. E Austin, TX 78752	512-424-7847	Monty.dolieslager@dps.texas.gov
Vermont State Police/ Lt John Flannigan	2777 Saint George Rd Williston, VT 05495	802-872-4045	John.flannigan@vermont.gov
Yunpeng Zhang, PhD	University of Houston	713-743-0631	yzhang119@uh.edu

Table 24 Exhibit 14 Interagency, State, and National Association

Liaisons at Other State Agencies

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

Agency Name/ Relationship/ Contact Person	Address	Telephone	Email Address
Comptroller of Public Accounts/Cody Hays, Team Lead, Outreach, Statewide Procurement Division	LBJ Bldg., 111 E 17th St, Austin, Texas 78774	512/463-3392	cody.hays@cpa.texas.gov
Comptroller of Public Accounts/Duvan Arsola	LBJ State Office Building 111 E. 17 th Street Austin, TX 78774	512-936-4432	duvan.arsola@cpa.texas.gov
Comptroller of Public Accounts/Nicholas Watson	P.O. Box 13186, Austin, TX 78711- 3186	512.936.8458	nicklaus.watson@cpa.texas.gov
Comptroller of Public Accounts/Shane Hill, Agency Risk Manager, Agency Administration		512/463-2250	shane.hill@cpa.texas.gov
Comptroller of Public Accounts/SPA Analyst/Albert Kruzel	111 E 17 th St, Austin, TX 78774	(512) 936- 6350	Albert.Kruzel@cpa.texas.gov
Department of Information Resources – AT&T Consulting/ Daniel Lyons	William P Clements Bldg., 300 W 15th St, Ste 1300, Austin, Texas 78701	512-936-3319	daniel.lyons@dir.texas.gov
Department of Information Resources (DIR) / Director of Engineering / Jennifer Buass	PO Box 13564, Austin, TX 78711	512-462-3602	Jennifer.buass@dir.texas.gov

Agency Name/ Relationship/ Contact Person	Address	Telephone	Email Address
Department of Information Resources/ Monty Black, SOC Coordinator,	William P Clements Bldg., 300 W 15th St, Ste 1300, Austin, Texas 78701	512/475-4586	monty.black@dir.texas.gov
Department of Information Resources/ Nancy Rainosek	William P Clements Bldg., 300 W 15th St, Ste 1300, Austin, Texas 78701	512-463-1966	nancy.rainosek@dir.texas.gov
Department of Information Resources/ Todd Kimbriel	William P Clements Bldg., 300 W 15th St, Ste 1300, Austin, Texas 78701	512-474-4704	Todd.Kimbriel@dir.texas.gov
Department of State Health Services / Patricia Bryars	PO Box 149347 Austin, TX 78714	512-834-6739	Patricia.bryars@dshs.texas.gov
General Land Office/Brian Fisher	1700 N Congress Ave, Ste 935, Austin, Texas 78701-1495	512/463-2613	brian.fisher@glo.texas.gov
Health and Human Services Commission (HHSC) / Executive Commissioner for System Support Services / Roland Garza	PO Box 13247, Austin, TX 78711		Rolando.garza@hhsc.state.tx.us
Health and Human Services Commission/ Shirley Erp		512-438-2091	Shirley.Erp@hhsc.state.tx.us
Health and Human Services Commission/ William O'Neill, Director, Continuity of Operations and Emergency Management,	4900 N Lamar Blvd, Austin, Texas 78751-2316	512/420-2852	william.oneill@hhsc.state.tx.us
HHSC / Office of the Inspector General /contact varies	PO Box 85200, Austin, TX 78708	512-491-2000	
House Appropriations Committee Office – Malika Te	1200 Congress Ave, Austin, TX 78701	512-463-1092	Malika.Te_HC@house.texas.gov
Legislative Budget Board/Data Request/ Laurie Molina	1501 North Congress Austin, TX 78701	512-463-4512	Laurie.Molina@lbb.state.tx.us

Agency Name/ Relationship/ Contact Person	Address	Telephone	Email Address
Legislative Budget Board/Fisher Reynolds	1501 Congress Ave #5, Austin, TX 78701	512-463-5630	fisher.reynolds@lbb.state.tx.us
Office of Governor, Criminal Justice Division, Texas Crime Stoppers/Elaine Windberg, Director	4000 Jackson Avenue, Austin, TX 78731	512-463-1914	Elaine.windberg@gov.texas.gov
Office of the Attorney General	300 W 15 St., Austin, Texas 78701	512-463-2100	www.texasattorneygeneral.gov/contact-form/
Office of the Attorney General / Misty Miller	PO Box 12548, Austin, TX 78711	512-460-6046	Misty.miller@oag.texas.gov
Office of the Attorney General/Angela Colmenaro, Chief, General Litigation	300 W. 15 th Street, 11 th Floor Austin, Texas 78701	512-424-2180	angela.colmenaro@oag.texas.gov
Office of the Attorney General/Cheri Papke, Law Enforcement Division	300 West 15 th Street Austin, TX 78701		
Office of the Attorney General/Jason Anderson, Professional Standards Unit	300 W 15th St, Austin, Texas 78701	512/475-3397	jason.anderson@oag.texas.gov
Office of the Attorney General/Lacey E. Mase, Chief, Law Enforcement Defense Division	300 W. 15 th Street, 7 th Floor Austin, Texas 78701	512-463-2080	lacey.mase@oag.texas.gov
Office of the Attorney General/Lisa Tanner, Special Prosecution Unit	300 W. 15th Street Austin, TX 78701	(512) 463-2100	
Office of the Governor	Post Office Box 12428, Austin, Texas 78711	512/463-2000	www.governor.state.tx.us
Office of the Governor Greg Abbott/Associate Director CJD, Andrew Friedrichs	1100 San Jacinto Blvd. Austin, Tx 78701	(512) 463-8232	Andrew.Friedrichs@gov.texas.gov
Office of the Governor/ Jared Staples	State Insurance Bldg., 1100 San Jacinto Blvd, Austin, Texas 78701	512.463.1778	Jared.staples@gov.texas.gov

