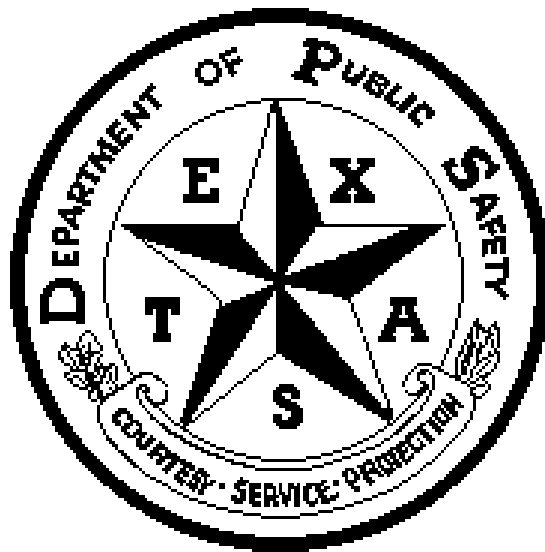


**TEXAS DEPARTMENT
OF
PUBLIC SAFETY**



**SELF-EVALUATION REPORT
TO THE
SUNSET ADVISORY COMMISSION**

TABLE OF CONTENTS

I.	Agency Contact Information	4
II.	Key Functions and Performance	5
III.	History and Major Events.....	52
IV.	Policymaking Structure	55
V.	Funding	59
VI.	Organization.....	75
VII.	Guide to Agency Programs	
	Highway Patrol.....	80
	Commercial Vehicle Enforcement	89
	Vehicle Inspection.....	100
	Capitol Security.....	108
	Communications Service.....	114
	Breath Alcohol Testing	119
	Texas Rangers	131
	Unsolved Crimes Investigation	135
	Narcotics Enforcement	141
	Criminal Intelligence.....	149
	Vehicle Theft Enforcement	157
	Scientific Analysis of Forensic Evidence	166
	CODIS-DNA.....	172
	Customer Service	176
	Driver License Issuance	180
	Driver Improvement.....	189
	Safety Responsibility.....	195
	Driver Records	201
	Driver License Field Offices	206
	Administrative License Revocation.....	212
	Driver Responsibility	217
	Fraud Unit.....	221
	Driver License Reengineering.....	225
	Crash Records	230
	Private Security	235
	Concealed Handgun Licensing.....	242
	Texas Crime Information Center.....	247
	Criminal History Access & Dissemination.....	253
	Uniform Crime Reporting	258
	Criminal History Record Information.....	263
	Sex Offender Registration.....	268
	Training.....	274

	Motorcycle Operator Training.....	278
	Human Resources.....	284
	Psychological Services	288
	Fleet Operations	294
	Building Program.....	299
	General Services.....	303
	Equal Employment Opportunity (EEO) Officer.....	307
	Radio Frequency	310
	Office of General Counsel.....	314
	Records Management.....	319
	Internal Affairs	322
	Public Information.....	330
	Employee Relations.....	334
	Accounting and Budget Control.....	338
	Audit and Inspection	342
	Information Management	346
	Aircraft Operations.....	354
	GDEM-State Administrative Agency.....	358
	GDEM-Field Response	363
	GDEM-Operations	367
	GDEM-Recovery	373
	GDEM-Mitigation.....	380
	GDEM-Preparedness.....	385
	GDEM-Support Services.....	390
VIII.	Statutory Authority and Recent Legislation	394
IX.	Policy Issues.....	434
X.	Other Contacts.....	452
XI.	Additional Information	
	Complaint Data.....	469
	HUB Data.....	470
	EEO Data.....	479
XII.	Agency Comments	482

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				
	Name	Address	Telephone & Fax Numbers	E-mail Address
Agency Head	Thomas A. Davis, Jr. Director	5805 N. Lamar Austin, Texas 78752	512-424-7770 512-424-5708	tommy.davis@t xdps.state.tx.us
Agency's Sunset Liaison	Burton W. Christian Chief of Administration	5805 N. Lamar Austin, Texas 78752	512-424-2100 512-424-5708	burton.christian @txdps.state.tx. us

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.
--

MISSION

The Texas Department of Public Safety is an agency of this state created to provide public safety services to those people in the state of Texas by enforcing laws, administering regulatory programs, managing records, educating the public, and managing emergencies, both directly and indirectly through interaction with other agencies.

PHILOSOPHY

All members of the Department shall serve the public to the best of their ability by being dedicated and accountable and by managing all allocated resources effectively and efficiently. This agency, through ethical leadership and superior employee development, seeks to preserve the peace and to protect all people in the state of Texas and their property, rights, and privileges. To this end, it is imperative that all employees uphold the Department motto of COURTESY - SERVICE - PROTECTION and respect the constitutional rights of all persons to liberty, equality, and justice.

VISION

To be an agency in which all employees work together to achieve a safer Texas by providing enhanced public safety services.

- Increasing quality and timeliness of services
- Improving use of resources
- Improving support for employees
- Improving communications
- Increasing public access
- Increasing visibility to customers
- Increasing public support
- Increasing legislative confidence/mission understanding
- Improving a positive image

GOALS

Promote traffic safety, the preservation of the peace, and the detection and prevention of crime on highways.

Ensure the competency of Texas drivers through licensing and the management of licensing and traffic safety records.

Promote the preservation of the peace and the prevention and detection of crime.

Respond in a timely fashion to emergencies and disasters and administer a comprehensive emergency management program.

Examine qualified applicants and license those who are proficient and competent as polygraph examiners, concealed handgun licensees, and private security licensees.

Indirect Administration and Support.

OBJECTIVES

TRAFFIC SAFETY

To reduce death, injury, and economic loss by working to reduce the rural traffic death rate in Texas

DRIVER SAFETY AND RECORDS

To improve traffic safety through licensing of competent drivers and the management of licensing and traffic safety records

REDUCE CRIMINAL ACTIVITY

To reduce death, injury, and economic loss by working to reduce criminal activity in Texas

EMERGENCY MANAGEMENT

To reduce death, injury, and economic loss by providing guidance and assistance for the development, maintenance, and enhancement of emergency preparedness, mitigation, recovery, and response as required by statute

CONCEALED HANDGUNS

To administer the handgun licensing program for the protection of the general public

PRIVATE SECURITY

To enforce the provisions of the Private Security Act for the protection of the general public and consumers of private investigations and security services and products

INDIRECT ADMINISTRATION AND SUPPORT

To provide indirect administration and support services to the Department

KEY FUNCTIONS

TEXAS HIGHWAY PATROL DIVISION

The Texas Highway Patrol (THP) Division, the largest division in DPS, consists of 3,620 members, including 2,500 commissioned officers and 1,120 civilian support personnel.

The enforcement, regulatory and support services of the division are separate units with programs that are designed to complement one another in order to accomplish division objectives.

Highway Patrol Service

The Highway Patrol Service is responsible for police traffic supervision, general police work on highways, public safety education and police and security functions for the State Capitol building and Capitol complex.

The following activities are performed in fulfilling these responsibilities:

- Police Traffic Supervision on approximately 223,006 miles of rural highways
 - Police traffic direction
 - Police traffic crash investigation
 - Police traffic law enforcement and patrol
- General Police Work
 - Criminal law enforcement
 - Emergencies and disasters
 - Concealed handgun license investigations
 - Security activities
- Public Safety Education
 - Public traffic safety education

- Public education in crime prevention and civil defense matters
- Public information
- Capitol Security Functions
 - Police and security functions for the Capitol building
 - Police and security functions for the Capitol Complex
 - Specialized police and parking administrative functions

In addition to the above activities, THP troopers conduct fraudulent document investigations, are partnered with drug, bio/chemical and explosive detection canines, are members of Civil Disturbance Management Teams, DPS Dive Team and SWAT team, provide dignitary protection for the Governor and other state and national dignitaries, and provide forensic mapping of crime scenes.

Commercial Vehicle Enforcement Service

The primary duties of this service involve enforcement of all commercial vehicle regulations. These regulations are aimed at reducing commercial motor vehicle crashes, protecting the state highway system from unnecessary damage by securing compliance with state laws regulating weight, and ensuring proper payment of commercial vehicle registration fees. Commercial Vehicle Enforcement (CVE) troopers enforce regulations involving size and weight, registration, motor carrier safety, hazardous materials, financial responsibility, as well as general traffic and criminal laws. CVE troopers conduct visible patrols on rural highways and perform inspections at fixed locations throughout the state and eight border inspection facilities along the Texas/Mexico border.

Communications Service

The Communications Service operates a statewide network designed to serve the communications requirement of all criminal justice agencies. The system utilizes radio, telephone, and landline connections to the Texas Crime Information Center (TCIC), National Crime Information Center (NCIC), and other law enforcement databases. The Communications Service consists of 266 personnel, including 223 operators and 43 supervisors.

The Communications Service in each DPS region is managed by a regional police communications supervisor. Each facility is staffed by civilian personnel including one supervisor and five to ten operators who handle part of the department's statewide police radio system that covers approximately 97 percent of Texas' geographical area. This system consists of thirty-four 24-hour communications centers and 64 mobile relay stations.

Each facility has access to numerous data files through the Texas and National Law Enforcement Telecommunications Systems. These data files contain information on stolen property, wanted persons, missing persons, protective orders issued against persons, sex offenders, persons with concealed handgun licenses, criminal histories, driver licenses, commercial vehicles, and vehicle registrations.

The communications facilities also play a vital role in emergency management, ranging from operating national and state early warning systems to staffing on-site command centers after the disaster.

Vehicle Inspection Service

Texas has a compulsory vehicle inspection program that helps to keep Texas roadways safe by requiring vehicles to be inspected annually for conditions or defects that might cause traffic collisions. The program also seeks to reduce vehicle emissions in certain counties. Safety inspections are conducted in all counties. In the Houston/Galveston, Dallas/Tarrant, and Travis/Williamson metropolitan areas, there is also an emissions test done in conjunction with the annual safety inspection.

Vehicle Inspection (VI) Service personnel supervise inspection stations in order to ensure quality inspections conducted under the Texas Vehicle Inspection Act. VI personnel are charged with detecting violations and taking administrative enforcement action against inspection stations and certified inspectors to ensure compliance with the law. VI staff members investigate new stations that apply to become official inspection stations, train and examine prospective inspectors, conduct routine quality control checks, and investigate citizen complaints.

Vehicle Inspection personnel supervise more than 9,900 public inspection stations and more than 38,000 licensed inspectors. Stations under the service's supervision conduct more than 16 million vehicle inspections annually. There are over 800 commercial inspection stations that inspect approximately 428,000 commercial vehicles each year.

Breath Alcohol Testing

The Breath Alcohol Testing Bureau is comprised of the Scientific Director's Office and the Department's technical supervisors with an authorized strength of 33 employees.

The Scientific Director's Office administers and regulates the state breath alcohol testing program through technical supervisors in compliance with Texas Breath Alcohol Testing regulations. All analyses conducted by state, county and city law enforcement officials are performed in accordance with these regulations, which require the certification of all aspects of breath testing. These breath alcohol analyses are performed in conjunction with driving and boating while intoxicated offenses and the enforcement of Commercial Driver License statutes. The Scientific Director's Office also administers and regulates the state's Ignition Interlock Program through Ignition Interlock Inspectors in compliance with the Texas Ignition Interlock Device Regulations.

The Scientific Director's Office certifies evidential breath alcohol testing instrumentation, directly manages the Department's technical supervisors and certifies and administratively regulates technical supervisors employed by other agencies.

Duties include certification of 380 breath testing instrument locations, 5,300 breath test operators

(2,150 DPS and 3,150 other agency) along the approval and regulation of six breath operator schools. The bureau also provides expert testimony, as needed, in contested criminal, civil, and administrative breath test cases.

The Scientific Director's Office certifies breath alcohol ignition interlock devices, ignition interlock service representatives and ignition interlock service centers. The bureau's ignition interlock inspectors regulate 280 ignition interlock service representatives in 170 certified ignition interlock service centers, servicing approximately 16,000 ignition interlocks.

TEXAS RANGER DIVISION

The Texas Ranger Division is authorized 118 commissioned officers (18 supervisors, 92 field investigators, and eight unsolved crime investigators), and 22 support personnel.

The Texas Ranger Division is responsible for the enforcement of criminal laws through proactive and reactive methods in an effort to reduce criminal acts and apprehend suspected criminals. The Rangers coordinate their investigative and crime-detection efforts with federal, state, and local agencies that have a concurrent interest in criminal investigations. The division provides a focused effort on smaller law enforcement agencies that may require more extensive investigative assistance.

The Unsolved Crime Investigation Team (UCIT) is responsible for providing dedicated statewide assistance to other law enforcement agencies in the investigation of unsolved homicides and unsolved serial crimes.

CRIMINAL LAW ENFORCEMENT DIVISION

The Criminal Law Enforcement (CLE) Division consists of 1,055 members, including 565 commissioned officers and 490 civilian personnel.

The four major services of the division are Narcotics, Criminal Intelligence, Motor Vehicle Theft, and the Crime Laboratory. These services work in coordination to enforce criminal laws of this state and work toward preventing, suppressing, and solving crime in cooperation with city, county, state, and federal law enforcement agencies. Multi-jurisdictional violations typically investigated by CLE include terrorism, narcotics, organized criminal activity, motor vehicle theft, gambling, public corruption, fraud, theft, and counterfeit documents.

CLE has the overall responsibility for the Special Weapons and Tactics Team (SWAT). Participation is a collateral duty for 20 commissioned officers from Drivers License, Texas Highway Patrol and CLE.

Narcotics Service

The Narcotics Service is charged with addressing the Texas drug problem. The Service provides a wide range of resources to aid the local, state, and federal agencies in drug law enforcement. The service conducts professional and deliberate drug law enforcement through proven methods, careful research and analysis, and the use of innovative advancements in its overall direction of the state's enforcement efforts against illegal drug trafficking. Several investigative priorities have been established to achieve the ultimate goal of deterring illegal trafficking of controlled substances and dangerous drugs, and eliminating drug abuse in Texas.

Investigations conducted by Narcotics Service field personnel involve drugs such as cocaine, heroin, marijuana, and methamphetamine that are produced in foreign countries and then smuggled into the U.S. across the Texas/Mexico border. Clandestine laboratory investigations concentrate on drugs that are illegally manufactured in the U.S. A number of investigations conducted by Narcotics Service personnel involve legal pharmaceutical drugs that are diverted for illegal use. The Narcotics Service has a comprehensive program in place to deal with the domestic cultivation of marijuana within the state. The financial investigations conducted by service personnel are directed at disrupting narcotics trafficking organizations. Assistance to local law enforcement agencies remains a priority of the Narcotics Service.

The Narcotics Regulatory Programs Unit is comprised of the Controlled Substances Registration, the Texas Prescription, and Precursor Chemical/Laboratory Apparatus Sections. These three programs address industries and individuals that legitimately deal with a variety of controlled substances, dangerous drugs, and other chemicals that are often diverted to illegal uses such as the illicit manufacture of methamphetamine or the misuse of prescription drugs.

The Narcotics Analytical Services (NAS) Section is comprised of the Narcotics Analyst Team (NAT), the Strategic Intelligence Analytical Cell (SIAC) and the Post Seizure Analysis Team (PSAT). NAT provides case support and analysis for narcotic investigations to local, state, and federal law enforcement agencies. SIAC was formed to provide timely, relevant, accurate, predictive, and actionable intelligence through an array of unbiased all source analytical products. PSAT is a group of investigators, research specialists, and support personnel tasked with developing significant intelligence on drug trafficking organizations.

The Technical Unit is responsible for the management oversight of oral and wire communication intercepts and provides technical support for criminal investigations conducted by local, state, and federal officers through a variety of specialized services. The Computer Information Technology and Electronic Crimes (CITEC) Unit investigates cyber crimes occurring against public, corporate and private interests.

Criminal Intelligence Service

The Criminal Intelligence Service (CIS) has the primary responsibility of gathering and

disseminating criminal intelligence information, with a major emphasis on terrorism, organized crime and complex criminal investigations. CIS gathers criminal intelligence, administers regulatory programs, and investigates a wide array of crimes, including multi-offender and multi-jurisdictional offenses. Commissioned law enforcement personnel within the service utilize many different skills, tools, and partnerships in collecting information in furtherance of this mission. The service is supported by diverse analytical sections strategically located. The Service operates the Texas Intelligence Center. This center increases the opportunity for gathering crucial intelligence related to terrorism through 24-hour, 7-day-a-week (24/7) availability with law enforcement, industry, and the public. CIS investigates organized criminal enterprises, crimes that support terrorism, and monitors sex offenders under court-ordered civil commitment. CIS is responsible for the administration of a statewide polygraph program, which includes the operation of a nationally-recognized polygraph training school. CIS also manages the statewide Missing Persons Clearinghouse. CIS is the state's focal point for intelligence gathering, threat assessment, investigation, and response to terrorist threats or attacks within the state. The Service coordinates intelligence and investigative activities related to the identification of persons and organizations suspected of involvement in or support of terrorist activities. Service personnel work closely with other local, state, and federal agencies to identify, locate, and interview suspicious individuals; collect evidence; execute search warrants; and arrest suspects. Some commissioned officers have been assigned to assist federal authorities in the Joint Terrorism Task Forces operating within Texas. Analytical personnel not only provide assistance to field investigators by researching and documenting intelligence, but also produce briefings, reports, and brochures for both the law enforcement community and the public on a wide range of topics related to terrorism. In addition, analytical personnel are involved in assessing potential infrastructure targets in Texas, such as the railway system, bridges, ports, dams, and the agricultural industry. These assessments are designed to identify potential vulnerabilities and help determine where and what security measures and resource allocations need to be implemented.

The Texas Intelligence Center is designed to handle and respond to telephone inquiries from the general public and other law enforcement agencies and has access to vital information systems. This combination gives personnel the ability to process and document information from multiple sources and disseminate information to multiple recipients. The center works in coordination with the Governor's Division of Emergency Management State Operation Center to create an all-hazards response capability. The center currently operates on a 24/7 basis. Should a terrorist event occur, the center has the capability of ramping up to 30 analysts on a 24-hour-a-day schedule.

Polygraph personnel provide investigative assistance to law enforcement and government agencies by administering polygraph examinations to suspects involved in ongoing criminal investigations. In addition, DPS polygraph personnel administer pre-employment polygraph exams to DPS recruits and police communications personnel. Polygraph personnel also provide specialized polygraph training--as well as technical and court-related expertise--for municipal, county, state, and federal government agencies inside and outside Texas.

The Missing Persons Clearinghouse (MPCH) serves as the central repository of information about Texas' missing persons, as well as persons missing from other states who are believed to be in Texas. Personnel work closely with law enforcement agencies in Texas and other states, utilizing

various databases to develop information that may assist in locating missing persons and identifying unidentified living and deceased persons. As a public service, the clearinghouse posts information on the Internet regarding missing and unidentified persons. In addition, MPCH personnel work in partnership with the University of North Texas Health Science Center in Fort Worth regarding the submission of DNA for missing persons and unidentified human remains into the Texas Missing Persons DNA database. The clearinghouse also serves as law enforcement liaison for the Texas Amber Alert network.

Crime analysis personnel collect, process, and disseminate a wide variety of criminal information to local, state, federal, and international law enforcement agencies in order to support the successful investigation and prosecution of individuals and organizations engaged in criminal activities. Crime analysts specialize in assigned categories, including burglary, counterterrorism, forgery/fraud, homicide, missing persons, organized crime, robbery, and sex crimes. Crime analysts identify and locate criminal suspects, missing persons, and wanted fugitives; provide intelligence information regarding criminal activities; help solve major crimes; and identify crime patterns that will aid local and state agencies in strategic planning. Analytical personnel also operate Criminal Law Enforcement Online (CLEO), a secure law enforcement web site for the dissemination of criminal information. CIS crime analysts collect information from law enforcement agencies concerning fraud and confidence schemes committed against the elderly. Analytical personnel collect, analyze, and store this information; track the perpetrators; and make the analysis of the information available to any local law enforcement agency, political subdivision, or state agency.

Fugitive Apprehension and Sex Offender Compliance – CIS investigators and analysts assist MVTs personnel in the apprehension of fugitives and in sex offender compliance. Civil commitment offenders have been identified as suffering from a behavioral abnormality that makes them likely to engage again in predatory acts of sexual violence after being released from prison. Investigators monitor these offenders 24/7 using a system that combines GPS, wireless communication, and radio-frequency technologies.

CIS personnel assist the Governor's Protective Detail in providing dignitary protection for the Governor and other public officials and dignitaries.

Motor Vehicle Theft Service

The Motor Vehicle Theft Service (MVTs) is charged with addressing the vehicle theft problem in

Texas. The service provides a wide range of resources to aid the local, state, and federal agencies in vehicle theft-related law enforcement. MVTS personnel have the primary mission of working on commercial auto theft rings operating in Texas. MVTS officers and criminal analysts specializing in vehicle identification help local and federal officers with basic and advanced methods of identifying cars, trucks, heavy trucks and trailers, construction and farm equipment, aircraft, watercraft, mobile equipment, and any other type of vehicle equipment that is subject to being stolen.

The goal of MVTS is to promote effective law enforcement through the prompt apprehension of motor vehicle theft suspects in Texas. MVTS personnel work closely with other DPS personnel, public agencies, and private entities involved in motor vehicle theft control and deterrence. In 2005, the scope of MVTS' responsibilities was expanded to include fugitive apprehension, pari-mutuel wagering violations, and sex offender compliance.

Investigations conducted by MVTS field personnel promote effective law enforcement by the prompt apprehension of persons involved in the commission of motor vehicle thefts in Texas. MVTS seeks to perform its mission in a highly-skilled and professional manner; to plan, design, and implement statewide programs designed to promote cooperation and leadership for coordinated efforts in vehicle theft control activities among all law enforcement and other interested agencies; and provide professional training for investigators in specialized fields of motor vehicle theft with emphasis placed on commercial and organized vehicle theft activity. MVTS establishes and maintains working relations with Mexican officials in order to recover stolen vehicles and apprehend fugitives within the interior of Mexico through the U.S./Mexico treaty procedures and police liaison. MVTS works in close cooperation with the Texas Racing Commission (TRC) and is committed to maintaining an enforcement program that ensures a high level of integrity for Texas Pari-Mutuel Racing.

MVTS personnel have the primary responsibility to target and apprehend fugitives featured on the Texas Ten Most Wanted, a list of offenders known for their violent conduct. Personnel also work closely with local law enforcement agencies to track down and arrest Texas parole violators. MVTS personnel also have the primary responsibility to enforce sex offender compliance with state sex offender registration requirements.

In an effort to help curb rising commercial and farm grade equipment theft, DPS implemented the Texas Recovery and Identification Program (T.R.I.P.) program. T.R.I.P. is a voluntary program, free of charge and designed to allow both companies and individual owners to register equipment with the Department. This registration information is then made available to law enforcement to aid in the recovery of stolen equipment.

In 1994, MVTS established the Border Auto Theft Information Center (BATIC) office in El Paso. The center is a link between Mexico and U.S. law enforcement. Quick responses are provided to inquiries from Mexican officials regarding vehicles stolen from the U.S. that are encountered in Mexico.

MVTS Vehicle Identification Specialists provide information regarding vehicle identification, tracking, and identification of vehicle theft suspects to law enforcement agencies throughout the U.S.

Crime Laboratory Service

The overall objective of the Crime Laboratory Service is to provide expert forensic laboratory services to law enforcement agencies within Texas. These services include: scientific examination and analysis of evidentiary material; supervision and management of specific scientific technical programs; assistance in scientific investigations; expert testimony concerning the analysis of evidentiary material and interpretation of technical data and laboratory findings; and other related forensic services and activities. As resources permit, these services are provided to any government agency involved in the criminal justice process in connection with matters under investigation which may result in criminal prosecution.

Thirteen Department of Public Safety forensic laboratories are organized as a single laboratory system. These laboratories are strategically located throughout the State of Texas to provide laboratory services within reasonable distance of every law enforcement agency in the state.

For the purpose of administration, the Crime Laboratory Service is managed from DPS Headquarters. The laboratory system is managed to provide efficient, effective, and quality support of the mission of the Department and to assist the Department in performing its statutory obligation to law enforcement officers in the state.

All laboratories located throughout the state have the capability to analyze Controlled Substance evidence, and all (with the exception of Amarillo, El Paso, and Laredo) can determine the amount of alcohol in biological samples. The laboratories in Austin, Corpus Christi, El Paso, Garland, Houston, Lubbock, McAllen, and Waco can examine biological evidence for DNA typing.

The Austin, Garland, Houston, Lubbock, and McAllen laboratories can examine various types of trace evidence. Firearms and Toolmarks examinations, including distance determinations and serial number restorations are conducted in the Austin, El Paso, Lubbock, McAllen, and Tyler laboratories.

These laboratories also contain a NIBIN (National Integrated Ballistic Imaging Network) unit for the entry of cartridge cases from seized firearms and spent cartridge cases from crime scenes in a national database to identify possible associations of gun-related crimes.

The Austin laboratory also provides services in the areas of Toxicology, Photography, Latent Prints, AFIS (Automated Fingerprint Identification System), Questioned Documents, and Digital/Multimedia Evidence.

In addition, the Crime Laboratory Service is charged in the Government Code with implementing the Combined DNA Index System (CODIS) database located at the Austin complex.

DRIVER LICENSE DIVISION

The Driver License Division ensures only competent drivers are licensed to operate vehicles on the roadways of Texas. Division personnel enhance public safety by establishing the identity of driver license and identification card holders. Additionally, the commissioned officers of the division conduct fraud investigations and arrest wanted criminals.

Driver License Field Service

The primary responsibilities for non-commissioned members of the Field Service are the examination of new drivers and the improvement and control of problem drivers. These duties are performed through knowledge and skills testing of driver license applicants. Field Service personnel review an applicant's ability to safely operate a motor vehicle through vision testing, observation, and specialized skills testing. Field Service personnel represent the Department on informal hearings before justice and/or municipal courts presenting cases for withdrawal or suspension of an applicant's driving privileges. These personnel deter fraud and identity theft, as well as contribute to homeland security, by ensuring each applicant's identity through the presentation, review, and verification of a series of documents.

The primary responsibilities of commissioned troopers in the field service are investigating instances of applicants attempting to establish a false identity, resolving cases of identity theft reported by citizens, aiding local law enforcement in driver licensing and identity fraud cases, and apprehending criminals who come into driver license offices who have outstanding warrants. Additionally, field troopers in the Driver License Division perform routine traffic patrol and assist and supplement personnel in other divisions in times of emergency or disaster.

Driver License Headquarters Service

The primary responsibilities of the Headquarters Service are performed by four bureaus with separate and distinct responsibilities.

The License Issuance Bureau (LIB) is responsible for the issuance of driver licenses and identification cards to applicants. The LIB is the primary division liaison with the Federal Motor Carrier Safety Administration (FMCSA), ensuring compliance with the federal provisions of the Commercial Driver License (CDL) program. Additionally, the CDL Section is responsible for ensuring that commercial drivers who hold a Hazardous Materials Endorsement are cleared by the U.S. Department of Homeland Security. The LIB is also the division liaison with the Texas Education Agency coordinating driver training program curriculum and compliance for commercial and private driver training schools.

The Driver Records Bureau (DRB) is responsible for creating and maintaining driver record histories on each licensed driver and identification card holder. The DRB maintains images of each

application file. The DRB additionally coordinates the entry of all traffic convictions and crash data into computerized files for assignment to specific driver histories. The DRB is responsible for providing driver record histories to eligible individuals and to collect and remit fees received for these sales. Additionally, DRB manages the Texas Online contracts for driver record services and driver license and identification card renewal and change of address programs.

The Driver Improvement and Compliance Bureau (DIC) is responsible for evaluating and processing administrative driver sanctions. This includes evaluating driver histories, crash records, and peace officer arrest reports to determine driver sanctions as provided by law. The DIC Bureau prepares administrative cases for breath test refusal in alcohol related cases and habitual violation and safety responsibility cases. The bureau is also responsible for keeping records of compliance when driver sanctions are served.

The Customer Service Bureau (CSB) is responsible for providing customer call center services to citizens who have problems or questions about driver licensing services and other issues. The CSB additionally prepares written correspondence to licensees whose driver license has been updated. The CSB replies to incoming written correspondence and electronic mails regarding driver licensing issues.

Administrative License Revocation

The Administrative License Revocation (ALR) Service is responsible for presenting administrative law cases for alcohol breath test refusal of drivers before the State Office of Administrative Hearings (SOAH). The members of the ALR Section are licensed attorneys whose primary responsibility is prosecuting breath test refusal cases but who also represent the Department in other administrative and judicial proceedings.

Fraud Investigation Unit

The Fraud Investigation Unit (FIU) is responsible for investigating the fraudulent use of documents and cases of identity theft. Commissioned members conduct extensive investigations related to identity theft, driver license fraud and instances of internal fraud. Non-commissioned criminal analysts provide investigative leads to commissioned members of the division and support to other law enforcement agencies to deter and investigate identity theft and identity fraud.

ADMINISTRATION DIVISION

The Administration Division consists of 723.5 members, including 55 commissioned and 668.5 civilian personnel. The Administration Division performs regulatory functions, maintains criminal records, and provides support services for the Department.

Regulatory Licensing Service

The Regulatory Licensing Service protects the citizens of Texas by ensuring the private security industry employs only qualified personnel who provide reliable services; and only eligible persons

receive and retain concealed handgun licenses in Texas. The Regulatory Licensing Service is made up of the Private Security Bureau and the Concealed Handgun Licensing Bureau.

The Private Security Bureau administers Texas Occupations Code, Chapter 1702, through the Texas Private Security Board. Activities 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. Private Security Bureau personnel provide for the accurate review of applications and the issuance, denial, suspension, and revocation of licenses and registrations within statutory time requirements. The accurate licensing and registration of eligible companies and persons are program priorities.

The Investigation Section pursues complaints from consumers as well as allegations of criminal activity or administrative violations of Chapter 1702, Texas Occupations Code. Criminal cases are presented to prosecutors in local jurisdictions and administrative violations are pursued through the State Office of Administrative Hearings when an agreed settlement cannot be reached. Administrative sanctions range from a letter of reprimand or fine to a suspension or revocation of the registration, commission, or license. Criminal violations of Chapter 1702, Texas Occupations Code, range from Class C misdemeanor to felony of the third degree. The section personnel review applicant, licensee, and registrant criminal histories for possible denial, suspension or revocation action.

The Licensing Section receives original and renewal applications for all categories of licensing, commission, and registration under Chapter 1702, Texas Occupations Code. Section personnel review those applications for eligibility, create and maintain the license or registration records, and issue the license.

The Concealed Handgun Licensing Bureau processes applications for Texas concealed handgun licenses under Chapter 411, Texas Government Code. Activities include evaluation of the application to determine eligibility, creation of the license, and maintenance of the license record. The bureau also takes action to suspend or revoke licenses when statutory provisions are violated. The bureau also certifies qualified handgun instructors, following a process very similar to the concealed handgun license application activities. The Concealed Handgun Licensing Bureau administers the application and review process in coordination with other DPS areas for the field background investigation of applicants, creation of the actual concealed handgun license document, training of handgun instructors, and other necessary functions. Concealed Handgun Licensing Bureau personnel provide for the accurate review of applications and the issuance, denial,

suspension, and revocation of licenses within statutory time requirements. The accurate issuance of licenses to eligible persons is a program priority.

Crime Records Service

The Crime Records Service operates and maintains statewide information systems that provide vital criminal justice information to authorized users in the performance of their duties at the time it is needed and in a usable format. This is accomplished through the following programs.

The Criminal History Information Processing Bureau manages the operations of the statewide repository of Texas criminal history data and the statewide automated fingerprint identification system. Both systems are comprised entirely of data reported to the 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 more than 5 million non-criminal justice licensing and employment screening inquiries per year. These background searches are performed by the Access and Dissemination Bureau under the authority of Ch. 411, Subchapter F, Government Code.

The Crime Information Bureau operates the Texas Crime Information Center (TCIC) which is a statewide file of criminal justice information available on-line via the Texas Law Enforcement Telecommunications System (TLETS). TCIC provides state and local law enforcement agencies with 24-hours a day, 7-days a week real time access to information critical for daily operations and criminal investigations. This information protects the safety of peace officers and the general public, as it alerts officers to stolen property, wanted persons, missing persons, protective orders issued against persons, sex offenders, and persons with concealed handgun licenses. TCIC operates under standards established by the FBI for the National Crime Information Center and provides an on-line interface to that system.

Under the authority of Ch. 411.042, Government Code, the Uniform Crime Reporting (UCR) program of the Crime Information Bureau compiles statistics regarding known crimes as reported to the Department by local law enforcement agencies in Texas. All reports must be processed into the UCR system for the DPS to publish the annual crime statistics in the *Crime in Texas* report. The Texas UCR program operates under FBI national standards, and the Texas data is submitted to the FBI for inclusion in the national *Crime in the U.S.* statistical report.

The Crime Information Bureau is also responsible for the management of the statewide Sex Offender Registration Program (SOR) under the requirements of Chapter 62, Code of Criminal Procedure. The status of more than 47,000 sex offenders is reported to the DPS by the local law enforcement agencies that do the actual registration of offenders. Their whereabouts are then tracked through the statewide sex offender database. This information is available to law enforcement agencies through the Texas Law Enforcement Telecommunications System (TLETS) and available to the public through the Internet.

Staff Support Service

The Department maintains approximately 1.91 million square feet of building space consisting of 133 DPS-owned office buildings and 47 leased facilities. The DPS-owned buildings consist of our Headquarters complex, Regional, District, and Area offices, and several stand-alone Driver License

offices. The majority of the leased facilities are stand-alone Driver License offices. These buildings provide office space for our employees to deliver services to the general public. These buildings are maintained by Building Program Bureau employees or through contracts with private vendors.

The DPS Training Academy provides law enforcement officer training through basic recruit schools, in-service schools for DPS personnel, and specialized schools for law enforcement officers in Texas.

- The Recruit School Training Program for new DPS commissioned officers encompasses 27 weeks and provides 1,250 hours of training. In addition to meeting the basic police course requirements set by the Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE), training is provided to enable the recruits to qualify for the intermediate certification.
- The DPS In-Service Training Program is designed to renew certification of the Department's law enforcement officers, to keep the officers up-to-date with new information, tactics, and techniques, and to meet the state requirement for all Texas peace officers to complete at least 40 hours of in-service training every two years.
- The Specialized Law Enforcement Officers Training Program provides comprehensive training for state, county, and city law enforcement officers. These schools cover all aspects of law enforcement and are conducted in cooperation with the Texas Police Association (TPA).

The Motorcycle Operator Safety Training Program was created in 1983 in response to statistics showing that motorcycles were over represented in crashes, injuries, and fatalities. This training program, designed to teach vehicle handling, positioning, and other awareness and safety practices, consists of the Basic and Advanced Motorcycle Training Courses and the All-Terrain Vehicle (ATV) Course. Training is provided by Motorcycle Safety Unit personnel and through private and public entities operating under contract with the Department.

The Department maintains a fleet of approximately 3,492 vehicles consisting of black & white patrol units, unmarked law enforcement and supervisory units, and administrative vehicles. The Department also operates approximately 153 radio tower sites, 256 base stations and repeaters, 3,700 mobile radios and 4,700 portable radios that allow our officers to communicate with other officers and dispatchers in carrying out critical law enforcement operations of the agency. The task of purchasing, installing equipment, and issuing the new vehicles, maintaining the fleet, and disposing of surplus vehicles is vested in the Fleet Operations Bureau.

Other support services provided to our employees include the purchase and distribution of office equipment, supplies and uniforms; printing of brochures and other publications; employee and family member counseling services and short-term psychological intervention; maintenance of employee personnel records; and promotional testing.

GOVERNOR'S DIVISION OF EMERGENCY MANAGEMENT

The Governor's Division of Emergency Management (GDEM) is responsible for carrying out a comprehensive all-hazard emergency management program for the State and for assisting cities, counties, and state agencies in planning and implementing their emergency management programs. A comprehensive emergency management program includes pre- and post-disaster mitigation of known hazards to reduce their impact; preparedness activities, such as emergency planning, training, and exercises; provisions for effective response to emergency situations; and recovery programs for major disasters in accordance with Chapter 418, Government Code.

GDEM is administratively part of the Department of Public Safety but operationally part of the Governor's Office. Because substantial staff is required to carry out initial response and disaster recovery activities, the GDEM has organized and trained an organized corps of disaster reservists to augment the GDEM staff; these temporary workers are activated (and paid) only for the period they are needed. The GDEM has its own public information staff, which works in collaboration with the DPS Public Information Office and the Governor's Press Office.

Preparedness Section

The Plans & Policy Unit of the Preparedness Section develops and maintains the *State of Texas Emergency Plan* and its annexes and other specialized state emergency planning documents. GDEM promulgates state standards for local emergency management plans, assists cities and counties in developing emergency plans, and reviews more than 3,000 local planning documents each year for compliance with state planning standards. The Policy and Plans Unit also coordinates a number of state-level homeland security programs with federal agencies, regional groups, and local governments. The Technological Hazards Group carries out a number of radiological emergency preparedness and hazardous material preparedness programs for the State and its local governments.

The Training & Exercise Unit provides a diverse curriculum of emergency management and hazardous materials training for state and local emergency responders, state, local, and regional officials, and volunteer groups active in disasters. These programs typically provide 60,000 to 70,000 student hours of instruction annually. Emergency management training is conducted by the GDEM staff and hazardous materials training is delivered by a contractor. The Training & Exercise Unit also designs, conducts, and evaluates state-level emergency exercises and monitors local emergency exercises.

The Preparedness Section manages the programmatic aspects of Emergency Management Performance Grant (EMPG) sub-grants to support local and interjurisdictional emergency management programs.

Operations Section

The GDEM Operations Section manages and staffs the State Operations Center (SOC), which serves as the state's primary warning point and its principal command and control facility. It operates around the clock to constantly monitor threats, make notification of threats and provide information on emergency incidents to local, state, and federal officials, and coordinate state emergency assistance to local governments for emergency situations that local response resources are inadequate to deal with. The SOC monitors more than 5,000 emergency incidents per year across the State. The facility houses an extensive array of secure and non-secure communications systems and elaborate weather, audio-visual, mapping, and data management systems. During major emergencies and disasters, the 32 state agencies and volunteer groups that comprise the state Emergency Management Council, as well as industry partners, convene at the SOC to advise and assist senior state officials in identifying needs, and mobilizing and deploying state and volunteer group resources to respond to requests for assistance from local governments. The SOC is collocated with the Texas Intelligence Center (TIC), which is staffed around the clock by DPS Criminal Intelligence personnel. This interface facilitates the fusion of operational information and intelligence to provide a more complete picture of the threat environment and emergency situations.