Agency Name/ Relationship/ Contact Person	Address	Telephone	Email Address
Office of the Governor/ Libby Elliott and John Hryhorchuk	1100 San Jacinto Blvd, Austin, TX 78701	512-463-1778	Libby.Elliott@gov.texas.gov John.Hryhorchuk@gov.texas.gov
Office of the Governor/ Seth Christensen, Policy Advisor	P.O. Box 12428, Austin, TX 78711	512-463-1778	Seth.Christensen@gov.texas.gov
Office of the Lt. Governor/Joaquin Guadarrama	1400 Congress Ave, Austin, TX 78701	512-463-6050	joaquin.guadarrama@ltgov.texas.gov
Public Utilities Commission/Cody Mulla, Infrastructure Analyst	1701 N Congress Ave, 7th Floor, Austin, Texas 78701	512/936-7392	cody.mulla@puc.texas.gov
Railroad Commission of Texas/Larry Elliott, GIS Well Mapping, Oil and Gas Division	1701 N Congress, Austin, Texas 78701	512/463-6852	larry.elliott@rrc.texas.gov
Secretary of State (SOS) / Elections Administration / Louri O'Leary	Elections Division, PO Box 12060, Austin TX 78711	512-463-3204	LO'Leary@sos.texas.gov
Senate Finance Committee Office/ Brady Vaughn	1200 Congress Ave, Austin, TX 78701	512-463-0370	brady.vaughn@senate.state.tx.us
SOAH / Hearings / Natasha Jasso	PO Box 13025, Austin, TX 78711	512-475-2452	Natasha.jasso@soah.texas.gov
SOS / Director of Elections / Keith Ingram		512-463-9871	KIngram@sos.texas.gov
SOS / Program Specialist / Brenda Hester		800-252-8683 option 1	BHester@sos.texas.gov
SOS / Voter Registration/ Betsy Schonhoff		512-463-5653	BSchonhoff@sos.texas.gov
Speaker of the House Office/Shelton Green	Room 2W.13 P.O. Box 2910 Austin, TX 78768	512-463-0278	Shelton.Green@speaker.texas.gov
State Auditor's Office	1501 Congress Ave, Austin, TX 78701	512-936-9500	
State Auditor's Office/ Lisa Collier, First Assistant State Auditor	1501 N Congress Ave, Austin, Texas 78701	512/936-9448	lisa.collier@sao.texas.gov

Agency Name/ Relationship/ Contact Person	Address	Telephone	Email Address
State Office of Administrative Hearings (SOAH) / Projects / Wendy Barron	PO Box 13025, Austin, TX 78711	512-936-6612	Wendy.barron@soah.texas.gov
TDCJ / Juan Granados	PO Box 13084, Austin, TX 78711	512-671-2527	Juan.granados@tdcj.texas.gov
TDCJ/ Liaison Analyst	6100 Guadalupe St., Bldg. E, Austin, TX 78752	512-424-5344	
Texas Alcohol and Beverage Commission	5806 Mesa Dr. Austin, TX 78731	512-206-3300	N/A – vacant
Texas Alcoholic Beverage Commission/Chief Dexter Jones	5806 Mesa Drive, Ste 175 Austin, TX 78731	(512) 206-3302	dk.jones@tabc.texas.gov
Texas Animal Health Commission/Jeff Turner, Director of Emergency Management	2105 Kramer Ln, Austin, Texas 78758	512/719-0786	jeff.turner@tahc.texas.gov
Texas Attorney General's Office/Sergeant Robert Butler	5740 University Heights Blvd., San Antonio, TX 78249	(210) 885-7230	robert.butler@texasattorneygeneral.gov
Texas Commission on Environmental Quality (TCEQ)/Morris R. Brown, Air Quality Division	P.O. Box 13087, Austin TX 78711-3087	(512) 239-1438	morris.brown@tceq.texas.gov
Texas Commission on Environmental Quality/ Lauren Parrish, Environmental Investigator	12100 Park 35 Circle, Austin, TX 78753	512.339.2929	lauren.parrish@tceq.texas.gov
Texas Commission on Environmental Quality/ Michelle Havelka, Assistant Homeland Security Coordinator	12100 Park 35 Circle, Austin, Texas 78753	512/239-3134	michelle.havelka@tceq.texas.gov
Texas Commission on Fire Protection/Tim Rutland, Executive Director	1701 N Congress Ave, Ste 105, Austin, Texas 78701	512/936-3812	tim.rutland@tcfp.texas.gov