In the spring of 2006, the Governor assigned GDEM the responsibility for coordinating state and local border security activities. The Operations Section operates a Border Security Operations Center (BSOC), which is collocated with the SOC and the TIC, to accomplish this mission. The BSOC plans, coordinates, monitors, and evaluates state and local law enforcement border security operations designed to complement the border security efforts of federal agencies. The BSOC is staffed by local and state law enforcement personnel, representatives of federal agencies, National Guard personnel, and contractors who provide specialized operations, information, and technical support.

Field Response Section

GDEM's Field Response Section includes 26 Regional Liaison Officers (RLOs) and two supervisors stationed across the State. These field response personnel educate local elected officials on emergency management responsibilities and programs, assist those officials in local and regional emergency planning, teach a variety of emergency management courses, and represent the State during emergency exercises and drills.

During major emergencies and disasters, GDEM RLOs work hand in hand with local governments to assess damages, identify urgent needs, advise local officials, and help coordinate state emergency resource support.

Recovery Section

When disasters occur of such magnitude that state and federal assistance will be needed, the Recovery Section conducts damage assessments with local and federal agencies, prepares disaster declaration requests for the Governor's signature, and deploys staff to the affected area to assess needs, and coordinate the overall recovery process. The vast majority of disaster recovery program funding comes from the federal government in the form of disaster recovery grants. For major

disasters, state and federal recovery staffs are deployed to a Joint Field Office established to carry out initial recovery activities. The GDEM Recovery staff includes specialists who carry out disaster recovery programs for individual disaster victims and families (Individual Assistance) and to aid local governments and public entities, such as school districts and hospitals, with programs to repair or reconstruct facilities that were damaged or destroyed (Public Assistance).

Mitigation Section

Mitigation is implementation of measures to prevent disasters or reduce their impact. The Mitigation Section maintains the State Hazard Mitigation Plan, reviews local mitigation plans, provides hazard mitigation training for local officials, and administers a number of different pre-disaster mitigation grant programs for cities, counties, and other governmental entities, as well as post-disaster mitigation grant programs for local and regional governments. In the aftermath of major disasters, GDEM Mitigation Section staff members also deploy to the Joint Field Office to coordinate planning for post-disaster mitigation projects and, like the Recovery staff, they monitor local mitigation projects to completion.

Support Services Section

The Support Services Section provides business services for the Division, including financial management, purchasing, resource management, contract and grant management, human resources management, accounting, and auditing. The Support Services Section includes an Audit Unit and a Grant and Contract Management Unit. The section oversees payments for a number of emergency programs, including EMPG sub-grants and hundreds of hazard mitigation and disaster recovery project sub-grants. The section has more than dozen auditors, who are responsible for auditing a wide variety of grant programs and contracts.

State Administrative Agency (SAA) Section

In May 2005, the Governor assigned GDEM responsibility as the State Administrative Agency for homeland security grants, an administrative function required of each state by the U.S. Department of Homeland Security (DHS). The SAA Section administers more than a dozen different DHS grant programs intended to enhance state, regional, and local response capabilities and protect critical infrastructure. Homeland security sub-grants are provided to cities, counties, regional authorities, state agencies, and other authorized entities for planning, equipment, training, exercises, and organization. The primary focus of these grant programs is terrorism preparedness and prevention,

but grants are intended to be used to enhance state and local capabilities to deal with all types of hazards. The SAA is managing more than \$290 million in grants that have been awarded to more than 1,400 local and regional sub-grantees in the 2004, 2005, and 2006 grant cycles and is awaiting the 2007 DHS grant awards. The SAA Section includes a Grant Operations Unit, an Audit & Compliance Unit, and a Business Operations Unit.

<p>B. Do each of 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</p>

functions?

All key functions of the Department continue to serve a clear and ongoing objective.

The DPS has responsibilities for traffic safety, preserving the peace, detecting and prevent crime, ensure the competency of Texas drivers, emergency management, and certain regulatory and licensing programs. These functions are necessary for public safety and if these functions were no longer performed, the public would be at risk.

The **Highway Patrol Service** is needed to provide police services such as traffic and criminal law enforcement and traffic crash investigation on Texas' 223,006 miles of rural highways to make the use of those highways safe and expeditious. Public safety education programs presented by Highway Patrol troopers are invaluable in educating the public in matters of traffic safety, crime prevention, continues to be of paramount importance. Without the function performed by the Highway Patrol Service, traffic fatalities would increase, drug traffickers and wanted fugitives would remain undetected, security at the State capitol would be compromised and the safety of the public would be placed at risk.

The **Commercial Vehicle Enforcement Service** is needed to secure voluntary compliance of Federal Motor Carrier Safety Regulations by the motor carrier industry operating in Texas. 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 problem areas within the state in reference to 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 continue 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. 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 to that vehicle. Enforcement of traffic and criminal laws on commercial motor vehicles, as well as on other vehicular traffic, is taken when action is warranted. All of the

enforcement functions of the Commercial Vehicle Enforcement Service remain vital in protecting the state highway infrastructure and the protection of the rights, privileges, and safety of the general public as they utilize the public highway system. Without the function performed by the Commercial Vehicle Enforcement Service, traffic fatalities would increase, highway infrastructure would be damaged, and hazardous material incidents would increase.

The **Motor Vehicle Inspection Service** is needed to ensure the compulsory annual safety inspection

of motor vehicles registered in Texas and, in designated counties, an annual vehicle emissions test. The inspections are necessary to protect motorists from the consequences of unsafe vehicles and ensure the air quality in certain part of the state. Clear standards of performance and the ability to remove those that fail to meet those standards are critical to ensuring that vehicles on Texas' highways meet minimum standards. Without the function performed by the motor Vehicle Inspection Service, traffic fatalities would increase and air quality in certain parts of the state would decrease

Breath Alcohol Testing is needed to conduct the legislatively mandated evidential breath alcohol testing and ignition interlock programs. Without the regulation of the evidential breath alcohol testing program, breath test evidence cannot be admitted as evidence in court. This would have a profoundly negative impact on DWI prosecution in the state. Without the regulation of the ignition interlock program substandard and/or faulty ignition interlock devices could be placed into vehicles.

The **Texas Rangers** continue to provide a vital service to rural law enforcement agencies in this state. These agencies rely heavily on the Rangers for personnel resources, equipment and experience to investigate major crimes. Without assistance by the Rangers major crimes would remain unsolved. Criminals would avoid prosecution and commit additional serious crimes placing the safety of citizens in jeopardy.

The **Unsolved Crime Investigations Team** (UCIT) continues to provide the necessary personnel and experience to investigative unsolved homicides and other major crimes. If the UCIT was eliminated, many of the unsolved crimes would continue to remain unsolved. Family members of victims would continue to suffer by knowing perpetrators remain free and public safety would diminish with more criminals evading justice.

The **Narcotics Service** continues to impact the drug problem in Texas. Drug trafficking and drug abuse perpetuate a downward spiral in the quality of life for individuals as well as society as a whole. Drug trafficking organizations, drug traffickers and end users contribute to higher crime rates whether it is violent crime or property crime. Drug traffickers resort to violent crimes such as kidnapping, assault, and murder to ensure their perceived territories remain intact. This unabated lawlessness is taking place just across our border in Mexico where the murder of public officials, including police officers, is an every day occurrence. The end user, as their life deteriorates due to drug abuse, eventually succumbs to committing thefts, burglaries and other property crimes to support their abusive habit. Drug law enforcement provided by the Narcotics Service is vital to ensuring the citizens of this state avoid the injurious effects of drug abuse and drug related crime.

Without the function performed by the Narcotics Service, drug trafficking and drug abuse would increase in this state.

The **Criminal Intelligence Service** (CIS) continues to provide services that enhance public safety. Intelligence gathering related to terrorism and major crimes support overall state law enforcement initiatives. Bi-directional sharing of information related to these issues occurs with local, state,

federal and international law enforcement agencies. The Texas Intelligence Center aids in the collection and dissemination of crucial terrorism-related information to law enforcement, industry, and the public. Polygraph services provided to local, state, and federal law enforcement aid in the effective and efficient identification, apprehension, and prosecution of offenders. Civil Commitment provides tracking of offenders being released from state prison who are legally determined to be “the worst of the worst” in terms of sexual predators and recidivism potential. Missing Persons Clearing House provides direct and indirect investigative support to local law enforcement and the public to locate missing persons. Elimination of these services and programs would result in increased criminal activity. Law enforcement effectiveness at all levels and public safety in general would be adversely affected from the lack of services currently provided.

The **Motor Vehicle Theft Service (MVTs)** continues to provide a vital service to local law enforcement and the citizens of this state. The vast majority of law enforcement agencies throughout Texas are significantly overwhelmed with the complexity and magnitude of vehicle theft-related offenses. These agencies depend on the leadership and guidance provided by MVTs in the areas of stolen vehicle identification and vehicle theft investigation. MVTs provides training at national academies and other professional law enforcement conferences throughout the U.S. Without the expertise and guidance provided by MVTs, vehicle thefts would increase and substantial numbers of stolen vehicles would never be recovered.

The **Crime Laboratory Service** continues to provide scientific examination and analysis of evidence from criminal cases and associated testimony in criminal trials. The larger cities in Texas have locally-supported forensic laboratories. However, law enforcement outside these areas rely on DPS for these services. DPS provides forensic laboratory services at no charge to local law enforcement. If the Department no longer provided crime laboratory services, law enforcement agencies in nearly 250 Texas counties would not have access to this service. While a few private forensic testing laboratories exist within and outside of Texas, the capabilities to provide all of the services required may not be available. More importantly, most local law enforcement agencies would not have the funds needed to pay for those services. If criminal evidence was not examined by an accredited forensic laboratory, that evidence could be inadmissible in the trial of the defendant or of little value to the court in determining the guilt or innocence of the defendant. Failure to provide this scientific testimony would hurt the prosecution efforts resulting in guilty offenders going free and committing further crimes.

The **Driver License Field Service (DLFS)** continues to ensure competent drivers are licensed to operate motor vehicles on the roadways of Texas. The DLFS contributes to public safety by arresting criminals with outstanding warrants. Additionally, DLFS commissioned personnel provide expertise in detecting fraudulent identity documents and investigating instances of identity theft and identity fraud. The elimination of the DLFS would result in driver licenses and identification cards not being issued to the public. The eliminating the commissioned personnel in DLFS would result in

more than 5,000 felony and misdemeanor fugitives avoiding capture annually and more than 4,000 identity theft related crimes unresolved each year.

The **Driver License Headquarters Service (DLHS)** continues to ensure adequate record keeping and driver control sanctions are enforced to improve driver behavior or remove problem drivers from the roadways of this state. DLHS provides vital public information and correspondence to assist citizens of Texas with driver licensing and compliance issues. The elimination of DLHS would reduce voluntary compliance and lessen sanctioning of unsafe drivers. Negative driving behavior and crash records would not be compiled and evaluated to ensure that unsafe drivers are removed from the roads. Serious negative impact on highway safety would likely result.

The **Administrative License Revocation (ALR)** Section continues to ensure an administrative hearing is provided to arrested intoxicated drivers who refuse a breath test in order to determine if their license should be suspended. ALR Section attorneys represent the State's case before the State Office of Administrative Hearings seeking driver license suspension of those refusing a breath test. The elimination of the ALR Section would likely result in local prosecutors being required to present administrative breath test refusal cases. The likely result would be a lack of prosecution and the reduced effectiveness of drunk driving enforcement.

The **Fraud Investigation Unit (FIU)** continues to provide specialized investigative focus to investigate driver license and identity theft fraud cases. The limited scope and high degree of specialization allows FIU troopers to solve identity theft cases and provide needed assistance to other law enforcement agencies. The elimination of the FIU would allow many of these devastating crimes to remain unresolved and subject others to identity theft. Criminals that use false driver licenses to hide their true identity would remain undetected.

The **Regulatory Licensing Service** continues to ensure proper regulation of the private security industry and appropriate licensing of people to carry a concealed handgun. If there was no regulation of private security companies, individuals with disqualifying convictions and untrained individuals would be providing security services. If there was no licensing of individuals carrying concealed handguns, individuals with disqualifying convictions and individuals without proper handgun training and knowledge of the laws of the state would be able to carry concealed weapons. These situations would create a significant danger to the public.

The **Crime Records Service** continues to provide authorized users a complete, accurate and timely search response of the Texas and National Fingerprint Index Files. The searches through the Texas and National Automated Fingerprint Identification Systems (AFIS) provide arresting law enforcement agencies with near-real time identification of arrested persons. This capability allows arresting agencies to identify and hold wanted persons who have presented false identification at the time of arrest and otherwise may have bonded out and avoided prosecution on the pending warrant. Public safety would be harmed if arrested persons were not positively identified and charged and prosecuted appropriately.

More than 300,000 fingerprint searches are conducted annually for non-criminal justice licensing and employment purposes. If these searches were not available to employers, licensing entities, and volunteer organizers, sex offenders and other criminals would be hired into positions of trust with children, the elderly, the disabled, or into positions with opportunities for theft, fraud or other public harm. Vulnerable populations would be harmed if non-criminal justice applicants were not positively identified and screened appropriately.

The Crime Records Service continues to provide accurate, timely and valid information critical to the daily duties of peace officers and other criminal justice entities. The TCIC searches for wanted persons, missing persons, sex offenders, stolen property and other criminal justice information provides life-critical information to police officers on the street as they are encountering citizens in traffic stops and other confrontational or investigative situations. The police officer receives a response within 12 seconds as to whether the person has been reported as wanted or the vehicle or other property reported stolen. If this information is not readily available, the officer's own safety and the safety of the general public are placed at greater risk. Criminal investigations would be negatively impacted if the data were not readily available to detectives

The Crime Records Service continues to provide an accurate statistical picture of crime in Texas. The Uniform Crime Report of *Crime in Texas* is used by the public, media, academia, legislators and other public policy makers, law enforcement and other entities for many varied purposes. The Criminal Justice Division of the Governor's Office uses the crime statistics in establishing grant programs and awarding grant funds. The state information is forwarded to FBI for inclusion in the FBI's national crime picture, entitled, *Crime in the US*. This program provides a good understanding of the status of crime within the state. *Crime in Texas* publication is the only on-going statewide collection of crime statistics in the state. Without this information, policy makers and others would be without accurate data regarding the current picture of crime and the affects of future policy changes.

The Crime Records Service continues to provide all requestors accurate, timely and valid information regarding sex offenders in Texas. The sex offender registration program fulfills the clear legislative objective to provide a statewide sex offender registry for tracking sex offenders and making their whereabouts available to the general public. The program is needed to provide that statewide clearinghouse of sex offender information publicly available to all citizens. Potential harm

could come to future victims of sex offenders if they were unaware of the residences of the offenders.

Building Maintenance, Fleet Vehicles and Communications Equipment, Law Enforcement Training and other services support the critical mission of the agency by providing necessary office space, training, equipment and other needed services for our employees. Without the benefit of these functions, the cost of providing law enforcement services to the public would increase significantly through leasing and/or contracting services. In addition, the efficiency at which these services are provided would be greatly diminished.

The Motorcycle Operator Safety Training Program serves a critical purpose in providing safety training to new operators of motorcycles. Absence of this training would have the potential of increasing the number of injuries and deaths arising from motor vehicle crashes involving these drivers.

The **Governor's Division of Emergency Management** continues to provide a comprehensive emergency management program in Texas. Emergency preparedness is needed at the state and local level to provide the plans, procedures, personnel, training, facilities, and equipment for government to respond effectively to emergencies and ensure that citizens are prepared to do so. Mitigation programs are needed to prevent deaths and injuries and reduce public and private property damage from known hazards. Threat monitoring and warning are necessary to alert state and local officials to impending hazards in time for preventative and protective measures to be implemented to reduce the impact of those hazards. Emergency response assistance for local governments and state agencies is needed to aid these entities in coping with emergencies, and maintaining continuity of government and essential government services. Disaster recovery assistance to individuals and families is needed to aid some disaster victims in recovering from losses of homes, businesses, and personal property needed to live. Assistance to state agencies and local governments is necessary to eliminate public health and safety hazards and restore government facilities and equipment. Administering homeland security grant and border security programs are needed to obtain a large amount of federal grant funds for local governments and state agencies for homeland security activities. Coordinating border security programs fills a need for multi-agency coordination of local, state, and federal security activities along the Texas-Mexico border.

The obvious impacts of not performing these functions includes reduced citizen and government preparedness to deal with emergencies and disasters, a probable increase in injuries, deaths, and property damage due to uncoordinated state and local response to disasters and major emergencies, impairment of continuity of government and the operation of essential government services, and reduced federal assistance for both individual disaster victims and governmental victims, including state agencies and local governments. Discontinuing administration of homeland security grant programs would deny local governments and state agencies millions of dollars in federal grant funds intended to enhance capabilities to deal with terrorism, technological emergencies, and natural

disasters. Discontinuing coordination of border security programs would negatively impact the state's ability to integrate multi-agency security efforts and achieve a number of its stated homeland security objectives.

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

Texas Highway Patrol Division

The annual Texas death rate (number of persons killed in fatal traffic crashes per 100 million miles

traveled) is a measure of the division's effectiveness. The death rate decreased in 2005 to 1.49, compared to the 1.6 death rate in 2004.

Occupant restraint usage is another measure of effectiveness. Safety belt usage increased in 2005 to 89.9% from the 2004 usage of 83.2%.

Highway Patrol troopers' activities for 2006:

DWI Arrests	37,754
Speeding Arrests	647,496
Safety Restraint Arrests	159,388
No Liability Insurance Arrests	176,785
Criminal Arrests	54,366
Fatal Accident Investigations	1,563
Non-Fatal Accident Investigations	67,754
Stolen or Fraudulent Documents Recovered	1,251
Safety Programs Presented	16,515
Capitol Complex Building Access	22,211
Capitol Complex Parking Violations	16,145
Concealed Handgun Investigations	56,874

During 2006, Commercial Vehicle Enforcement troopers, investigators, and inspectors checked 1,558,922 vehicles, weighed 878,323 vehicles, issued 165,193 citations and 1,389,339 warnings, and made 2,434 criminal arrests. Commercial Vehicle Enforcement Service personnel also conducted 336,322 commercial vehicle roadside inspections, during which 75,038 vehicles and 18,184 drivers were placed out-of-service for operating with defective equipment and safety problems posing an imminent hazard to the general public.

Prior to a compulsory motor vehicle inspection program in Texas, 13% of all fatal accidents had a vehicle defect as a causative factor and 12% of all vehicles involved in nonfatal accidents had a vehicle defect. Overall in 2001, only 3% of vehicles involved in accidents were shown to have had defective equipment. Statewide, only 1% of vehicles involved in fatality accidents had defective equipment as a contributing factor to that accident and only 2% of nonfatal accidents had defective equipment as contributing.

Texas Ranger Division

In 2006, activity of the Ranger Division consisted of the following : 6,118 offenses investigated; 2,468 felony and misdemeanor arrests; 1,686 convictions, including 20 death sentences, 54 life sentences, and over 11,296 years in prison time assessed; \$37,476,106.26 in stolen property recovered; and \$10,451,861.00 in seized contraband recovered.

The Unsolved Crime Investigation Team actively investigated 56 unsolved crimes with four cases solved in 2006.

Criminal Law Enforcement Division

The Uniform Crime Reporting data for 2006 shows an overall decrease in the crime rate for Texas.

The Narcotics Service produces the Texas Drug Threat Assessment for 2007 which is an overview of the threat posed to the State of Texas by the trafficking and abuse of illicit drugs.

The lack of terrorism events occurring within the state.

The number of missing persons successfully recovered through investigative assistance provided to law enforcement.