Agency Name/ Relationship/ Contact Person	Address	Telephone	Email Address
Texas Commission on Law Enforcement	6330 U.S. 290 Frontage Rd # 200, Austin, TX 78723	(512) 936-7700	www.tcole.texas.gov
Texas Commission on Law Enforcement/ Sgt. Tracy Weems, Liaison Analyst	6100 Guadalupe St., Bldg. E, Austin, TX 78752	512-462-6150	
Texas Comptroller of Public Accounts/Eddy Trevino, State Energy Conservation Office	LBJ State Office Building, 111East 17 th Street, Suite 1118, Austin, TX 78701	512.463.1876	eddy.trevino@cpa.state.tx.us
Texas Comptroller's of Public Accounts / Jonathan W. Gonzalez	PO Box 13528, Austin, TX 78711	512-463-5902	Jonathan.gonzalez@cpa.texas.gov
Texas Department of Aging and Disability Service/Chris Bunton	701 W 51st St, Austin, Texas 78751	512-438-4691	chris.bunton@dads.state.tx.us
Texas Department of Agriculture/Michael Clark, Chief of Operational Support	1700 N Congress Ave, SF Austin Bldg., Room 1100A, Austin, Texas 78701	512/463-7488	Michael.Clark@TexasAgriculture.gov
Texas Department of Criminal Justice	PO Box 99 Huntsville, TX 77342	(936) 437-5164	
Texas Department of Criminal Justice – Security Operations/Jay Hart	P.O. Box 99 – Huntsville, TX 77342	(936) 437-6118	Jay.hart@tdcj.texas.gov
Texas Department of Criminal Justice (TDCJ) / Frances Gattis	PO Box 99, Huntsville, TX 77342	936-437-4456	Frances.gattis@tdcj.texas.gov
Texas Department of Criminal Justice, Office of Inspector General	4616 W. Howard Lane, Ste 250 Austin, TX 78728	(512) 671-2480	oig.gangs@tdcj.texas.gov
Texas Department of Criminal Justice/Kirk Moss, Incident Manager	209 W 14th St, Suite 500, Austin, Texas 78701	936/437-6038	kirk.moss@tdcj.texas.gov
Texas Department of Criminal Justice/Mike Bell	209 W 14th St, Suite 500, Austin, Texas 78701	936-437-1270	Mike.Bell@tdcj.texas.gov

Agency Name/ Relationship/ Contact Person	Address	Telephone	Email Address
Texas Department of Criminal Justice/Shawn Wallace	209 W 14th St, Suite 500, Austin, Texas 78701	936-437-1800	shawn.wallace@tdcj.state.tx.us
Texas Department of Family & Protective Services/Michael Kline	701 W 51st St, Austin, Texas 78751	512-929-6598	michael.kline@dfps.state.tx.us
Texas Department of Family and Protective Services/Exploitation Investigation Specialist Virginia Quinn	3635 S.E. Military Drive, San Antonio, TX 78223	(210) 337-3494	Virginia.quinn@dfps.state.tx.us
Texas Department of Family and Protective Services CPS Special Investigator Esquel Soliz	1340 Airport Commerce, Suite 525, Austin, Texas 78741	(512) 751-2976	Esequel.soliz@dfps.state.tx.us
Texas Department of Housing and Community Affairs/ Michael Lyttle, Chief of External Affairs	221 E 11th St, Austin, Texas 78701-2410	512/475-4542	michael.lyttle@tdhca.state.tx.us
Texas Department of Insurance, State Fire Marshal's Office/Chris Connealy, State Fire Marshal	333 Guadalupe St, Austin, Texas 78701	512/676-6780	chris.connealy@tdi.texas.gov
Texas Department of Insurance/Melissa Hield, Associate Commissioner, Consumer Protection	333 Guadalupe St, Austin, Texas 78701	512/676-6213	melissa.hield@tdi.texas.gov
Texas Department of Motor Vehicles	4000 Jackson Ave Austin 78731	1-888-368-4689	www.txdmv.gov/contact-us
Texas Department of Protective and Family Services/Commissioner Hank Whitman	701 W. 51 st Street, Austin, TX 78751	512-438-4800	https://www.dfps.state.tx.us/contact_us/map.asp
Texas Department of State Health Services/ Jeff Hoogheem, Deputy Director, Health Emergency & Preparedness Response Section	1100 W 49th St, Austin, Texas 78756-3199	512/776-3134	jeff.hoogheem@dshs.texas.gov
Texas Department of Transportation	125 East 11 th Austin 78701	512-936-0903	www.txdot.gov/contact-us

Agency Name/ Relationship/ Contact Person	Address	Telephone	Email Address
Texas Department of Transportation/Beverly West, Real Estate Manager, ROW Division	118 East Riverside Drive, Austin, TX 78704	512.486.5884	beverly.west@txdot.gov
Texas Department of Transportation/Gilbert Jordan, Emergency Management Coordinator	125 E 11th St, Austin, Texas 78701	512/416-3270	gilbert.jordan@txdot.gov
Texas Department of Transportation/Jude Schexnyder	7901 N. I-35 Austin, TX 78753	512-864-4081	jude.schexnyder@txdot.gov
Texas Department of Transportation/Lesley Trevino	125 East 11 th St., Austin, TX 78701	512-416-3286	Lesley.trevino@txdot.gov
Texas Dept. of Licensing and Regulation (TDLR) / Driver Education and Safety Programs / Brian Beall	PO Box 12157, Austin, TX 78711	512-767-6802	Brian.beall@tdlr.texas.gov
Texas Education Agency/Candace Stoltz, Director/School Safety, Discipline and Emergency Management	1701 N Congress Ave, Austin, Texas 78701-1494	512/463-9286	candace.stoltz@tea.texas.gov
Texas Facilities Commission/John S. Raff, Deputy Executive Director	1711 San Jacinto, Austin, TX 78701	512.463.3567	john.raff@tfc.state.tx.us
Texas Facilities Commission/Kristy Fierro, State and Federal Surplus Property Program	Central Services Building, 1711 San Jacinto, Austin, TX 78711-3047	512.507.7643	kristi.fierro@tfc.state.tx.us
Texas Facilities Commission/Peter E.G. Maass, Deputy Executive Director	1711 San Jacinto, Austin, TX 78701	512.463.9454	peter.maass@tfc.state.tx.us
Texas Forensic Science Commission	1700 North Congress Avenue, Suite 445 Austin, Texas 78701	1-888-296-4232	info@fsc.texas.gov