Information processed and disseminated by CIS within a variety of intelligence-related products to law enforcement such as threat assessments, law enforcement alerts, criminal activity reports, and crime trend information.

Quarterly and annual performance measure reports for all divisions.

The annual activity reports of the Crime Laboratory Service provide the statistics of how many different types of cases are examined, by forensic discipline, and how many cases laboratory personnel testify on. Further, this report indicates how many crime scene investigations personnel conduct. It also reports the number of convicted offender DNA profiles that are added to the CODIS database and the number of criminal cases solved by DNA database matches of forensic evidence to the offender DNA profiles. Records are also maintained of post conviction DNA testing, on the forensic laboratories accredited by the Department, and of any investigations conducted on accredited laboratories.

Driver License Division

Each year the Driver License Division processes more than six million driver license and identification card transactions and maintains the more than twenty-one million active driver license

and identification card records which are available to various stakeholders including law enforcement and insurance companies among others.

Administration Division

The Private Security Bureau processes approximately 78,419 individual and company license applications each fiscal year. During FY 2006 there were 7,718 investigations conducted. 2,112 administrative cases were settled, dismissed, or set for hearing and 144 criminal cases presented to local prosecutors. 1,632 docketed administrative cases were closed and 1,533 disciplinary actions

were taken.

The Concealed Handgun Licensing Bureau database contains approximately 258,162 license holders and 1,456 certified handgun instructors. The bureau issued 67,843 new licenses in FY 2006 and processes an average of 12,000 duplicate or modified licenses each year. In FY 2006 the bureau denied 388 original and renewal applications, suspended 493 licenses, and revoked 180 licenses based on statutory eligibility requirements.

In fiscal year 2007, the Crime Records Service will process approximately 1.5 million fingerprint searches. More than 1 million of those will be for criminal arrests. Approximately 75% of those arrests are submitted electronically by the local agencies via “livescan” devices, which result in positive identification responses to the local agencies in less than two hours, often much less.

Critical life saving information is electronically accessed by Texas law enforcement agencies more than 200,000 times per day on a 24 hours a day 7 days a week basis with a response time to stolen and wanted inquiries of less than 12 seconds. Over the years, FBI has performed “benefits surveys” of the local agency results of using the national systems. These surveys have consistently shown significant benefits realized from these systems in terms of wanted persons arrested, missing persons found, stolen property recovered.

More than 47,000 sex offenders are registered in Texas. The public website provides citizens in Texas immediate access to the addresses of those offenders. The “secure” website provides local law enforcement agencies a means of immediately updating their records in the sex offender registry.

The success of the fleet program can be measured by the ability of the agency to maintain an established vehicle replacement strategy through the replacement of high mileage vehicles in a timely manner.

Governor’s Division of Emergency Management

Participant evaluations of GDEM training and exercise activities are routinely conducted and results generally reflect above average ratings for our programs.

City and county officials have frequently indicated in public meetings, conference calls, workshops, and other forums that GDEM has provided effective support for local emergency preparedness, response and recovery activities.

The President of the United States, the Vice President of the United States, the Governor of Texas, and the both of the State’s U.S. Senators, have visited the Emergency Management Division in the last two years to express appreciation for the timeliness and effectiveness of disaster response and recovery efforts managed by the Division.

D. Does your agency’s enabling law continue to correctly reflect your mission, objectives, and approach to performing your functions? Have you recommended changes to the Legislature in the past to improve your agency's operations? If so, explain. Were the changes adopted?

Texas Highway Patrol Division

Government Code, Chapter 411, Subchapter C, Section 411.031, provides for the composition of the Texas Highway Patrol. Commissioned members of the Highway Patrol Division have statewide law enforcement jurisdiction. This law continues to correctly reflect the mission and objectives of the Highway Patrol Service.

The Highway Patrol Service recommended a recent change to the 80th Legislative Session. This change was necessary to eliminate the DPS as an alternative to a garage keeper informing a law enforcement agency of an abandoned vehicle. This elimination was needed because DPS did not have the resources available to provide an adequate level of service to the garage keeper. Local law enforcement agencies with jurisdiction where the abandoned vehicle was stored were better able to provide this service. The changes were adopted in HB 864. HB 864 was signed by the Governor on May 25, 2007.

State and Federal statutes regulating commercial vehicles are in most parts compatible. Article 6 675d, Revised States, as passed in 1995 by the Texas Legislature (codified as Texas Transportation Code, Chapter 644) contains the Department's adoption authority for the Federal Motor Carrier Safety Regulations (FMCSR), providing some variances to the FMCSR, however these variances fall within the tolerance guidelines of FMCSR, Part 350. Recommended changes to legislation in the past have been requested to remain compatible with the FMCSR and changes were adopted. At present, no additional statutory changes are recommended for the Department's Commercial Vehicle Enforcement Program.

The enabling laws for both the evidential breath alcohol testing and ignition interlock programs continue to correctly reflect the mission, objectives, and approach to performing these functions. The bureau has supported legislation to lower the legal definition of intoxication from 0.10 to 0.08, increase penalties or sanctions for persons who refuse a breath or blood test, change DWI laws so that it is a crime to drive with an alcohol concentration as determined at the time that the specimen is taken rather than at the time of driving to eliminate the need to back extrapolate alcohol results and

to allow technical supervisors and breath test operators to testify by telephone in administrative license revocation cases. Only the lowering of the legal definition of intoxication from 0.10 to 0.08 has been enacted.

Texas Ranger Division

The enabling laws have continued to reflect the Texas Ranger Division's mission and objectives. The last recommendation to the 77th Legislature was the proposal to create an unsolved crimes investigation unit, which was passed and has been successfully placed in service.

Criminal Law Enforcement Division

Section 411.002 of the Texas Government Code establishes DPS as an agency of the state to enforce

the laws protecting the public safety and provide for the prevention and detection of crime. The Narcotics Service, through the enforcement of drug laws, plays an integral part in the overall function of the Department. Recommendation of additional drug laws or the adaptations of existing drug laws and supporting statutes have been made to the Legislature to improve the Service's operation.

Recommended changes by the Criminal Intelligence Service made to and adopted by the Texas Legislature within the past several years included:

- DPS required to conduct pre-employment polygraph for the agency in order to more effectively screen potential commissioned applicants.
- Texas Government Code amended to provide for the polygraph of DPS commissioned officers assigned to the FBI Joint Terrorism Task Force in order to provide a higher level of National Security accountability.
- Legislation passed to enhance DNA capabilities through additional program resources and funding provided to DPS Missing Persons Clearinghouse and the University of North Texas (DNA Identity Lab)

The enabling statutes correctly reflect the Motor Vehicle Theft Service's mission, objectives, and approach in maintaining control of vehicle theft activity. The functions have fluctuated at different periods of time with legislative mandates, such as the implementation of the Salvage Inspection Program in 1992 and the repeal of that program during the 78th Legislature. Currently, the Service has been tasked with additional duties that include pari-mutuel racing monitoring and enforcement, fugitive apprehension, and the Texas Top Ten Most Wanted.

Originally, the functions of the crime laboratory were specified in the Government Code, Section 411.042, providing for the testing of certain evidence within the Bureau of Identification and Records. In more recent years, Section 411.141 to 411.154 of the Government Code have been added to reflect the Department's responsibilities with DNA testing and maintaining a DNA

database, and Section 411.0205 has been added to reflect the Department's responsibility to accredit crime laboratories. Article 64.03, Code of Criminal Procedure, provides that courts may order the DPS Crime Laboratory to conduct post conviction DNA testing, and recent changes to Article 11.07, Code of Criminal Procedure, allow the courts to order DPS laboratories to perform other types of post conviction testing. Changes have been requested of the Legislature in refining DNA and laboratory accreditation policies, and the Legislature has adopted those changes. The 79th Legislature passed House Bill 1068 and the 80th Legislature passed House Bill 3295 dealing with both the DNA and accreditation issues. In addition, the 80th Legislature provided a significant increase in funding for the Crime Laboratory Service to enable it to enhance its operations to better meet demands for services.

Driver License Division

Statutory authority for Driver Licensing, Driver Control, Commercial Driver Licensing, Administrative License Revocation, Safety Responsibility, and the Driver Responsibility Program are clearly delineated in the Texas Government Code and Transportation Code. The functions of the Driver License Division are carried out under the authority in these statutes.

Modified statutory authority was enacted from bills filed during the 80th Session of the Texas Legislature. Bills that largely composed compliance and clean-up measures to meet statutory and federal mandates were related to compliance with Commercial Driver License federal audit findings and driver sanction improvements.

Senate Bill 766, passed in the 80th Legislative Session transfers the responsibility for the Crash Records Bureau from the Department of Public Safety to the Texas Department of Transportation (TxDOT). The bill transfers personnel, equipment, and budgets associated with the collection, maintenance and tabulation of crash reports to TxDot on October 1, 2007.

New statutory authority was created to implement a radio frequency chip driver license for use as a border crossing document and to create a new nonresident commercial driver license for temporary workers from foreign countries who are legally admitted into the United States. A mandatory vision exam was required for drivers 90 years of age or older.

Administration Division

With regard to the Private Security Bureau, HB 2833 was passed in the 80th Legislature and signed by the Governor on June 15, 2007. The bill revises and updates several provisions of the Private Security Act, Chapter 1702 of the Occupations Code. The bill clarifies the eligibility criteria and the effect of criminal backgrounds on eligibility. It clarifies administrative procedures and rights of licensees in disciplinary actions and imposes strict requirements on those applying for licenses as commissioned security officers. This bill will greatly assist Regulatory Licensing Service in the administration of the Private Security Act as it clarifies many frequently occurring issues.

With regard to the Concealed Handgun Licensing Bureau, Chapter 411, Subchapter H of the Government Code creates the concealed handgun licensing program. Amendments are made to the statute during almost every legislative session, but most of those amendments involve changes to the circumstances under which licensees can carry concealed handguns, rather than changes to how the Department administers the program.

Generally, the Crime Records Service enabling statutes (Sec. 411. 042 Government Code and Chapter 411, Subchapter F, Government Code) do reflect our mission and objectives. We have made suggestions for changes, some of which have been adopted and some not. The two largest recent examples are below:

DPS Background Check Clearinghouse

With the ever-increasing use of fingerprint background searches as statutory pre-requisites to licensing and employment in many industries, we recognized the need for a more efficient and

economical overall strategy. Our first step was to enter into a no-cost-to-the-state contract with a private fingerprinting company to capture applicants' fingerprints electronically at "livescan" devices placed throughout the state. Prior to that contract being awarded non-criminal justice applicants needing background searches were printed at local police departments and sheriffs offices. Those agencies generally viewed the mandate (Sec. 80.001, Human Resources Code) to take citizens' fingerprints as an inconvenient burden. The statute allows the law enforcement agencies to charge \$10. The successful bidder proposed to take the prints at locations throughout the state at a charge of \$9.95.

The second part of the strategy was to create a "Background Check Clearinghouse." An applicant would enroll in the Clearinghouse upon their first application for a position at a cost of \$48.95 (\$15.00 for the DPS background check, \$24.00 for the FBI background check, and \$9.95 to get their fingerprints taken). Then if the person wanted to move to another place of employment in their industry, they would tell the second employer, "I am already in the DPS background check clearinghouse" and present their driver license. The second employer would check the Clearinghouse via the Internet, obtain the record status and a photo of the person taken at the time of fingerprinting, all for a cost of \$1.00 rather than \$48.95. Over time this will create a significant savings to the citizens of Texas. The Clearinghouse also allows the employers to "subscribe" to their employees' records so that if the person is arrested in Texas during their employment, the Clearinghouse will send the employer an automated notification.

We proposed this concept to Senator Florence Shapiro in the most recent session. She put it into Senate Bill 9 regarding the fingerprinting of all certified and non-certified employees within Texas schools. The bill passed and we will be implementing the Clearinghouse by January 1, 2008.

Sex Offender Registration Compliance with Federal Statutes

The U. S. Congress has passed several bills over the years establishing national standards for sex offender registration. We have proposed corresponding language for Texas sex offender registration requirements. In past sessions they have passed. In the most recent session, we worked very closely

with Senator Shapiro on language that she placed into SB 1740 which would have put Texas almost completely in compliance with the federal Adam Walsh Child Protection and Safety Act of 2006. The bill did not pass. States have until 2009 to meet compliance, and Senator Shapiro has indicated she will pursue the same issues next session.

In 2001, the Department requested additional funding from the Legislature to address the age of our fleet vehicles which was being impacted by a sharp increase in the price of new vehicles and a decline in the amount of funds received from the sale of surplus vehicles. With a lack of adequate funding to replace all of the aging, high-mileage vehicles, we were unable to achieve our vehicle replacement strategy, thus increasing our operating costs and potentially endangering the lives of our employees and the public. Our request for additional funding was approved in the 2002-03 biennium and in each biennium thereafter which has resulted in an overall improvement of the fleet.

Governor's Division of Emergency Management

Subchapter C of Chapter 418 (Emergency Management) of the Government Code generally reflects the Emergency Management Division's mission, objectives, and operational approach. Portions of Subchapter C have some dated provisions (such as the section dealing with weather modification) and the language of the subchapter could be more precise in some areas. GDEM considered proposing a rewrite of Subchapter C to the Legislature to clean up the existing text. Due to the large number of bills proposed during the most recent legislative session that affected Chapter 418, it appeared advisable to defer proposing changes to the existing text this year; we intend to do so in advance of the next legislative session.

E. 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?

Texas Highway Patrol Division

There is no other state or federal agency responsible for providing police traffic supervision, general police work on rural highways, public safety education and capitol security. These key functions are appropriately placed with the Highway Patrol Service.

The Commercial Vehicle Enforcement Service in partnership with the Federal Motor Carrier Safety Administration maintains similar functions in the safety of the motor carrier industry. The only locations in the State of Texas where the FMCSA conducts roadside vehicle inspections are 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 not to conduct a second safety inspection on a vehicle that was just inspected by FMCSA.

Contact with FMCSA Texas Division Administrator and statistical information enables both agencies to focus on motor carriers without duplicating efforts. A more aggressive approach has been taken by FMCSA on the passenger vehicle industry, while CVE maintains a more aggressive approach to the commercial vehicle property carrying industry; however, not neglecting passenger carrying vehicles.

The supervision of inspection stations and inspectors rests with DPS. However, both Texas Transportation Code, §548, and Health and Safety Code, §382, authorize DPS and the Texas Commission on Environmental Quality (TCEQ) to establish and maintain a motor vehicle emissions inspection and maintenance program as required by U.S. law or the Texas State Implementation Plan

(SIP). To avoid duplication, TCEQ, based on scientific and legal requirements, determines what type of vehicle emissions testing is to be done, where, and for how long. DPS implements these vehicle emissions testing requirements in conjunction with the annual vehicle safety inspection at established vehicle inspection facilities.

Texas Ranger Division

The function of the Texas Ranger Division does not overlap or duplicate those of another state or federal agency. No other state or federal agency provides state-wide assistance to rural agencies to investigate crimes. The Division investigates state offenses and not violations of federal laws.

Criminal Law Enforcement Division

The function of the Narcotics Service overlaps with several federal agencies; however, it does not overlap with the function of other state agencies. Duplication of effort with federal agencies is minimized through the sharing of intelligence information and a coordinated de-confliction effort.

The function of the Criminal Intelligence Service does not overlap or duplicate those of another state or federal agency. Programs and services provided by CIS are most effective being operated within a state police environment. Whereas other Texas state level police functions exist within the government's structure, these programs and services are best supported both in terms of resources and operationally by the DPS. The programs support and compliment other organizational parts of the agency and, additionally, support programs, activities, and functions within other operational areas of DPS (i.e., Ranger, Texas Highway Patrol, and Driver License Divisions), as well as local and federal law enforcement entities.

CIS continually evaluates internal programs and services and remains flexible to new methodologies that will streamline work measures and minimize service duplication with other areas of the agency, as well as other state police agencies. DPS currently has de-confliction mechanisms implemented within several of the law enforcement databases shared with other law enforcement agencies.

MVTS functions are not overlapped by any other state or federal agency. DPS, as the primary law enforcement in the state, is tasked with the distinct responsibility of having statewide jurisdictional authority over traffic management and enforcement, as well as criminal law enforcement authority throughout Texas. The key functions for MVTS are appropriately placed within the Criminal Law Enforcement Division due to its crime suppression goals and objectives and through the use of its investigative specialization. The expertise and specialized knowledge in vehicle identification techniques and vehicle theft investigation methodology, along with its investigative resources that were all acquired through the Service's 35 years of experience are definitely unmatched in the U.S. Assistance is frequently requested by other state and federal agencies and is readily provided ensuring that a successful outcome is attained by the requesting agency.

Crime Laboratory Services do not overlap those of other state agencies. When the Department of Insurance opened a forensic laboratory within the Fire Marshal's Office to examine fire debris from arson cases, the DPS laboratories discontinued that analytical service. No other state agency provides crime laboratory services. The federal government provides forensic laboratory services within the Federal Bureau of Investigation (FBI). According to information on the web site, acceptance of evidence from local and state law enforcement agencies to violent crimes, such as murder, rape, robbery, and assault, is limited. Further, requests for examinations from laboratories which have the capability of conducting those examinations are not accepted. It is believed that the FBI Laboratory receives very few cases from Texas, other than those submitted by FBI agents. The Drug Enforcement Administration (DEA) operates a laboratory in the Dallas area, which serves about 20% of the states and provides only drug analysis services – primarily serving its own officers. While offering some assistance to local and state agencies, it is understood that services to agencies outside of DEA are limited. The Bureau of Alcohol, Tobacco, and Firearms provides some crime laboratory services and operates similarly to the FBI Laboratory, serving primarily federal law enforcement officers. The main assurance that DPS laboratories is not duplicating service provided by another government-operated forensic laboratory is the general policy of crime labs not to re-examine evidence that has previously been examined by another lab. Further, labs are informed by law enforcement officer clients, as well as by staff of other crime laboratories, when any duplication of services may potentially occur. The greater problem with forensic laboratories is the scarcity of services, not the redundancy of services. In the metropolitan areas, DPS laboratories experience that agencies who once used the laboratory services of the county laboratory now submit evidence to the DPS laboratory, either because the service is more timely or free of charge.

Driver License Division

The functions of the Driver License Division do not overlap with any other state or federal agency. There is no duplication of effort other than law enforcement duties. However, it should be noted that Driver License commissioned personnel conduct investigative duties that are highly specialized and unique to the information and practices of the Division. These investigations usually pertain to identity theft and identity fraud where Driver License personnel have a great deal of expertise in the investigation and prosecution of these crimes.

Administration Division

No other state or federal agency regulates or licenses any function within the private security professions or licenses individuals to carry concealed handguns in the state of Texas.

None of Crime Records functions duplicate those of other state or federal agencies. Crime Records functions are state-level implementations of national criminal justice information systems. These

Texas systems feed the state data into those national systems so that the Texas data is available to law enforcement and criminal justice users across the country. As such, the federal and state systems enjoy an excellent, mutually beneficial relationship. DPS is universally recognized as the lead law enforcement agency in the state. This status is largely established in statute and serves both as the justification for the ownership of these systems and insurance against duplication in management of statewide criminal justice information systems. There is little opportunity for duplication with related agencies.

The state statute authorizes the Texas Building and Procurement Commission (TBPC) to maintain all state-owned buildings within Travis County and any county contiguous with Travis County. TBPC delegated this responsibility to DPS because of the size of our headquarters complex, the age of the equipment in the buildings, and our knowledge of and capability to continue to maintain these buildings.

Governor's Division of Emergency Management

Hazard mitigation, disaster recovery, and emergency preparedness activities overlap somewhat the functions of the US Department of Homeland Security (DHS) and the Federal Emergency Management Agency, an operating component of DHS. Most of the funding for state and local mitigation, recovery, and preparedness programs comes from these federal agencies.

Hazard mitigation and disaster recovery programs are appropriately placed in GDEM. In each state, state agencies administer these programs on a day-to-day basis pursuant to agreements with FEMA, which provides policy guidance, regulations, and funding. FEMA and the State are partners in carrying out these programs, each providing unique capabilities and fulfilling specific roles. State emergency preparedness activities overlap with some DHS and FEMA preparedness activities. State emergency preparedness activities are appropriately placed in GDEM. DHS and FEMA carry out

general emergency preparedness programs. GDEM uses these program resources and a variety of other resources to provide emergency planning, training, exercise, citizen education, and emergency public information programs that are geared to the specific threats, governmental organizations, authorities, statutes, and operational procedures that apply in Texas.

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

Other states carry out functions similar to DPS through their statewide law enforcement agencies and their department of motor vehicles.

Texas Highway Patrol Division

All states, in partnership with FMCSA under the Motor Carrier Safety Assistance Program (MCSAP), carry out similar functions in improving the safety of the nation's transportation system with the goal of saving lives and reducing transportation related injuries.

Currently, 19 states have safety inspection programs (16 decentralized, 3 centralized). Thirty-two

states have emissions testing programs which may encompass the entire state or just specific geographic areas within the state (15 decentralized, 14 centralized, 3 hybrid, which offer both decentralized and centralized options).

Generally, evidential breath alcohol testing is regulated in other states in either forensic science-based programs or police-based programs. Police-based programs are slowly declining as courts require more forensically sound breath test programs. Texas is a forensic science-based program. Ignition Interlock Programs are generally judicially-based, where criminal courts determine the imposition of the interlock, or administratively-based, where the imposition of the interlock is determined by an administrator, usually associated with driver license issuance. Texas is a judicially-based program.

Criminal Law Enforcement Division

Other states without primary jurisdiction over criminal offenses assist rural law enforcement with major felony investigations.

Other states handle drug enforcement similar to the Department with a few exceptions. In the majority of states, drug enforcement is handled by a separate entity. This specialization allows personnel to become experts in their field of drug enforcement.

Criminal Intelligence functions in other states are performed utilizing many common methodologies, organizational procedures, and practices.

Other states perform the Motor Vehicle Theft function in various ways. The vast majority of other states' criminal investigative units are multi-tasked or tasked with general investigative functions. Adjacent states, such as Louisiana and Oklahoma, provide the closest similarity with the exception of the command structure. The command structure is multi-functional, in that multiple specialized units report to a single command. This command structure lacks continuity and inhibits specialized investigative knowledge and leadership. MVTS provides for a unified base of investigative job knowledge that provides for the development of vast expertise by all members of the Service. Each member benefits from other members' experience and training through an internal field training program and specialized seminars.

Other states provide forensic laboratory services in a fashion similar to Texas. The state agency housing the crime laboratory varies from state to state, sometimes being the state law enforcement agency (i.e., Texas DPS), the state's criminal law enforcement agency (i.e., Colorado Bureau of Investigation), or the state attorney general's department. In most states, there is a combination of a state crime laboratory (or laboratory system) and local government laboratories. In Florida, it is understood that the state, while having its own labs in the Florida Department of Law Enforcement, also provides some financial support to the city and county labs.

Driver License Division

Driver licensing in other states is largely along two models. The first is the Public Safety model wherein the driver licensing and control functions are within the state police agency. This is the model of the state of Texas. The other predominant model is the Department of Motor Vehicles (DMV) model. In the DMV model all vehicle related functions are combined into one agency. In the DMV model, driver licensing, vehicle titling, and vehicle registration functions are within one agency. In the DMV model, there are not usually any commissioned law enforcement functions performed.

Administration Division

Most other states have similar licensing programs for private security professions and the carrying of concealed handguns.

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 in very similar processes.

Governor's Division of Emergency Management

All states have emergency management or emergency services organization that carry out most of the same functions as the Governor's Division of Emergency Management. These agencies have a wide variety of different names which typically include emergency management or homeland security or both. Roughly 30% of state emergency management programs are part of state military departments, some 25% are part of public safety organizations, roughly 30% are part of governor's offices, and 15% are either separate agencies or incorporated in other state departments.

<p>G. What key obstacles impair your agency's ability to achieve its objectives?</p>

Recruiting and Staffing

Law enforcement agencies throughout the United States, including the Department of Public Safety, are having difficulty filling peace officer positions. From the 1960s to the 1990s, many young men and women with a high-school diploma, in addition to those with college degrees, were attracted to a career in law enforcement. A career in law enforcement provided a good salary, excellent benefits and promotional opportunities. During those years, law enforcement agencies had thousands of applicants applying for a job as an officer. Today, the interest in becoming a police officer seems to

have declined. Possible reasons for the decline are or may be:

- persons are seeking higher education to pursue professional positions in the private sector for greater pay;
- increasing opportunities in high technology jobs;
- negative publicity over high profile incidents of racial profiling and excessive use of force situations;
- wars in Iraq and Afghanistan are taking those public service minded persons to the armed forces.

As vacancies occur, because of retirement or other reasons, they must be filled to provide effective police services. This means that law enforcement agencies, including local, state and federal, must compete with each other to recruit from the shrinking number of individuals seeking law enforcement careers.

The DPS has a total of 3,811 commissioned officer positions. Of these, over 350 are currently vacant and we lose an average of about 12 officers per month. According to the International Association of Chiefs of Police, comparably sized agencies such as the Dallas Police Department and the Houston Police Department have 600 and 700 vacancies, respectively.

With a limited number of persons to recruit for police officer positions, agencies are competing with each other for the “cream of the crop.” An applicant with DPS in most cases must agree to be assigned anywhere in the State. When a DPS trooper promotes, he/she must go where the

supervisory vacancy is located. Sometimes, this means a move as far as 1,000 miles. Families must be uprooted, spouses must find different jobs and children are put into different schools. A former home must be sold, and a new home must be purchased. This is all done at the expense of the DPS employee. DPS only pays for the actual cost to move the employee’s household.

On the other hand, when an officer employed by a local agency promotes, he/she only has to clean out the desk and move to another office – probably even in the same building. No worries about the spouse finding a new job, selling and buying a home or putting the children in a new school.

These recruiting “handicaps” do not even take into account police officer salaries. As prospective employees compare agencies, they see that DPS has a comparable entry level salary; however, that salary falls way behind as promotional opportunities are sought in the higher ranks. The salary offered by DPS is much lower when compared to major metropolitan police agencies in Texas.

Although addressed as a much broader agency issue for hiring, promotion, and retention, salary differential is an obstacle within the CLE. Within the commissioned ranks, the differences in salary between positions do not provide sufficient incentive for DPS personnel to consider promotion with re-location almost a certainty. This is also seen as an obstacle within the non-commissioned support roles for hiring and retaining, as salary for like positions within other agencies are considerably higher.

A key obstacle impairing the Driver License Division from meeting its objectives is the low salary paid non-commissioned members of the field services. The compensation is not competitive in many areas of the state and results in a high turnover rate. A high employment turnover rate results in supervisors spending a great deal of time hiring and training new employees.

The key obstacle that impairs the Private Security Bureau's ability to achieve its objectives is a lack of resources in the form of commissioned personnel. The current commissioned personnel in the field are strategically placed across the state to achieve best results. The professions regulated by the bureau continue to grow. In order to continue a high level of service to our license holders and the citizens of Texas, an increase in commissioned field personnel is necessary to give the bureau the ability to respond to current and future enforcement needs in an efficient and effective manner.

The Concealed Handgun Licensing Bureau does not have sufficient personnel to efficiently and effectively process the large number of original and renewal applications received or to proactively monitor/regulate instructors.

Lack of Adequate Office Space

- Inadequate office space and outdated facilities for field personnel is an obstacle since it prevents the expansion of future services to the public and could decrease the overall effectiveness of the Department.
- Lack of adequate funding to address deferred maintenance items.

Governor's Division of Emergency Management

- Continually increasing numbers of grants and contracts.

GDEM pass through of state and federal funds to large numbers of local governments and state agencies through contracts and sub-grants is creating massive contract, payment, and financial management workloads for the GDEM Support Services staff and the DPS Accounting & Budget Control staff which are becoming increasingly difficult to handle.

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

Texas Highway Patrol Division

Criminal cases that involve back or retrograde extrapolation of alcohol concentration continue to be appealed. If the Court of Criminal Appeals decides that retrograde extrapolation is required for alcohol results to be admissible, prosecution of DWI cases would be negatively impacted and breath and blood alcohol results would be inadmissible in many cases. Only a change in the law making it a crime to drive with an alcohol concentration as determined at the time that the specimen is taken rather than at the time of driving (the current law) could remedy this problem.

Criminal Law Enforcement Division

The greatest change to the Crime Laboratory Service in the past ten years has been the implementation of DNA technology. DPS began this work in 1994 and has continually expanded its DNA capability since then. Currently, the DNA accounts for 73 personnel which is 31% of the total staff. The impact has been significant with the DNA lab work contributing to solving many violent crimes – much of them cold investigations that likely would never have been solved otherwise. The success of DNA in providing clear answers to guilt or innocence, not by any state or federal law change, has impacted making this a key function. With accreditation of crime laboratories now being required by the State of Texas, a change in that statute to require latent fingerprint examinations to be accredited could impact DPS considerably resulting in an increase in the DPS lab workload by accepting work from agencies who could not obtain the accreditation. In addition, should federal funding for forensic DNA testing now received by the Department be reduced, it could have a negative impact on the lab's ability to provide services.

Driver License Division

Two significant future impacts on the Driver License Division operations are the new legislation to issue a border crossing driver license document and the provisions of the Real ID Act. The provision to issue a border crossing document will require extensive technical infrastructure and operational

impacts. The Real ID Act, if adopted by the State of Texas, will require each person holding a driver license or identification card to represent their identity documents and to have those documents validated with the issuing source.

Administration Division

Statutory changes or court decisions at the federal or state level regarding the licensing of individuals to carry concealed handguns or the eligibility of individuals to purchase or possess firearms could impact the Concealed Handgun Licensing Bureau's key functions.

The national sex offender legislation has affected the Texas Sex Offender Registration program. The Adam Walsh Child Protection and Safety Act of 2006 is requiring changes in the Code of Criminal Procedure, Ch. 62 which defines the Texas program. Because we are managing programs tightly bound to corresponding national systems, we are affected by changing requirements in those programs. Because of the robust national advisory process to those systems and the "shared management" concept implemented by the FBI for the systems, we are normally able to manage those changes in an orderly manner.

Proposed national immigration reform legislation could potentially have far reaching impact upon our functions if they require widespread fingerprinting and background checks on immigrants by state or local agencies.

Governor's Division of Emergency Management

The 2008-2009 Appropriations Act provides \$63 million in dedicated and contingency funding for border security to be administered by EMD. This includes funding for joint operations intelligence centers and the Border Security Operations Center and funding for overtime, per diem, and travel for state and local law enforcement personnel participating in border security operations. This funding is expected to further increase the number of contracts and payments that will have to be processed by GDEM and DPS, as well as the number of audits that GDEM will have to perform.

<p>I. What are your agency's biggest opportunities for improvement in the future?</p>
--

Texas Highway Patrol Division

In-Car Technology enabling troopers to access the Texas and National Law Enforcement Telecommunications Networks through a secure computer terminal mounted in the patrol unit. This project will implement electronic citations and Global Positioning Satellite (GPS) technology which will allow for automated entries into the AIS Database. This system will provide the capability to disseminate driver license pictures and pictures of dangerous wanted persons and stolen vehicles which will improve the ability to detect identity thieves, wanted persons and stolen vehicles.

Increase of commissioned and non-commissioned personnel is needed to carry out the responsibilities of the Texas Highway Patrol Division.

Transponder technology enabling identification of motor carrier and inspection history would provide for concentration on problem carriers.

Automation of safety inspection processes in non-emissions testing counties. DPS is in the process of implementing a statewide automation program for safety-only (non-emissions testing) inspection stations. The Texas Automated Vehicle Inspection System (TAVIS) is a turnkey service for DPS from Texas OnLine through their prime contractor, BearingPoint. It is a web-based system whereby inspection stations record inspection records electronically and transmit them to a host. TAVIS also provides for inspection certificate inventory management, online certificate ordering and purchase by inspection stations, and audit, management and administrative applications and reports for the Department, inspection stations, and law enforcement. TAVIS communications with the host is either through dial-up or high-speed internet.

Texas Ranger Division

The Texas Ranger Division's biggest opportunity for improvement in the future is to continue to seek and obtain up-to-date training in current investigative techniques, acquisition of proper crime scene equipment and selection of the most qualified personnel for our division.

Criminal Law Enforcement Division

Narcotics Service

- Provide adequate training for the Service's personnel whether at the commissioned line personnel or the supervisor rank.
- Incentive for personnel to promote to less desirable duty stations.
- Availability of resources to hire technically, advanced personnel to keep pace with the advancement of electronic surveillance requirements.

Criminal Intelligence Service

The public is concerned about terrorism-related issues in Texas. As identified within the U.S. 9/11 and the Governor's 9/11 Strategy reports, the collection and dissemination of information between law enforcement, industry, and the public to prevent acts of violence is of paramount importance to public safety. CIS currently expends many of its resources towards carrying out mandated functions that are ancillary to these current public safety fears brought about by terrorism. In order to increase operational effectiveness of CIS, the primary focus of the Service towards the gathering of actionable intelligence regarding terrorism and organized criminal activities, should be evaluated.

Motor Vehicle Theft Service

The advancement in training methods in vehicle identification and vehicle theft investigation will provide an expedient mechanism to enhance specialized knowledge in minimal time. Another opportunity for improvement would be the acquisition of computer technology to assist in detecting, identifying and analyzing criminal activity in a much faster and effective manner.

Crime Laboratory Service

The biggest opportunities for improvement in the future are to provide timely laboratory services, and to continue to increase the impact on solving crime early in the criminal's career so that truly violent criminals are isolated from the public. Currently, the DPS Crime Laboratories are one year behind in providing results on firearms examinations. In FY 2008, efforts to double the capacity to examine firearms evidence are anticipated, enabling quicker prosecution of defendants on these homicide and aggravated assault cases.

Also, with the rising success of the DNA program, there will be increases in the number of cold cases the lab may assist officers to solve each month. Finally, additional ways to automate parts of the analytical processes with robotics instruments, to increase efficiency, and explore new technologies to enhance the forensic science services provided will be explored. The Crime Laboratory Service will continue to remain accredited and in 2007 will achieve internationally-recognized accreditation.

Driver License Division

In January 2008, the Driver License Division will begin deploying the Driver License Re-engineering (DLR) project to the field offices and the headquarters operations. The DLR will streamline field and headquarters operations to create new efficiencies in the processing of driver license operations. The DLR will provide new hardware and software to realize these benefits.

Another significant homeland security opportunity would be the enactment of Real ID Act. The Real ID provisions to establish and verify all driver license and identification card holder's identity and lawful presence would provide a meaningful law enforcement and homeland security benefit.

Administration Division

Regulatory Licensing Service

- Partnerships/Outsourcing

The Private Security Bureau's biggest opportunity for improvement in the future is to continue the direction set when the Department took over the responsibilities of the now defunct Private Security Commission. This includes continuing to establish and improve communication with the regulated professions as well as the education of law enforcement professionals regarding the requirements of the Private Security Act and the promotion of the bureau's programs and initiatives. We believe this will provide the bureau an opportunity to become a leader in the licensing and regulation of private security professions not only at the state and local level, but also on a national level.

Partnerships with the private sector (such as vendors and instructors) will create greater opportunities for the Concealed Handgun Licensing Bureau to serve the public. Also, increased communication with other areas within the Department as well as other state agencies and vendors will provide opportunities to exchange information and increase staff knowledge.

- Technology

Upcoming advances in technology, such as automation of fingerprint criminal history checks, image archival of documents, and the production of licenses with enhanced security features, will provide opportunities for both bureaus to serve our license holders and the citizens of Texas.

Crime Records Service

Crime Records greatest opportunities for improvement are normally through enhanced automation or improved processes. The full implementation of the Criminal History Background Check

Clearinghouse and the statewide fingerprinting service described in Section D will both bring significant improvements to the service provided by Crime Records.

Staff Support Service

Greater control over new building construction.

A DPS driver training facility that will enable us to provide quality driver training to DPS troopers and other law enforcement officers.

A new “state-of-the-art” Training Academy to provide better training to more law enforcement officers throughout the state.

Governor’s Division of Emergency Management

Conducting deliberate planning for expanding missions and making incremental changes to the existing organization to provide additional personnel, equipment, and facility capabilities in several workcenters to deal with natural and man-made threats, changing national and state priorities, evolving emergency management requirements, and federal homeland security program data calls and mandates for states and local governments.

Improving our management of and accountability for the many complex grant programs managed by GDEM and the new state border security funding that will be administered by GDEM by developing additional well-qualified project managers and specialists, as well as a providing a larger and more capable support services staff to sustain expanding business operations.

J. 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. See Example 2 or [click here to link directly to the example](#).

Texas Department of Public Safety Exhibit 2: Key Performance Measures Fiscal Year 2006			
Key Performance Measures	FY 2006 Target	FY 2006 Actual Performance	FY 2006 % of Annual Target
Goal A: Law Enforcement on Highways			
Annual Texas Rural Traffic Death Rate	2.8	2.2	78.57%
Traffic Law Violator Contacts	2,500,000	2,480,364	99.21%
Commercial Traffic Law Violator Contacts	1,500,000	1,653,573	110.24%
Number of Breath Alcohol Tests Supervised	46,600	41639	89.35%

Goal B: Driver Safety and Records			
Number of Examinations Administered	6,300,000	6,005,531	95.33%
Number of Accident Reports Processed	700,000	887,894	126.84%
Goal C: Prevent and Detect Crime			
Annual Texas Index Crime Rate	5,200	4,857	93.40%
Number of Arrests for Narcotics Violations	2,800	1,467	52.39%
Number of Arrests for Motor Vehicle Theft	1,200	1,817	151.42%
Number of Special Crimes Arrests	2,175	837	38.48%
Number of Arrests - Texas Rangers	1,800	1,902	105.67%
Number of Drug Cases Examined	47,000	58,123	123.67%

Goal D: Emergency Management			
Percentage of Local Governments Achieving an Acceptable or Greater Level of Emergency Preparedness	30	88.10	293.67%
Number of Emergency Incidents Coordinated	2,000	7,063	353.15%
Number of Counties Provided Disaster Financial Assistance	90	1,110	1233.33%
Goal E: Regulatory Programs			
Percent of Polygraph Licensees with No Recent Violations	99	99	100.00%
Percent of Private Security Board Documented Complaints Resolved within Six Months	99	99	100.00%
Percent of Private Security Board Licensees with No Recent Violations	99	99	100.00%
Number of Original (Concealed) Handgun Licenses Issued	28,000	31,261	111.65%
Number of Renewal (Concealed) Handgun Licenses Issued	34,000	41,552	122.21%
Number of (Polygraph) Examination Sessions Conducted	6	10	166.67%
Number of (Private Security Board) Investigations Conducted	12,900	7,718	59.83%
Average Time (Days) for (Private Security Board) Case Resolution	32	25	79.25%
Average Cost Per (Private Security Board) Case Resolved	34.85	240.81	690.99%
Average Cost Per (Private Security Board) Disciplinary Action	383.25	877.72	229.02%
Number of New (Private Security Board) Licenses Issued to			136.50%

Individuals	19,000	25,935	
Average Licensing Cost Per Individual (Private Security Board) License Issued	6.37	6.97	109.42%

III. History and Major Events

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

- X the date your agency was established;**
- X the original purpose and responsibilities of your agency;**
- X major changes in responsibilities or statutory authority;**
- X changes to your policymaking body’s name or composition;**
- X significant changes in state/federal legislation, mandates, or funding;**
- X significant state/federal litigation that specifically affects your agency’s operations; and**
- X key changes in your agency’s organization (e.g., a major reorganization of the agency=s divisions or program areas).**

See **History and Major Events Examples** or [click here to link directly to an example](#).