Agency Name/ Relationship/ Contact Person	Address	Telephone	Email Address
Texas General Land Office/Shawn Seale, MPA, Manager of Inventory and Sovereign Dispositions, Asset Management	P.O. Box 12873, Austin, TX 78711-2873	512.463.5174	shaun.seale@glo.texas.gov
Texas Governor's Office Child Sex Trafficking Team Director Andrea Sparks		(512) 695-3245	Andrea.sparks@gov.texas.gov
Texas Health and Human Services Commission/John Jackson, HHSC Director Emergency Services Program	4900 N Lamar Blvd, Austin, Texas 78751-2316	512/919-5733	john.jackson@hhsc.state.tx.us
Texas Health and Human Services, Roland D. Luna, Sr., Deputy Inspector General of Investigations			
Texas House of Representatives	P.O. Box 2910 Austin, Texas 78768-2910	512/463-0000	
Texas Juvenile Justice Department/Commander Xavier Casares	11209 Metric Blvd. Bldg H, Austin, TX 78758	(512) 490-7122	Xavier.casares@tjjd.texas.gov
Texas Juvenile Justice Department/Lory Alexander, Data Request	11209 Metric Blvd Bldg. H, Ste. A Austin, TX 78758	512-490-7058	Lory.Alexander@tjjd.texas.gov
Texas Military Department/Ruben Alonzo, Director of State Operations	2200 W 35th St, Camp Mabry, Bldg. 10, Austin, Texas 78763	512/782-1037	ruben.alonzo.nfg@mail.mil
Texas Military Department/Shelley Harris-Curtsinger	2200 W 35th St, Austin, TX 78763	512-782-5237	Shelley.Harris-Curtsinger@military.texas.gov
Texas Office of Court Administration/Richard Morse, Information Security Officer	205 W 14th St, Ste 600, Austin, Texas 78701	512/936-2101	richard.morse@txcourts.gov
Texas Parks and Wildlife Department/ Grahame Jones, Chief of Special Operations	4200 Smith School Rd, Austin, Texas 78744	512/389-4625	grahame.jones@tpwd.texas.gov

Agency Name/ Relationship/ Contact Person	Address	Telephone	Email Address
Texas Parks and Wildlife/Brent Satsky	4200 Smith School Rd, Austin, TX 78744	512-389-8824	brent.satsky@tpwd.texas.gov
Texas Parks and Wildlife/Grahame L. Jones	4200 Smith School Rd, Austin, TX 78744	512-389-4625	Grahame.Jones@tpwd.texas.gov
Texas Parks and Wildlife/Jonathan Gray	4200 Smith School Road Austin, TX 78744	512-389-4440	Jonathan.gray@tpwd.texas.gov
Texas Private Security Board (PSB)/Patti James, Chair	Patti James Investigations 7941 Katy Fwy., Suite 407 Houston, TX 77024	(713) 827-8542	patti@jamespi.com
Texas Racing Commission/ Chuck Trout, Executive Director	PO Box 12080 Austin, TX 78711	512-833-6699	Chuck.trout@txrc.texas.gov
Texas State Board of Pharmacy/Allison Vordenbaumen Benz, R.Ph., M.S., Director of Professional Services	333 Guadalupe St., Tower III, Suite 600 Austin, TX 78701	(512) 305-8037	Allison.Benz@pharmacy.texas.gov
Texas State Preservation Board/Rod Welch, Director	201 E 14th St, Ste 950, Austin, Texas 78701	512-463-5425	Roderick.welsh@tspb.texas.gov
Texas Workforce Commission / Francis Rodriguez	101 East 15 th St., Austin, TX 78778	512-936-2015	
Texas Workforce Commission/Raoul M. Mann, TWC Safety Officer	101 E 15th St, Austin, Texas 78778	512/463-2481	raoul.mann@twc.state.tx.us
Texas Youth Commission/Superintendent Danica Castaneda	5806 Culebra Road, San Antonio, TX 78228	(210) 436-1633	Danica.castaneda@tyc.state.tx.us
Travis County Sheriff's Office/Marco Rico	3614 Bill Price Rd. Del Valle, TX 78617	(512) 854-9889	marco.rico@traviscountytexas.gov
TX Dept. of Motor Vehicles (DMV)/David Duncan – General Counsel	4000 Jackson Avenue, Austin, TX 78731	512-465-4160	david.duncan@txdmv.gov

Agency Name/ Relationship/ Contact Person	Address	Telephone	Email Address
TX Lottery Commission/ Joseph Smith – Contracts Specialist	PO Box 16630 Austin, TX 78761	512-344-5246	Joseph.smith@lottery.state.tx.us
United States Attorney Office, Western District Of Texas Assistant U.S. Attorney Grant Sparks	816 Congress Avenue Suite 1000 Austin, Texas 78701	(512) 916- 5858	Grant.sparks@usdoj.gov

Table 25 Exhibit 14 Liaisons at Other State Agencies

XI. Additional Information

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

See [Appendix XI.1 – Reporting Requirements](#).