The Texas Department of Public Safety was created on August 10, 1935, by the 44th Legislature with the transfer of the State Highway Motor Patrol from the State Highway Department and the Texas Ranger Force from the Adjutant General. Since that time, the Department has been assigned additional law enforcement and regulatory duties, and more responsibility for disaster emergency management.

The Department became responsible for enforcement of the Motor Vehicle Inspection Act in 1951. Additional responsibilities were assumed in 1952 with the passage of the Safety

Responsibility Act, requiring all operators and owners of motor vehicles to be able to pay for damages to others.

As a result of an intensive study by the Texas Research League in 1957, the state was divided into six regional commands, each headed by a senior officer with the rank of major, responsible to the director. All uniformed services were placed under the regional commanders. In addition, a limited crime laboratory was developed in each regional headquarters, supplementing the central crime lab at the Austin headquarters.

At the same time, six companies of the Texas Rangers became part of the new structure, with a company being assigned to the same boundaries as the regional commands, each supervised by a captain.

In 1963, recognizing the major role-played by the DPS in civil defense preparations, the Governor transferred the State Civil Defense Office from his office to the Department of Public Safety and designated the DPS director as its head.

The Criminal Law Enforcement (CLE) Division was created in 1968 to coordinate the activities of the Texas Ranger, Criminal Intelligence, and Narcotics Services. The Motor Vehicle Theft Service was added to the Criminal Law Enforcement Division in 1972. Statute separated the Texas Ranger Division from the Criminal Law Enforcement Division in 1991.

The Traffic Law Enforcement Division was created in 1968. The six Regions, with headquarters offices in Garland, Houston, Corpus Christ, Midland, Lubbock, and Waco, were placed under the TLE Division and a Chief was appointed to command the Division. Each Regional Commander reported to the Chief of TLE, and the Chief of TLE 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, Capitol Service, and Communications Service.

In 1981, the State Civil Defense Office was statutorily renamed the Division of Emergency Management.

In 1989, \$14 million was appropriated for the DPS to acquire a state-of-the-art Automated Fingerprint Identification System (AFIS). With AFIS, the DPS is able to provide a more rapid identification of arrested persons from fingerprints on file and compare latent prints found at crime scenes with fingerprints stored as digitized records.

In 1994, the DPS Crime Lab began DNA analysis, particularly on evidence in sexual assault and homicide cases.

In an effort to provide better response to driver license issues and improve overall customer service, a separate Driver License Division was created in July 1998.

In 2003, the TLE Division was reorganized and renamed the Texas Highway Patrol Division. The reorganization included the combining and renaming of services and the addition of a new Highway Patrol District and two new Regions. Highway Patrol, Safety Education, Vehicle Inspection, and Capitol Services were combined and renamed the Highway Patrol Service. The License and Weight Service was renamed Commercial Vehicle Enforcement Service. The new Highway Patrol District was headquartered in Bryan, and the two new regions were headquartered in McAllen and at the Capitol.

In January 2004, the Governor, by Executive Order, designated the director of the state Office of Homeland Security as the director of the Emergency Management Service, which continued to be assigned to the Department for administrative purposes.

In November 2005, the Public Safety Commission approved creation of the Division of Emergency Management, making it the sixth division in the Department.

Organizational Structure

Oversight of the Department is vested in the Public Safety Commission, a three-member board appointed by the Governor and serving six-year terms (on September 1 2007, SB 11 passed by the 80th Legislature increases the number of commissioners on the Public Safety Commission from 3 to 5). The day-to-day operations of the Department are the responsibility of the Director who is supported by one Assistant Director. There are several offices performing administrative support services attached to the Director's Staff and the operations of the Department are performed by six major divisions; Driver License, Administration, Texas Highway Patrol, Criminal Law Enforcement, Texas Rangers, and Emergency Management Division.

IV. Policymaking Structure

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

(Agency Name) 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
Ernest Angelo, Jr.	Appointed by Governor 1/6/05 (confirmed 3/3/05) Term expiring 01/01/08 Chairman	Chairman	Midland
Allan B. Polunsky	Appointed by Governor 3/8/07 (confirmed 3/27/07) Term expiring 01/01/10	Member	San Antonio
Louis E. Sturns	Appointed by Governor 9/20/06 (confirmed 3/27/07) Term expiring 01/01/12	Member	Fort Worth

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

The Public Safety Commission has the statutory responsibility to:

- 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 operation;
- adopt rules for carrying out the department's work;
- maintain records of all proceedings and official orders;
- biennially submit a report of its work to the governor and legislature, including the Commission's and director's recommendations.

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.

Effective September 1, 2007, SB 11, 80th Legislative Session, increased the size of the Public Safety Commission to five members. The commission is required, upon application of a discharged officer or employee, to hold a public hearing and decide, on the basis of evidence presented, whether to affirm or set aside the director's decision to discharge.

E. In general, how often does your policymaking body meet? How many times did it meet in FY 2006? in FY 2007?

The Commission meets six to twelve times a year; meetings are usually at least a month apart.
 FY2006 – the Commission met 6 times
 FY2007 – the Commission met 9 times through June 2007

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

Initial in-person individualized training with directors and general counsel to cover topics required under Govt. 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 pursuant to the Private Security Act, the Public Safety 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 agency's director. Department staff conducts any public hearings required in connection with these rules.

Rules adopted pursuant to the Private Security Act, are approved for final adoption by the Public Safety 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 the proposed rules. The Public Safety Commission has reserved its authority to vote on the final adoption of rules under the Private Security Act.

The commission has authorized the director and chief of fiscal affairs to enter into contracts on behalf of the agency. The commission is advised of and consulted with regard to major contracts and these are discussed at public meetings.

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

Division reports prepared by major division chiefs and special section heads are presented to the commission at each public meeting. Commissioners ask for special programs and updates to be posted as recurring items on meeting agendas. In between meetings, the directors advise the commissioners individually on important ongoing topics. The Office of Audit and Inspection provides monthly updates on the progress made on implementing its recommendations.

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. Individuals and groups may make presentations at the beginning of every meeting, as well as during the discussion on rulemaking agenda items. Staff follows up on comments and recommendations; commission will post topic on a future agenda if necessary. Any interested person may petition the department for adoption of a new rule or the amendment of an existing rule. Rulemaking proceedings are initiated within 60 days unless the department denies the petition in writing.

J. If your policymaking body uses subcommittees or advisory committees to carry out its duties, fill in the following chart. See Exhibit 4 Example or [click here to link directly to the example](#).

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 are appointed by the Public Safety Commission. The Public Safety Commission designates the presiding officer from among the committee's members. The members must include border crossing bridge owners, persons serving in the capacity of director of entities governing ports of entry, community leaders, planning developers, mayors, or persons designated by mayors, of the major municipalities in the area of the Texas-Mexico border, representatives of law enforcement agencies, and representatives of the general public.	Improve community relations, department personnel conduct, and the truck inspection process at this state's ports of entry.	Government Code, Section 411.0197.
SB 1879 (80 th Legislative Session) Advisory Committee	Eleven members: DPS director; a physician appointed by the governor; a pharmacist appointed by the governor; a physician appointed by the lieutenant	Develop recommendations regarding the improvement of the official prescription program and implementation of controlled substance	SB 1879, Section 7.

	governor; a pharmacist appointed by the lieutenant governor; a physician appointed by the governor from a list of names submitted by the speaker of the house of representatives; a pharmacist appointed by the governor from a list of names submitted by the speaker of the house of representatives; and one member from each of the following boards: Texas Medical Board; Texas State Board of Pharmacy; State Board of Dental Examiners; and board of Nurse Examiners.	monitoring program.	
HB 2565 (80 th Legislative Session) Advisory Committee on Motor Vehicle Inspections	Nine members. DPS appoints 7 members; TCEQ presiding officer and chair of the Public Safety Commission each appoint 1 member to alternate serving as chair.	Advise and make recommendations to DPS and TCEQ regarding the Motor Vehicle Inspection Program.	Transportation Code, Section 548.006, effective 9-1-07.

V. Funding

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

For the FY06-07 biennium, the Department received approximately 87% of its funding from the State Highway Fund 006. An additional 6.4% was appropriated from Federal Funds. The remaining funding came from General Revenue, Operators and Chauffeurs License Account 099, Appropriated Receipts, Interagency Contracts, Bond Proceeds and Criminal Justice Grants.

Approximately 70% of the Department's funding is expended for salaries.

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

FY06-07 Biennium

1. Article IX, Sec 13.17(h). Increase in Longevity Pay and Hazardous Duty Pay without funding costs the Department approximately \$7 million.
2. Article IX, Sec.6.14. A 2% reduction in the agency FTEs, which eliminated 155.1 positions in the agency.
3. Article V, DPS Rider #42. Requires the Department to pay \$1.3 million to the Attorney General from appropriated funds.

FY08-09 Biennium

1. HB 1303 passed without a contingency rider to increase the FTE Cap by 22 positions needed to implement the bill.
2. Article IX, Sec. 18.02. Directive to pay \$597,970 from current appropriations to DIR for Data Center Consolidation.
3. Article V, DPS Rider #50. Raises the point at which the Department may transfer funds from FY09 only after the average price per gallon exceeds \$2.40 per gallon. Previously, the agency had a rider in place that would allow the agency to seek reimbursement from the Comptroller once the average price per gallon exceeded \$1.38 per gallon. This will cost the agency approximately \$4 million per year if the average price per gallon does not exceed \$2.40 per gallon. If the price does exceed \$2.40 in the first fiscal year of the biennium, the second year biennium gasoline budget is now short \$4 million.
4. Article V, DPS Rider #40. Requires the Department to pay \$1.3 million to the Attorney General from appropriated funds.
5. SB 9 passed without a contingency rider to increase the FTE Cap by 66 positions needed to implement the bill.

C. Show your agency's expenditures by strategy. See Exhibit 5 Example or [click here to link directly to the example](#).

Texas Department of Public Safety		
Exhibit 5: Expenditures by Strategy C Fiscal Year 2006 (Actual)		
Goal/Strategy	Total Amount	Contract Expenditures Included in Total Amount
01-01-01	139,613,167.00	24,195,539
01-01-02	44,373,600.00	4,900,266
01-01-03	17,102,067.00	7,681,535
01-01-04	2,241,844.00	246,410
01-01-05	13,213,027.00	970,623
02-01-01	79,294,295.00	18,241,492
02-01-02	9,524,439.00	10,252,909
02-01-03	1,424,780.00	2,964,748
02-01-04	4,491,915.00	0
02-01-05	963,551.00	200,771
03-01-01	35,539,331.00	7,667,565
03-01-02	10,721,325.00	874,356
03-01-03	15,120,499.00	1,529,874
03-01-04	8,861,061.00	423,504
03-01-05	687,105.00	2,036
03-01-06	17,297,895.00	3,030,881
04-01-01	106,288,447.00	2,850,350
04-01-02	4,441,378.00	1,325
04-01-03	834,284,472.00	129,941
04-01-04	819,720.00	11,636
05-01-01	4,496,274.00	2,020,127
05-02-01	94,856.00	1,003
05-03-01	2,436,659.00	1,001,931
05-03-02	121,645.00	860
05-03-03	328,181.00	2,580
05-04-01	292,483.00	0
06-01-01	12,919,623.00	100,638
06-01-02	26,154,188.00	8,848,363
06-01-03	10,436,248.00	22,783
06-01-04	8,809,221.00	10,047
06-01-05	21,064,950.00	9,490,343
06-01-06	13,972,220.00	3,146,337
06-01-07	2,199,958.00	46,858
06-01-08	2,571,332.00	3,422
06-01-09	2,574,666.00	24,101
06-01-10	9,054,141.00	5,481,744
06-01-11	4,955,613.00	403,411
TOTAL	1,468,786,176	156,977,482

D. Show your agency's objects of expense for each category of expense listed for your agency in the General Appropriations Act FY 2007-2008. See Exhibit 6 Example or [click here to link directly to the example](#). Add columns and rows as necessary.

Texas Department of Public Safety Exhibit 6: Objects of Expense by Program or Function C Fiscal Year 2007			
Object-of-Expense	Program Name	Program Name	Program Name
	Highway Patrol	Commercial Vehicle Enforcement	Vehicle Inspection
	01-01-01	01-01-02	01-01-03
Salaries & Wages	102,637,848	32,630,663	7,767,400
Other Personnel Costs	4,919,069	1,863,077	364,664
Professional Fees & Services	120,913	24,102	1,322,782
Fuels & Lubricants	9,410,293	1,128,368	61,441
Consumable Supplies	792,245	480,395	269,769
Utilities	1,950,218	279,180	49,690
Travel	1,403,454	634,574	577,033
Rent-Building	52,926	15,683	247,756
Rent-Machine & Other	221,317	88,851	35,866
Debt Service	0	0	0
Other Operating Expense	7,261,193	4,099,218	6,246,914
Grants	286,041	0	0
Capital Expenditures	10,557,650	3,129,489	158,752
Total	139,613,167	44,373,600	17,102,067

	Breath And Blood Testing	Capital Complex Security	Driver License And Records
	01-01-04	01-01-05	02-01-01
Salaries & Wages	1,689,593	11,192,370	48,186,049
Other Personnel Costs	54,264	486,356	2,361,124
Professional Fees & Services	766	3,566	7,508,255
Fuels & Lubricants	32,628	60,205	263,395
Consumable Supplies	27,339	50,112	772,228
Utilities	4,799	11,420	144,847
Travel	56,920	5,787	274,438
Rent-Building	120	63	783,581
Rent-Machine & Other	2,938	13,898	208,183
Debt Service	0	0	0
Other Operating Expense	148,997	539,816	12,410,590
Grants	0	0	1,530,531
Capital Expenditures	223,480	849,434	4,851,074
Total	2,241,844	13,213,027	79,294,295

	Driver License Reengineering	Traffic Accident Records	Crash Records Information Systems
	02-01-02	02-01-03	02-01-04
Salaries & Wages	1,112,800	1,240,190	723,276
Other Personnel Costs	52,973	58,588	30,620
Professional Fees & Services	0	0	179,355
Fuels & Lubricants	21,538	0	0
Consumable Supplies	18,433	32,898	3,570
Utilities	19,059	987	0
Travel	9,055	5,010	0
Rent-Building	0	0	0
Rent-Machine & Other	0	11,494	0
Debt Service	0	0	0
Other Operating Expense	202,599	75,505	3,336,618
Grants	0	0	0
Capital Expenditures	8,087,982	108	218,476
Total	9,524,439	1,424,780	4,491,915

	Motorcycle Operator Training	Narcotics	Motor Vehicle Theft
	02-01-05	03-01-01	03-01-02
Salaries & Wages	229,162	22,533,857	7,717,917
Other Personnel Costs	24,821	1,199,446	1,205,539
Professional Fees & Services	0	272,288	23,056
Fuels & Lubricants	0	488,052	187,187
Consumable Supplies	30,568	619,910	85,485
Utilities	521	1,354,862	35,658
Travel	10,289	395,457	148,041
Rent-Building	60,000	19,304	712
Rent-Machine & Other	5,863	142,487	31,352
Debt Service	0	0	0
Other Operating Expense	602,327	5,838,636	656,943
Grants	0	17	0
Capital Expenditures	0	2,675,015	629,435
Total	963,551	35,539,331	10,721,325

	Criminal Intelligence	Texas Rangers	Unsolved Crimes Investigations
	03-01-03	03-01-04	03-01-05
Salaries & Wages	11,355,812	7,017,637	566,390
Other Personnel Costs	508,836	438,547	27,470
Professional Fees & Services	61,873	19,583	400
Fuels & Lubricants	205,058	167,000	10,422
Consumable Supplies	108,640	73,004	4,001
Utilities	85,431	57,438	2,088
Travel	277,191	123,859	19,148
Rent-Building	3,273	2,427	20,385
Rent-Machine & Other	26,150	20,400	1,705
Debt Service	0	0	0
Other Operating Expense	1,664,258	662,179	35,096
Grants	0	0	0
Capital Expenditures	823,977	278,987	0
Total	15,120,499	8,861,061	687,105

	Crime Labs	Emergency Planning	Response Coordination
	03-01-06	04-01-01	04-01-02
Salaries & Wages	10,630,951	2,293,470	1,078,477
Other Personnel Costs	310,269	51,578	40,641
Professional Fees & Services	102,890	97,915	0
Fuels & Lubricants	22,068	26,985	59,832
Consumable Supplies	1,486,005	0	4,269
Utilities	28,535	120,184	22,238
Travel	177,911	82,535	80,282
Rent-Building	33,602	15,993	0
Rent-Machine & Other	38,665	21,274	1,207
Debt Service	0	0	0
Other Operating Expense	2,298,534	4,944,541	1,882,386
Grants	0	96,888,826	1,269,142
Capital Expenditures	2,168,465	1,745,146	2,904
Total	17,297,895	106,288,447	4,441,378

	Disaster Recovery	Emergency Operations Center	Concealed Handguns
	04-01-03	04-01-04	05-01-01
Salaries & Wages	2,648,454	661,359	1,708,652
Other Personnel Costs	43,204	14,302	63,883
Professional Fees & Services	68,275	0	88,102
Fuels & Lubricants	12,314	45	937
Consumable Supplies	35,788	25,484	79,683
Utilities	100,899	7,796	1,752
Travel	231,910	4,172	5,224
Rent-Building	462	0	1,200
Rent-Machine & Other	29,585	3,303	4,170
Debt Service	0	0	0
Other Operating Expense	2,350,993	80,415	2,112,356
Grants	828,644,147	551	0
Capital Expenditures	118,441	22,293	430,315
Total	834,284,472	819,720	4,496,274

	Polygraph Examiners Board	Private Security- Investigations	Private Security- Enforcement
	05-02-01	05-03-01	05-03-02
Salaries & Wages	75,048	1,273,233	108,105
Other Personnel Costs	3,390	75,101	4,890
Professional Fees & Services	426	335,312	0
Fuels & Lubricants	60	31,176	0
Consumable Supplies	1,563	24,329	0
Utilities	143	19,619	0
Travel	6,554	22,203	0
Rent-Building	0	0	0
Rent-Machine & Other	0	5,429	0
Debt Service	0	0	0
Other Operating Expense	7,672	194,168	8,650
Grants	0	0	0
Capital Expenditures	0	456,089	0
Total	94,856	2,436,659	121,645

	Private Security - Licenses and Reg.	Private Security Bureau Texas Online	Central Administration
	05-03-03	05-04-01	06-01-01
Salaries & Wages	270,230	0	10,721,061
Other Personnel Costs	8,400	0	361,820
Professional Fees & Services	0	0	848,142
Fuels & Lubricants	0	0	27,946
Consumable Supplies	1	0	135,959
Utilities	0	0	14,074
Travel	0	0	109,929
Rent-Building	0	0	750
Rent-Machine & Other	0	0	46,103
Debt Service	0	0	0
Other Operating Expense	49,550	292,483	586,611
Grants	0	0	0
Capital Expenditures	0	0	67,228
Total	328,181	292,483	12,919,623

	Information Resources	Regional Administration	Communications Service
	06-01-02	06-01-03	06-01-04
Salaries & Wages	9,540,963	7,988,138	7,934,815
Other Personnel Costs	351,196	400,192	389,400
Professional Fees & Services	528,824	669	4,560
Fuels & Lubricants	4,595	49,256	43,364
Consumable Supplies	182,772	232,773	56,267
Utilities	91,013	43,115	12,319
Travel	54,474	25,005	40,516
Rent-Building	8,002	249,672	675
Rent-Machine & Other	13,354	131,458	12,874
Debt Service	0	0	0
Other Operating Expense	9,774,482	1,315,970	291,596
Grants	0	0	0
Capital Expenditures	5,604,513	0	22,835
Total	26,154,188	10,436,248	8,809,221

	Crime Records	Physical Plant	Training Academy Education Courses
	06-01-05	06-01-06	06-01-07
Salaries & Wages	7,491,440	0	1,668,444
Other Personnel Costs	270,132	0	81,473
Professional Fees & Services	682,239	119,621	204,141
Fuels & Lubricants	33,438	4,685	9,238
Consumable Supplies	205,465	17,098	83,061
Utilities	31,599	8,023,520	5,286
Travel	270,282	34,004	18,755
Rent-Building	12,751	29,343	31,146
Rent-Machine & Other	31,382	2,224	0
Debt Service	0	0	0
Other Operating Expense	7,739,917	1,851,743	89,570
Grants	0	0	0
Capital Expenditures	4,296,305	3,889,982	8,844
Total	21,064,950	13,972,220	2,199,958

	Recruit Schools	Fleet Operations	Aircraft Operations
	06-01-08	06-01-09	06-01-10
Salaries & Wages	1,946,038	2,235,314	1,690,584
Other Personnel Costs	12,500	92,783	113,445
Professional Fees & Services	81,479	1,132	22,695
Fuels & Lubricants	610	23,674	643,767
Consumable Supplies	122,519	22,352	15,134
Utilities	152	551	6,258
Travel	106,576	35,606	37,853
Rent-Building	1,375	2,647	41,196
Rent-Machine & Other	1,325	0	4,795
Debt Service	0	0	0
Other Operating Expense	298,758	149,483	1,294,658
Grants	0	0	0
Capital Expenditures	0	11,124	5,183,756
Total	2,571,332	2,574,666	9,054,141

	Other Support Services	Grand Total
	06-01-11	
Salaries & Wages	3,659,809	332,225,549
Other Personnel Costs	150,549	16,434,542
Professional Fees & Services	2,534	12,725,895
Fuels & Lubricants	21,513	13,051,090
Consumable Supplies	25,253	6,124,372
Utilities	41,922	12,567,173
Travel	16,024	5,300,071
Rent-Building	252,525	1,887,569
Rent-Machine & Other	137,188	1,294,840
Debt Service	0	0
Other Operating Expense	515,248	81,910,673
Grants	0	928,619,255
Capital Expenditures	133,048	56,645,147
Total	4,955,613	1,468,786,176

E. Show your agency's sources of revenue. Include all local, state, and federal appropriations, all professional and operating fees, and all other sources of revenue collected by the agency, including taxes and fines. See Exhibit 7 Example or [click here to link directly to the example](#).

Texas Department of Public Safety Exhibit 7: Sources of Revenue C Fiscal Year 2006 (Actual)	
Source	Amount
General Revenue Fund	13,236,749
GR Dedicated - Texas Department of Insurance Operating Fund Account No. 036	750,000
GR Dedicated - Operators and Chauffeurs License Account No 099	988,355
Federal Funds	984,306,839
GR Account - Motor Carrier Act Enforcement	5,225,685
State Highway Fund No. 006	465,005,893
Criminal Justice Grants	858,701
Appropriated Receipts	19,021,790
Interagency Contracts	1,397,535
Bond Proceeds	2,722,950
TOTAL	1,493,514,497

F. If you receive funds from multiple federal programs, show the types of federal funding sources. See Exhibit 8 Example or [click here to link directly to the example](#).

Texas Department of Public Safety				
Exhibit 8: Federal Funds C Fiscal Year 2006 (Actual)				
Type of Fund	State/Federal Match Ratio	State Share	Federal Share	Total Funding
Department of Justice, Office of Justice Programs				
Bureau of Justice Statistics	10/90	251,620.21	2,264,581.85	2,516,202.06
Bureau of Justice Statistics	25/75	567,666.67	1,703,000.00	2,270,666.67
Bureau of Justice Statistics	100		896,145.10	896,145.10
National Institute of Justice	100		3,033,146.53	3,033,146.53
Office of Victims of Crime	25/75	69,371.25	188,646.87	258,018.12
Bureau of Justice Assistance	10/90	57,583.73	518,253.59	575,837.32
Bureau of Justice Assistance	40/60	283,676.89	399,090.91	682,767.80
Bureau of Justice Assistance	100		3,219,857.39	3,219,857.39
Department of Transportation				
Federal Highway Administration	100		4,288,443.56	4,288,443.56
Federal Motor Carrier Safety Administration	20/80	1,788,951.87	7,155,807.44	8,944,759.31
Federal Motor Carrier Safety Administration	100		16,799,660.20	16,799,660.20
National Highway Traffic Safety Administration	47/53	683,282.79	764,800.77	1,448,083.56
National Highway Traffic Safety Administration	100		428,275.40	428,275.40
Research and Special Programs Administration	20/80	106,093.75	424,375.02	530,468.77
Research and Special Programs Administration	100		41,394.20	41,394.20
Department of Health and Human Services				
Health Resources and Services Administration	100		1,824,000.00	1,824,000.00

Department of Homeland Security				
Disaster Relief and Emergency Assistance	25/75	1,176,958.48	3,530,875.43	4,707,833.91
Disaster Relief and Emergency Assistance	100		833,314,082.78	833,314,082.78
Homeland Security Assistance	100		93,599,631.38	93,599,631.38
Emergency Management Performance Grants	50/50	8,676,600.76	8,676,600.76	17,353,201.52
Department of Energy				
Office of Environmental Management	100		163,444.62	163,444.62
Office of the President				
Office of National Drug Control Policy	100		941,527.75	941,527.75
TOTAL		13,661,806.40	984,175,641.55	997,837,447.95

G. If applicable, provide detailed information on fees collected by your agency. See Exhibit 9 Example or [click here to link directly to the example.](#)

Texas Department of Public Safety Exhibit 9: Fee Revenue C Fiscal Year 2006				
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)
Alarm Installer (original/renewal)	\$30	1,867	56,000	General Revenue - UnAppropriated
Alarm Salesperson (original/renewal)	\$30	1,197	35,920	General Revenue - UnAppropriated
Alarm System Monitor (original/renewal)	\$30	957	28,720	General Revenue - UnAppropriated
Branch Office Manager (original/renewal)	\$30	65	1,940	General Revenue - UnAppropriated
Concealed Handgun License Fees	\$140	85,806	8,199,990	General Revenue - UnAppropriated
Commissioned Security Officer (original/renewal)	\$50	8,290	414,485	General Revenue - UnAppropriated
Controlled Substances Registration	\$25	69,120	1,728,000	General Revenue - UnAppropriated
Driver License Fees	\$5-60	5,102,418 *	94,554,005	General Revenue - UnAppropriated
Duplicated License Fee	\$100 (collects only \$15)	6	90	General Revenue - UnAppropriated

Electronic Access Holder (original)	\$30	179	5,380	General Revenue - UnAppropriated
Employee of License Holder (original/renewal)	\$30	285	8,560	General Revenue - UnAppropriated
Examination Fee	\$200 (collects only \$150)	18	2,700	General Revenue - UnAppropriated
Extension or Renewal of Internship License	\$150 (collects only \$75)	2	150	General Revenue - UnAppropriated
Guard Dog Trainer (original/renewal)	\$30	43	1,300	General Revenue - UnAppropriated
ID Certificate Fees	\$5-15	766,646 *	10,271,310	General Revenue - UnAppropriated
Instructor (original/renewal)	\$100	381	38,100	General Revenue - UnAppropriated
Internship Application Fee	\$300 (collects only \$150)	17	2,550	General Revenue - UnAppropriated
Locksmith (original)	\$30	270	8,100	General Revenue - UnAppropriated
Motor Vehicle Inspection Emission Control Fees-Tx Mobility Fund	DPS collects \$2	6,950,327	13,900,654	TXDOT - TX Mobility Fund - 0365
Motor Vehicle Inspection Fees-Tx Mobility Fund	DPS collects \$3.50	14,181,024	49,633,584	TXDOT - TX Mobility Fund - 0365
Motor Vehicle Inspection Fees - Comm Vehicle Inspection- Tx Mobility Fund	DPS collects \$10	495,360 *	4,952,600	TXDOT - TX Mobility Fund - 0365
Motor Vehicle Inspection Fees / 2 year - Tx Mobility Fund	DPS collects \$10.75	1,360,975	14,630,481	TXDOT - TX Mobility Fund - 0365
Motor Vehicle Inspection Fees - Replacement Access ID - Tx Mobility Fund	DPS collects \$10	995	9,950	TXDOT - TX Mobility Fund - 0365
Motor Vehicle Inspection Inspector License Fees - Tx Mobility Fund	DPS collects \$10	27,358	273,580	TXDOT - TX Mobility Fund - 0365
Motor Vehicle Inspection 3rd party Instructor License Fees - Tx Mobility Fund	DPS collects \$100	4	400	TXDOT - TX Mobility Fund - 0365
Motor Vehicle Inspection Fees / 1 year safety - Texas Mobility Fund	DPS collects for TCEQ \$2	14,177,644	28,355,288	TXDOT - TX Mobility Fund - 0365

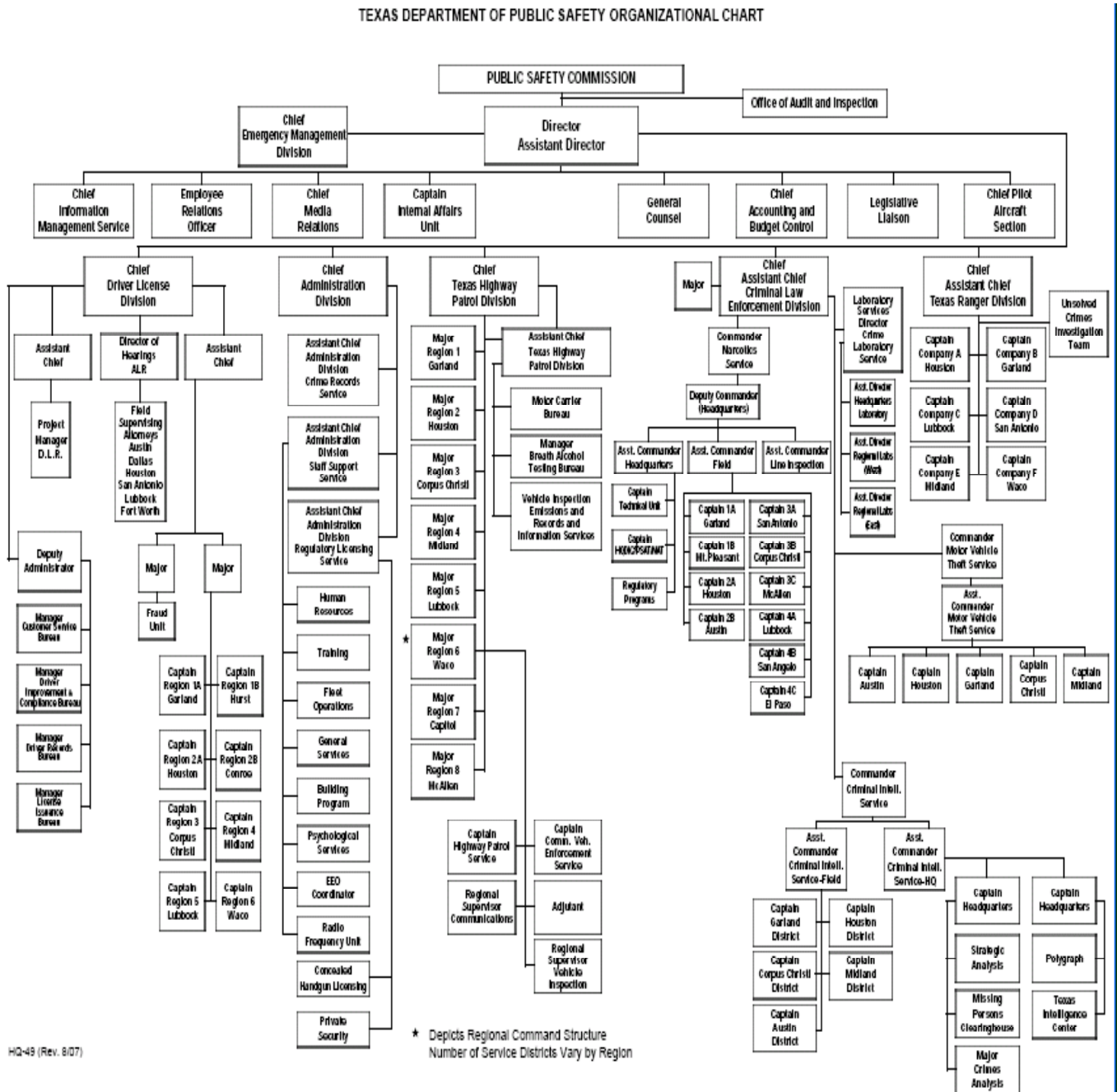
Motor Vehicle Inspection Fees/ 2 year safety - TCEQ Clean Air Fund	DPS collects for TCEQ \$4	1,360,975	5,443,900	TCEQ- Fund - 0151
Motor Vehicle Inspection Fees - TCEQ Clean Air Fund Emissions	DPS collects for TCEQ \$.50	6,951,176	3,475,588	TCEQ- Fund - 0151
Motor Vehicle Inspection Fees- Commercial - TERP Fund	DPS collects for TCEQ \$10	494,555	4,945,548	TERP - Fund - 5071
Motor Vehicle Inspection Fees - OBD - TCEQ LIRAP Clean Air Fund	DPS collects for TCEQ \$6	4,487,132	26,922,792	TCEQ- Fund - 0151
Motor Vehicle Inspection Fees - TSI/OBD - TCEQ LIRAP Clean Air Fund	DPS collects for TCEQ \$2	627,766	1,255,532	TCEQ- Fund - 0151 / TXDOT - TX Mobility Fund - 0365
Motorcycle License Fee	Original \$15 / Renewal \$8	Included in total driver license fees	\$ 1,320,167	General Revenue - UnAppropriated
Non-Commissioned Security Officer (original/renewal)	\$30	26,086	\$ 782,575	General Revenue - UnAppropriated
Owner/ Partner/ Shareholder/ Officer (original/ renewal)	\$50	3,369	\$ 168,450	General Revenue - UnAppropriated
Parent Taught Driver Education	\$20	117,217 *	\$ 2,123,531	Highway Fund 0006 - Appropriated Receipts
Personal Protection Officer (original/ renewal)	\$50	443	\$ 22,150	General Revenue - UnAppropriated
Polygraph Examiners License	\$500	15	\$ 7,500	General Revenue - UnAppropriated
Private Investigator (original/ renewal)	\$30	1,433	\$ 42,980	General Revenue - UnAppropriated
Renewal Fee for Examiners Licenses	\$500 (collects only \$450)	223	\$ 100,350	General Revenue - UnAppropriated
Security Consultant (original/renewal)	\$300	10	\$ 3,080	General Revenue - UnAppropriated
Security Salesperson (original/renewal)	\$30	189	\$ 5,660	General Revenue - UnAppropriated
State Parking Violations	\$10 plus \$2 after 10 days	17,672	\$ 126,248	General Revenue - Appropriated Receipts
Agency Paid Parking Fees	\$10/mo.	2,007	\$ 56,190	General Revenue - UnAppropriated
Class A (original/renewal)	\$350	739	\$ 258,750	General Revenue - UnAppropriated
Class B (original/renewal)	\$400	1,673	\$ 669,300	General Revenue - UnAppropriated

Class C (original/renewal)	\$540	452	\$ 244,200	General Revenue - UnAppropriated
Class D (renewal)	\$400	27	\$ 10,800	General Revenue - UnAppropriated
Class F (original/renewal)	\$350	109	\$ 38,250	General Revenue - UnAppropriated
Class P (original/renewal)	\$400	165	\$ 66,000	General Revenue - UnAppropriated
Class T (original/renewal)	\$2,500	3	\$ 6,900	General Revenue - UnAppropriated
Class X (original/renewal)	\$400	17	\$ 6,900	General Revenue - UnAppropriated
Motor Vehicle Inspection Fees - External Inspector - Tx Mobility Fund	DPS collects \$300	2	\$ 600	General Revenue – UnAppropriated
Motor Vehicle Inspection Station Fees - Tx Mobility Fund	DPS collects \$30	2,021	\$ 60,630	General Revenue – UnAppropriated
Driver Record & Interactive Record Fees	Varies	13,653,429 *	\$ 55,873,675	General Revenue - UnAppropriated
Accident Record Fees	\$6 non-certified/\$8 certified	12,578 *	\$ 495,365	General Revenue - Appropriated Receipts
Conviction Only Database	\$810.5	88	\$ 71,264	General Revenue - Appropriated Receipts
Criminal History Public Website	\$3.15	977,187	\$ 3,078,138	General Revenue - Appropriated Receipts
Criminal History Secure Website	\$1	754,720	\$ 754,720	Highway Fund 0006 - Appropriated Receipts
DL Reinstatement-Administrative License Revocation	\$125	58,484	\$ 7,310,454	General Revenue - UnAppropriated
Driver Record Info Fees (Status Address Check)	\$4	32,610	\$ 127,619	General Revenue - Appropriated Receipts
Document Sales	\$15.00 or \$10.00 or \$1.00	1,766,083	\$ 4,304,654	General Revenue/ Highway Fund 0006 - Appropriated Receipts
Employee of License Holder	\$33	7,719	\$ 254,730	General Revenue - UnAppropriated
Ignition Interlock DL Fees	\$10	1,484	\$ 14,840	General Revenue - UnAppropriated
Motor Vehicle Safety Responsibility Fees (Reinstatement Fee)	\$100	71,082	\$ 7,108,240	General Revenue - UnAppropriated
Occupational DL Fees	\$10 - \$20	14,938 *	\$ 180,443	General Revenue - UnAppropriated
Reinstatement Fees	\$50 - \$100	24,540	\$ 2,453,973	General Revenue - UnAppropriated
Reimbursement for Drug Cases Examined	\$140	9,013	\$ 1,261,885	General Revenue - Appropriated Receipts

Sale of License Information - (Weekly Update)	\$75	2,381	\$ 178,575	General Revenue - Appropriated Receipts
Sale of License Information - (Complete List)	\$2,000	7	\$ 14,000	General Revenue - Appropriated Receipts
Sex Offender Registration Reimbursement	Cost recovery basis	613 *	\$ 16,830	General Revenue/ Highway Fund 0006 - Appropriated Receipts
FBI \$1	\$1	34,989	\$ 34,989	General Revenue - Appropriated Receipts
Manager Re-exam Fees	\$100	782	\$ 78,112	General Revenue - Appropriated Receipts
Re-App Rec-Sales of Mech	Varies	-	\$ 49,372	General Revenue - Appropriated Receipts
Driver Resp. Program - Driver License Division	\$100 - \$2,000	948,278 *	\$ 836,420	General Revenue - Appropriated
Driver Resp. Program - General Revenue	\$100-\$2,000	948,278 *	\$ 41,402,767	General Revenue - UnAppropriated
Driver Resp. Program - Trauma Fund	\$100 - \$2,000	948,278 *	\$ 41,402,767	Trauma - Fund - 0111
Cost Recovery (Open Records)	\$0.10 per pg after 50 pgs	2	\$ 203	General Revenue - UnAppropriated
Open Records	\$0.10 per pg after 50 pgs	143,220 *	\$ 14,322	Highway Fund 0006 - Appropriated
Class A & Class F \$350.00	\$11	864	\$ 9,504	General Revenue - UnAppropriated
Class B, D, P and X \$400.00	\$12	1,208	\$ 14,499	General Revenue - UnAppropriated
Class P and X \$225.00	\$7	2,071	\$ 14,499	General Revenue - UnAppropriated
Class DD \$300.00	\$11	255	\$ 2,800	General Revenue - UnAppropriated
Class C \$540.00	\$7	1,031	\$ 7,215	General Revenue - UnAppropriated
Class G, H, J and K \$100	\$5	381	\$ 1,905	General Revenue - UnAppropriated
Individual Registration \$20-\$25	\$3	41,050	\$ 123,150	General Revenue - UnAppropriated
Individual Registration \$50-\$100	\$5	12,213	\$ 61,065	General Revenue - UnAppropriated
Late Fee for License - Less than 90 Days	\$200 (collects only \$75)	11	\$ 825	General Revenue - UnAppropriated
Late Fee for License - More than 90 Days	\$200 (collects only \$75)	8	\$ 600	General Revenue - UnAppropriated
Ignition Interlock Service Center Inspection Fees	\$450	108	\$ 54,900	Highway Fund 0006 - Appropriated Receipts

VI. Organization

A. Provide an organizational chart that includes major programs and divisions, and shows the number of FTEs in each program or division.