- B. Has the agency implemented statutory requirements to ensure the use of "first person respectful language"? Please explain and include any statutory provisions that prohibits these changes.

The Department is not an agency specifically subject to the requirements of Chapter 325 and 392 of the Government Code directing a review of statutes, reference materials, publications and electronic media to ensure usage of preferred language. The Department is not aware of any statutory language in any enabling statutes for the Department that presently impede the usage of first person respectful language in Department rules and policy.

- C. Fill in the following chart detailing information on complaints regarding your agency. Do not include complaints received against people or entities you regulate. The chart headings may be changed if needed to better reflect your agency's practices.

**Texas Department of Public Safety
Exhibit 16: Complaints Against the Agency — Fiscal Years 2015 and 2016**

	Fiscal Year 2015	Fiscal Year 2016
Number of complaints received	481	557
Number of complaints resolved	388	472
Number of complaints dropped / found to be without merit	71	102
Number of complaints pending from prior years	14	32
Average time period for resolution of a complaint	21	25

Table 26 Exhibit 16 Complaints Against the Agency

- D. Fill in the following charts detailing your agency's Historically Underutilized Business (HUB) purchases.

**Texas Department of Public Safety
Exhibit 17: Purchases from HUBs**

Fiscal Year 2015

Category	Total \$ Spent	Total HUB \$ Spent	Percent	Agency Specific Goal*	Statewide Goal
Heavy Construction	\$171,369	\$130,345	76.06%	11.2%	11.2%
Building Construction	\$2,241,387	\$59,219	2.64%	21.1%	21.1%
Special Trade	\$3,616,421	\$806,702	22.31%	32.9%	32.9%
Professional Services	\$2,130,283	\$841,443	39.50%	23.7%	23.7%
Other Services	\$110,496,541	\$16,104,656	14.57%	26.0%	26.0%
Commodities	\$87,197,487	\$12,081,728	13.86%	21.1%	21.1%
TOTAL	\$205,853,491	\$30,024,094	14.59%		

Table 27 Exhibit 17 HUB Purchases for FY 2015

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

Fiscal Year 2016

Category	Total \$ Spent	Total HUB \$ Spent	Percent	Agency Specific Goal	Statewide Goal
Heavy Construction	\$152,834	\$47,147	30.85%	11.2%	11.2%
Building Construction	\$623,697	\$317,886	50.97%	21.1%	21.1%
Special Trade	\$2,671,053	\$935,836	35.04%	32.9%	32.9%
Professional Services	\$4,442,252	\$14,530	0.33%	23.7%	23.7%
Other Services	\$99,637,543	\$10,866,614	10.91%	26.0%	26.0%
Commodities	\$80,986,206	\$13,251,085	16.36%	21.1%	21.1%
TOTAL	\$188,513,587	\$25,433,099	13.49%		

Table 28 Exhibit 17 HUB Purchases for FY 2016

Fiscal Year 2017 (Semi-Annual)*

Category	Total \$ Spent	Total HUB \$ Spent	Percent	Agency Specific Goal	Statewide Goal
Heavy Construction	\$56,202	\$00	0.00%	11.2%	11.2%
Building Construction	\$1,116,804	\$959,151	85.88%	21.1%	21.1%
Special Trade	\$2,638,871	\$536,888	20.35%	32.9%	32.9%
Professional Services	\$8,828,669	\$586,323	6.64%	23.7%	23.7%
Other Services	\$50,578,522	\$7,184,573	14.20%	26.0%	26.0%
Commodities	\$46,847,857	\$6,840,939	14.60%	21.1%	21.1%
TOTAL	\$110,066,928	\$16,107,877	14.63%		

Table 29 Exhibit 17 HUB Purchases for FY 2017

*FY 2017 Annual HUB Report should be available from the Comptroller's office in November 2017.

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

The Texas Department of Public Safety (DPS) known as the Department, has adopted the Statewide HUB Program rules as its own. DPS is committed to promoting full and equal business opportunities for all businesses in state contracting in accordance with the goals specified in the State of Texas Disparity Study. The Department has a HUB policy which addresses performance shortfalls by continually reviewing HUB participation. The Department makes a good faith effort to identify and utilize HUB vendors within all procurement processes. In addition, the Department hosts and participates in HUB forums across the state and educates HUBs on how to do business with the Department and the State of Texas.

DPS has worked diligently to meet its goals of contracting with HUBs. While not all goals were met, a good faith effort has been made to achieve the goals. As an example, DPS currently has five (5) Mentor-Protégé Agreements in place. The objective of the Mentor Protégé Program is to provide professional guidance and support to the protégé (HUB) in order to facilitate their growth and development and increase HUB contracts and subcontracts with the state while also enabling the mentor to use their protégés to fulfill HUB subcontracting requirements when bidding on state contracts with expected values of \$100,000 or more.

The DPS HUB program works closely with the purchasing department to integrate the purchasing guidelines and the HUB rules to facilitate implementation and compliance for each DPS internal purchase. Both departments work closely with the other internal departments to ensure that qualified HUBs are included in procurement opportunities for purchases over \$5,000. For purchases \$5,000 and under, the utilization of HUB firms by DPS personnel is encouraged to the maximum extent possible. DPS sends bidding opportunities to minority trade organizations, chambers of commerce and small business development centers.

DPS's improvement efforts for increased HUB utilization will continue to include:

- Established a HUB section independent of the Procurement & Contract Services effective March 1, 2017; which consist of (6) six dedicated staff for the HUB program. Currently there are (3) three positions vacant due to the State of Texas hiring freeze;
- Implementation of internal procurement initiatives that include stricter bid requirements than those set by the Office of the Comptroller of Public Accounts (CPA);
- Development of prime contractor and HUB subcontractor relationships through DPS's Mentor Protégé Program;
- Increased awareness of DPS procurement opportunities through the agency's website,
- Electronic State Business Daily, local commerce events, and statewide forums;
- Attendance by the HUB staff and/or designee at pre-bid conferences to provide subcontracting instructions;
- Host or co-host annual Economic Opportunity Forums (EOF);
- Host one annual training for DPS employees;

- Coordination of networking opportunities for vendors to meet key DPS staff;
- Attendance at EOFs and HUB-oriented trade fairs with bid opportunities;
- Identify and participate, whenever possible, in activities provided by the State or an agency of the State that encourage the inclusion of minority-and/or woman-owned businesses, such as the HUB Discussion Workgroup
- Interacts with minority trade organizations, chambers of commerce, and small business development centers to answer questions and provide HUB information;
- Identification and assistance for HUB contractors who need certification or re-certification;
- Analyzes expenditures by division and communicate suggestions for increased HUB participation.

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

DPS' policy is to achieve annual HUB Program goals by contracting with HUBs directly and indirectly through subcontracting opportunities. DPS enforces 34 TAC 20B on all contracts with an expected value of \$100,000 or more and, whenever feasible, on contracts with a total value of less than \$100,000.

DPS posts a HUB Subcontracting Plan (HSP), when applicable, along with the bidding opportunities to the Electronic State Business Daily (ESBD) website for contracts that have been identified with subcontracting opportunities. DPS's goal is to assist HUBs by effectively promoting and encouraging full and equal state contracting opportunities for small and minority businesses. DPS achieves this goal by providing education, communication, training, awareness and outreach; all of which are outlined in more detail further in this document.

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

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

Yes-

Juana Lisa Maldonado, CTCM, CTPM
HUB Program Director
Texas Department of Public Safety
Street Address: 5805 North Lamar Blvd.
Austin, Texas 78752-4431
Mailing Address: P O Box 4087

Austin, Texas 78773-0001

Phone: (512) 424-0279 | Cell: (512) 284-1819 | FAX: (512) 424-5419 <http://www.dps.texas.gov/administration/hub.htm>

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

DPS complies with the HUB Outreach requirements of the Texas Government Code, Chapter §2161, and Title 34, Texas Administrative Code, Sections §20.297. DPS continues to implement process improvements on internal and external HUB Economic Opportunity Forums (EOF).

DPS maintains documentation to demonstrate that the agency informed HUB vendors to make presentations about the goods and services relevant to subcontracting opportunities in current contracts and bidding opportunities. In conjunction with notifying the minority trade organizations (recognized by CPA), DPS will publish procurement opportunities in other appropriate trade publications.

The responsibilities of the HUB Division are the following:

- Creates an “Educational and Training Outreach Report” on events attended;
- Provides current DPS bidding opportunities to vendors at EOFs;
- Sponsors “Vendor Market Days” and other internal EOFs to allow vendors showcase their business to DPS staff;
- Initiates DPS outreach efforts to HUB vendors;
- Participates in forums, workshops and seminars related to HUBs;
- Contacts HUB vendors and minority organizations concerning bid opportunities. Provide information that will encourage women- and minority-owned businesses to become HUB-certified;
- Develops brochures and training materials;
- Performs research regarding potential HUB vendors and serve as a liaison between DPS divisions and vendors to advance the HUB Program initiatives;
- May assist vendors inquiring about HUB certification and re-certification process, making appropriate referrals to the Comptroller’s office;
- Attends HUB-related meetings, when possible. Share information in periodic meetings and/or via an email;
- Attends HUB Discussion Workgroup and HUB Advisory Committee meetings when possible and/or send a replacement designee. Share information in a status report to management or via an email.

3. Has your agency developed a mentor-protégé program to foster long-term relationships between prime contractors and HUBs and to increase the ability of

**HUBs to contract with the state or to receive subcontracts under a state contract?
(Texas Government Code, Sec. 2161.065; TAC Title 34, Part 1, rule 20.298)**

Yes, the mission of DPS Mentor Protégé Program is to build effective working relationships and/or joint ventures between leaders of mature establish companies in the appropriate industry and Texas certified HUBs. DPS is currently sponsoring the following approved Mentor Protégé Agreements (MPA):

Mentor Name	Protégé Name	Effective Date	Termination Date
GTECH CORPORATION	BUSINESS ASSETS ENTERPRISES LP	8/14/2014	8/14/2018
DELL MARKETING LP	SPECTRUM IMAGING TECHNOLOGIES, INC.	3/30/2016	3/29/2018
STEEL DIGITAL STUDIOS, INC.	THE URBAN CIRCLE LLC	9/30/2015	9/29/2017
COOPER CONSULTING COMPANY	RECRUIT VETERANS	8/10/2015	8/9/2017
SURVEYING and MAPPING, INC. (SAM, INC.)	HYDRO EX	8/15/2012	8/14/2017
SISTEMA TECHNOLOGIES, INC.	MPULSE HEALTHCARE, LLC	8/17/2015	8/16/2017

DPS actively recruits applicants and promotes the HUB Mentor Protégé program through the following activities:

1. Hosting and Co-hosting HUB forums to recruit participants;
2. Notifying Mentor and Protégés of current bidding opportunities;
3. Routinely reaching out to prime vendors to identifying subcontracting opportunities;
4. DPS is working to educate and improve performance within its Mentor Protégé Program by face-to-face or teleconference meetings.

H. Fill in the charts below detailing your agency's Equal Employment Opportunity (EEO) statistics.

**Texas Department of Public Safety
Exhibit 18: Equal Employment Opportunity Statistics**

1. Officials / Administration

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2015	326	7.67%	7.40%	19.94%	22.10%	38.96%	37.40%
2016	338	7.12%	7.40%	20.90%	22.10%	37.48%	37.40%
2017	(number)	(percent)	7.40%	(percent)	22.10%	(percent)	37.40%

Table 30 Exhibit 18 EEO Statistics for Officials/Administration

2. Professional

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2015	1879	10.48%	10.40%	22.25%	19.30%	47.10%	55.30%
2016	1960	10.96%	10.40%	18.55%	19.30%	54.88%	55.30%
2017	(number)	(percent)	10.40%	(percent)	19.30%	(percent)	55.30%

Table 31 Exhibit 18 EEO Statistics for Professionals

3. Technical

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2015	590	10.85%	14.40%	42.20%	27.20%	49.83%	55.30%
2016	601	13.75%	14.40%	28.82%	27.20%	51.31%	55.30%
2017	(number)	(percent)	14.40%	(percent)	27.20%	(percent)	55.30%

Table 32 Exhibit 18 EEO Statistics for Technical

4. Administrative Support

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2015	2667	23.85%	14.80%	33.52%	34.80%	84.10%	72.10%
2016	2706	13.58%	14.80%	33.00%	34.80%	72.80%	72.10%
2017	(number)	(percent)	14.80%	(percent)	34.80%	(percent)	72.10%

Table 33 Exhibit 18 EEO Statistics for Administrative Support

Service / Maintenance

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2015	158	39.87%	13.00%	35.44%	54.10%	37.34%	51.00%
2016	150	12.22%	13.00%	53.71%	54.10%	51.35%	51.00%
2017	(number)	(percent)	13.00%	(percent)	54.10%	(percent)	51.00%

Table 34 Exhibit 18 EEO Statistics for Service and Maintenance

5. Skilled Craft

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2015	105	9.52%	10.60%	36.19%	50.70%	12.38%	11.60%
2016	116	9.52%	10.60%	49.26%	50.70%	11.13%	11.60%
2017	(number)	(percent)	10.60%	(percent)	50.70%	(percent)	11.60%

Table 35 Exhibit 18 EEO Statistics for Skilled Craft**I. Does your agency have an equal employment opportunity policy? How does your agency address performance shortfalls related to the policy?**

The Department's Equal Employment Opportunity policy is located in Chapter 18 of our General Manual and is also found below. The Department utilizes a Disciplinary Matrix to determine what the appropriate course of action is for the individual employee who has violated the EEO policy.

EQUAL EMPLOYMENT OPPORTUNITY

Chapter 18 of the General Manual

18.25.00 DISCRIMINATION, SEXUAL HARASSMENT and UNPROFESSIONAL CONDUCT POLICY

25.01 Policy. Inappropriate conduct of a discriminatory or sexual nature that interferes with an individual's work or creates an intimidating, hostile, or offensive environment will not be tolerated or condoned by the Department. The Department has "zero tolerance" towards inappropriate comments, gestures, jokes, and behavior regarding a person's or class of persons' sex, race, color, national origin, religion, age, disability, or sexual orientation. The intent behind the words or action is irrelevant; such behavior will not be tolerated.

It is the policy of the Department that:

1. No employee shall be subjected to employment decisions based on sex, race, color, national origin religion, age, disability, or sexual orientation.
2. No employee shall use the Department's authority to subject members of the public to decisions based on sex, race, color, national origin, religion, age, disability, or sexual orientation.
3. Unprofessional conduct, as defined by this section, will not be tolerated and is prohibited.
4. Discrimination, as defined by this section, will not be tolerated and is prohibited.
5. Sexual harassment, as defined by this section, will not be tolerated and is prohibited.
6. Any form of harassment, as defined by this section, will not be tolerated and is prohibited.
7. Retaliation, as defined by this section, will not be tolerated and is prohibited.
8. All Department rules and practices will, at a minimum, comply with applicable state and federal anti-discrimination laws and guidelines.

The Department will take corrective and/or disciplinary action, up to and including termination of employment, for violations of this policy whether or not the conduct at issue meets the legal

definitions(s) of discrimination, sexual harassment or retaliation. The severity of such action will be determined on a case-by-case basis.

25.02 Definitions

1. "Discrimination" means any of the following:
 - a. Consideration of a person's sex, race, color, national origin, religion, age or disability as a factor in decisions concerning hiring, firing, compensation, promotion, discipline, training, benefits or other terms, conditions or privileges of employment when such quality bears no objective relationship to the matter being decided.
 - b. Adoption of rules or practices regarding hiring, firing, compensation, promotion, discipline, training, benefits or other terms, conditions or privileges of employment that are more restrictive than necessary to accomplish legitimate objectives and that have a disproportionate adverse impact on persons of a particular sex, race, color, national origin, religion, age or disability.
 - c. Interference with the exercise of a person's legal rights or privileges due to the person's sex, race, color, national origin, religion, age or disability.
 - d. Adoption of rules or practices that are not justified by a compelling need and that have an adverse impact on the exercise of legal rights or privileges by a disproportionately high number of persons of a particular sex, race, color, national origin, religion, age or disability.

It is not a defense that the violator of this policy is of the same sex, race, color, national origin, religion, age or disability as the subject of the discrimination.

2. "Harassment" means any or all of the following that is based on a person's sex, race, color, national origin, religion, age or disability and has the purpose or effect of interfering with a person's work performance and/or creating a hostile, intimidating or offensive working environment:
 - a. unwarranted criticism of one's job performance or work habits ;
 - b. unsolicited and unwanted comments regarding one's personal life and/or habits; or
 - c. unwelcome and unnecessary physical contact.
3. "Sexual harassment" is a form of discrimination based on sex and means unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:
 - a. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,
 - b. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or

- c. the severity or pervasiveness of such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.
4. "Retaliation" means instigating, implementing or condoning adverse treatment of a person because the person:
 - a. opposed, or reported, a suspected violation of this policy or any state or federal law regarding discrimination, harassment, or retaliation;
 - b. provided information related to complaints under this policy or any state or federal law regarding discrimination, harassment, or retaliation; or
 - c. participated in the investigation of complaints under this policy or any state or federal law regarding discrimination, harassment, or retaliation.

Some examples of actions which might be considered by the Department to be adverse treatment include, but are not limited to: inconsistently taking corrective actions against employees, unjustifiably changing an employee's work assignment, refusing to cooperate or discuss work-related matters with an employee, or providing ratings on an employee's performance evaluation which are below the employee's actual job performance. Retaliation does not exist if it can be shown that there was a legitimate and nondiscriminatory reason for the action taken.

5. "Unprofessional conduct" refers to any conduct, comments, humor, jokes, or other behavior involving sex, race, color, national origin, religion, age, disability, or sexual orientation which may not meet the legal definitions of discrimination, sexual harassment, or hostile work environment but nevertheless reflect negatively on the Department, regardless of the sex, race, color, national origin, religion, age, sexual orientation or disability of those involved.

Some examples of actions which might be considered by the Department to be unprofessional conduct include, but are not limited to: telling racial or sexual jokes or making fun of, demeaning, harassing, or belittling another because of his or her sex, race, color, national origin, religion, age, disability, or sexual orientation.

25.03 Persons Covered By This Policy. This policy applies to every person connected to the Department, including but not limited to:

1. Every full-time, part-time, and temporary employee of the Department;
2. Each person volunteering or interning with the Department; and
3. Non-employees connected to the Department (e.g., contractors, vendors, staff of other governmental agencies);

An individual who is not certain whether he or she has grounds to submit a complaint alleging a violation of this policy is encouraged to contact the Equal Employment Opportunity Officer to discuss his or her questions or concerns.

Texas Department of Public Safety Disciplinary Matrix

Category A – Conduct in violation of law or policy that has a minimal negative impact on either public safety or customer service.

Category B – Conduct in violation of law or policy that has more than a minimal impact on either public safety or customer service or that negatively impacts relationships with colleagues, other agencies or the public.

Category C- Conduct in violation of law or policy that has a pronounced negative impact on either public safety or customer service or a pronounced negative impact on relationships with colleagues, other agencies or the public.

Category D –Conduct in violation of law or policy that involves the serious abuse or misuse of authority, unethical behavior or that causes a serious and adverse impact on either public safety or customer service.

Category E – Conduct in violation of law or policy that causes death or serious bodily injury, constitutes a disregard of the core values of the Department, demonstrates a serious lack of integrity related to the fitness to hold a position in a law enforcement agency or involves any conduct which constitutes the failure to adhere to a requirement of certification or licensure mandated by law.

Demotion is a permissible penalty under Categories C, D and E in addition to or instead of the penalties indicated when, within the judgment of management, the capacity of the employee to supervise others has been compromised because of the sustained misconduct. Non-disciplinary demotions for the good of the service are addressed at Section 07.50.00.

Penalty Table

Misconduct Category	Mitigated Penalty	Presumptive Penalty	Aggravated Penalty
Category A	Management through oral counseling and coaching *	Management through oral counseling and coaching *	Written Reprimand
Category B	Written Reprimand	1 Day suspension	1-3 day suspension
Category C	1 day suspension	3 day suspension	Up to 5 day suspension
Category D	3 day suspension	5-10 day suspension	30 day suspension- Termination
Category E	30 day suspension	Termination	Termination

*Routine counseling and coaching, including documentation through scheduled and unscheduled performance evaluations is a basic management responsibility that is not considered a part of the

formal disciplinary process. Therefore, the investigation, review and appeal processes applicable to formal disciplinary actions are inapplicable.

XII. Agency Comments

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