* Depicts Regional Command Structure
Number of Service Districts Vary by Region

Texas Department of Public Safety Actual FTEs as of August 31, 2006			
Division	Commissioned	Noncommissioned	Total
Texas Highway Patrol	2404	1251.5	3655.5
Driver License	218	1496.5	1714.5
Criminal Law Enforcement	564	493.0	1057.0
Texas Rangers	118	20	138
Governors Emergency Management	0	126	126
Regulatory Licensing	27	71	98
Crime Records	0	240.5	240.5
Staff Support	22	303.1	325.1
Director's Staff	51	389.5	440.5
TOTAL, DPS	3404	4391.1	7795.1

B. If applicable, fill in the chart below listing field or regional offices. See Exhibit 10 Example or [click here to link directly to the example](#).

Texas Department of Public Safety Exhibit 10: FTEs by Location C Fiscal Year 2006			
Headquarters, Region, or Field Office	Location	Number of Budgeted FTEs, FY 2006	Number of Actual FTEs as of August 31, 2006
Headquarters	Austin	2120	2128.1
Region 1	Garland	732	702.5
	Tyler	310	306.5
Region 2	Houston	653.5	619
	Beaumont	259.5	246.5
	Conroe	221.5	211.5
Region 3	Corpus Christi	329	302
	San Antonio	318	314
Region 4	Midland	310.5	286
	Abilene	190	186
	El Paso	129.5	203.5
Region 5	Lubbock	390.5	388
	Amarillo	200.5	197
Region 6	Waco	332	314.5
	Austin	303	288.5
	Bryan	179	152.5
Region 7	Austin	323	309.5

Region 8	McAllen	319.5	423.5
	Laredo	120	216
TOTAL		7741	7795.1

C. What are your agency's FTE caps for fiscal years 2006 - 2009?

2006 7,741.0

2007 7,610.9

2008 8,263.9

2009 8,270.9

D. How many temporary or contract employees did your agency have as of August 31, 2006?

The total temporary or contract employees for the Department of Public Safety as of August 31, 2006 were 20.

E. List each of your agency's key programs or functions, along with expenditures and FTEs by program. See Exhibit 11 Example [or click here to link directly to the example.](#)

(Agency Name) Exhibit 11: List of Program FTEs and Expenditures C Fiscal Year 2006		
Program	FTEs as of August 31, 2006	Actual Expenditures
Highway Patrol	1,857.0	\$139,613,167
Commercial Vehicle Enforcement	732.5	\$44,373,600
Vehicle Inspection	264.0	\$17,102,067
Capitol Security	266.0	\$13,213,027
Communications Service	244.0	\$8,809,221
Breath Alcohol Testing	33.0	\$2,241,844
Regional Administration	270.0	\$10,436,248
Texas Rangers	126.0	\$8,861,061
Unsolved Crimes Investigation	12.0	\$687,105
Narcotics Enforcement	429.0	\$35,539,331

Criminal Intelligence	244.0	\$15,120,499
Vehicle Theft Enforcement	148.0	\$10,721,325
Scientific Analysis of Forensic Evidence	211.5	\$15,510,011
CODIS-DNA	17.0	\$1,787,884
Customer Service	43.0	\$696,076
Driver License Issuance	111.0	\$13,823,309
Driver Improvement	103.0	\$3,081,860
Safety Responsibility	83.0	\$2,761,269
Driver Records	82.0	\$2,904,251
Driver License Field Offices	1,140.6	\$41,909,559
Administrative License Revocation	43.5	\$2,318,561
Driver Responsibility	10.0	\$8,350,491
Fraud Unit	19.0	\$783,869
Driver License Reengineering	9.0	\$12,189,489
Crash Records	77.0	\$5,916,695
Private Security	48.0	\$2,886,485
Concealed Handgun Licensing	50.0	\$4,496,274
Texas Crime Information Center	40.0	\$1,738,708
Criminal History Access & Dissemination	26.0	\$1,539,575
Uniform Crime Reporting	27.0	\$1,306,314
Criminal History Record Information	131.5	\$15,331,222
Sex Offender Registration	16.0	\$1,149,131
Physical Plant	0.0	\$13,972,220
Training	53.0	\$4,771,290
Motorcycle Operator Training	6.0	\$963,551
Human Resources	43.0	\$1,585,184
Psychological Services	10.0	\$584,933
Fleet Operations	73.0	\$2,574,666

Building Program	80.0	\$2,788,160
General Services	54.0	\$2,167,453
Equal Employment Opportunity (EEO) Officer	1.0	\$36,865
Radio Frequency	3.0	\$176,151
Office of General Counsel	22.0	\$1,208,057
Records Management	1.0	\$54,912
Internal Affairs	8.0	\$693,423
Public Information	5.0	\$433,385
Employee Relations	2.0	\$173,354
Accounting and Budget Control	122.0	\$6,518,076
Audit and Inspection	23.0	\$1,455,283
Information Management	216.5	\$26,154,188
Aircraft Operations	31.0	\$9,054,141
Polygraph Examiners Board	2.0	\$94,856
Texas Online	0.0	\$292,483
GDEM-State Administrative Agency	24.0	\$91,834,198
GDEM-Field Response Section	25.0	\$1,504,041
GDEM-Operations	22.0	\$2,996,892
GDEM-Recovery	8.0	\$794,564,892
GDEM-Mitigation	6.0	\$45,270,313
GDEM-Preparedness	25.0	\$8,206,837
GDEM-Support Services	16.0	\$1,456,844
TOTAL	7,795.1	\$1,468,786,176

VII. GUIDE TO AGENCY PROGRAMS

Complete this section for **each** agency program (or each agency function, activity, or service if more appropriate). Copy and paste the questions as many times as needed to discuss each program, activity, or function. Contact Sunset staff with any questions about applying this section to your agency.

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

Name of Program or Function	Highway Patrol
Location/Division	Statewide/Texas Highway Patrol
Contact Name	R. K. Elliston, Chief
Actual Expenditures, FY 2006	\$139,613,167
Number of FTEs as of August 31, 2006	1857

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

The objective of the Highway Patrol Service is to maintain order in traffic on all highways of assigned responsibility. The mission of the Highway Patrol Service is to secure and maintain order in traffic on highways of assigned responsibility within existing regulations to make the use of those highways safe and expeditious. In working toward the completion of its mission, the Highway Patrol Service has primary responsibility for police traffic supervision and secondary responsibility for conducting general law enforcement activities in assigned areas and public safety education.

The major activities performed under this program are:

- Police Traffic Supervision on approximately 223,006 miles of rural highways
 - Police traffic direction
 - Police traffic crash investigation
 - Police traffic law enforcement and patrol
- General Police Work
 - Criminal law enforcement
 - Emergencies and disasters
 - Concealed handgun license investigations
 - Security activities
- Public Safety Education
 - Public traffic safety education
 - Public education in crime prevention and civil defense matters
 - Public information

In addition to the above responsibilities, HP troopers conduct fraudulent document investigations, are partnered with drug, bio/chemical and explosive detection canines, are members of Civil Disturbance Management Teams, DPS Dive Recovery Team and SWAT team, and provide forensic mapping of crime scenes.

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

A summary of Highway Patrol troopers’ activities for Calendar Year 2006 follows:

DWI Arrests	37,754
Speeding Arrests	647,496
Safety Restraint Arrests	159,388
No Liability Insurance Arrests	176,785
Criminal Arrests	54,366
Fatal Accident Investigations	1,563
Non-Fatal Accident Investigations	67,754
Stolen or Fraudulent Documents Recovered	1,251
Safety Programs Presented	16,515
Concealed Handgun Investigations	56,874
Pounds of Marijuana Seized	73,446
Pounds of Cocaine Seized	4,485
Amount of Currency Seized	\$17,949,763

In addition to the troopers’ activity, the annual Texas death rate (number of persons killed in fatal traffic crashes per 100 million miles traveled) is a measure of the division’s effectiveness. The death rate decreased in 2005 to 1.49, compared to the 1.6 death rate in 2004. Occupant restraint usage is another measure of effectiveness. Safety belt usage increased in 2005 to 89.9% from the 2004 usage of 83.2%.

Highway Patrol troopers are recognized annually for their efforts in the nation’s war on drugs. Texas continues to lead the nation in the number of drug arrests made, narcotics seizures and currency seizures.

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.

The THP Division, the largest division in DPS, consists of 3,607 members, including 2,487 commissioned officers and 1,120 civilian support personnel. The THP Division Chief's office consists of nine commissioned officers and eight civilian support personnel.

The Chief of THP is directly responsible to the Director for all field law enforcement activities. 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.

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.

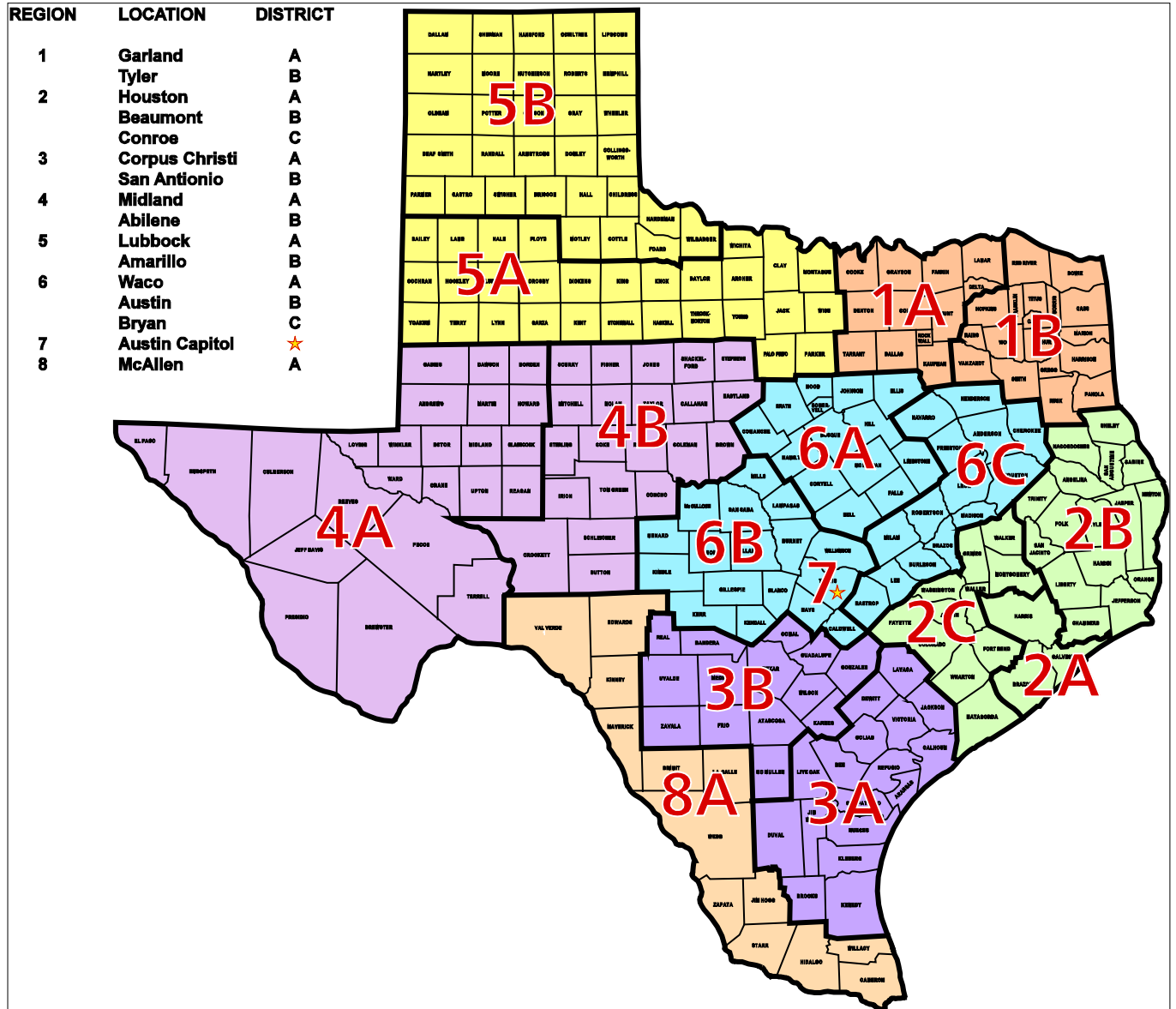
Motorists on Texas' rural highways are affected by the function of the Highway Patrol Service. All users of Texas' highways are required to comply with the appropriate statutes contained in the Texas Transportation Code.

There are currently over 16 million licensed drivers in Texas and 20.1 million registered motor vehicles in Texas.

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.

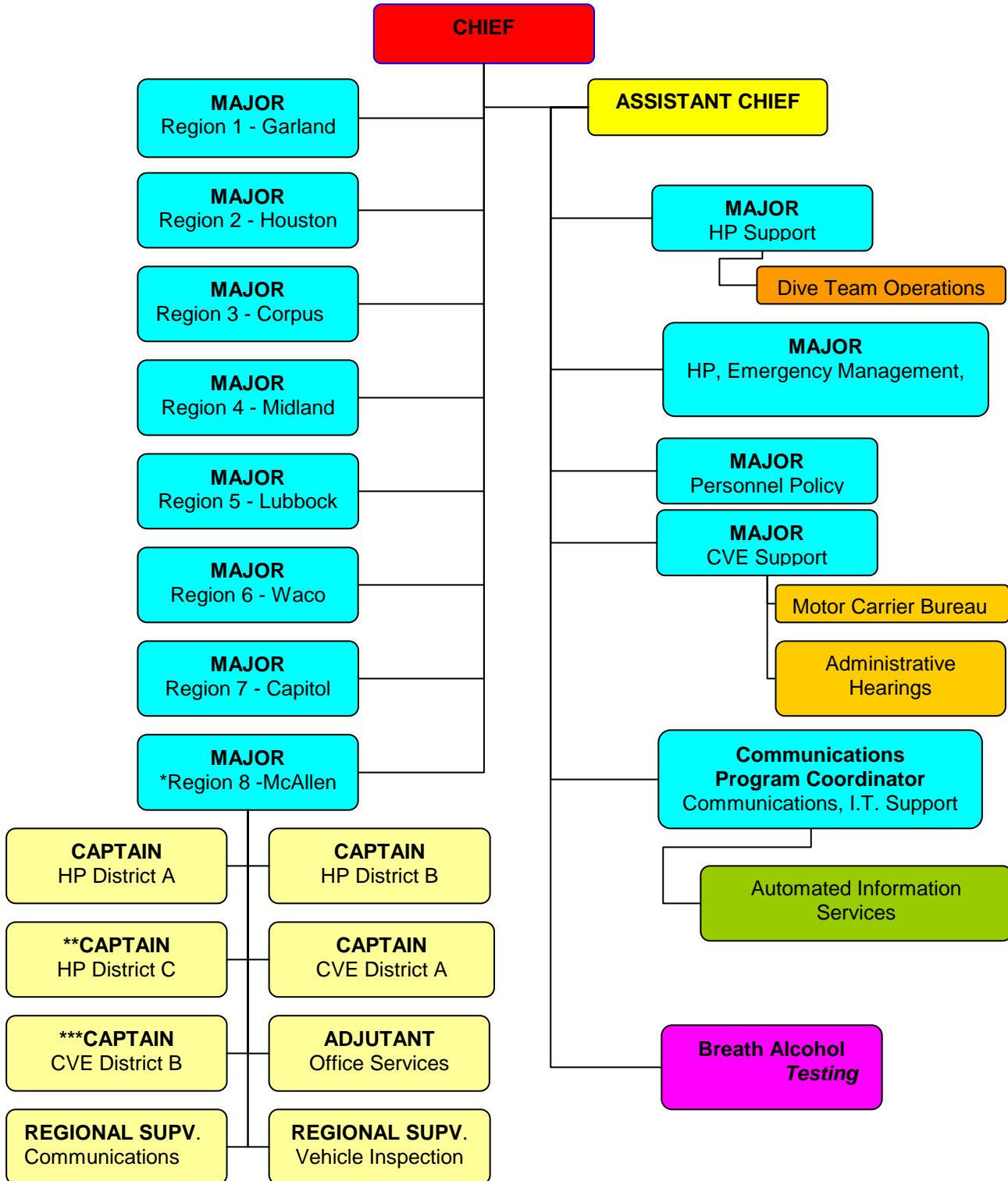
F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The Highway Patrol Service 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 eight geographical regions (Regional Commands). Each region is commanded by a Regional Commander, who holds the rank of major. Five regions are divided into two Highway Patrol Districts. Three regions are divided into three Highway Patrol Districts. Each Highway Patrol District is commanded by a captain. The captain reports directly to the Regional Commander.



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.

The following flowchart shows the structure of the Highway Patrol Division:



Other Regions are substantially the same as Region 8

** THP Regions 2 and 6 only.

***THP Regions 4 and 8 only.

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 01-01-01. Its primary funding source is State Highway Fund 0006, accounting for \$131,432,367 of the program's funding. This program also received Federal Funding in the amount of \$6,342,924, Appropriated Receipts of \$692,923 and Interagency Contracts in the amount of \$1,144,953.

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

There are numerous 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.

In the numerous jurisdictions in which department officers are stationed, a myriad of events peculiar to those areas will occur which may prompt local governmental agencies to call on the department for assistance. Examples are as numerous as the number of jurisdictions. Some of these are: law enforcement augmentation, advanced accident 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 agencies 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 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.

Coordination of activities between the Highway Patrol Service and the local law enforcement agencies is handled by various methods of communication.

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 over 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.

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

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

This program spent \$24,195,539 in contracted expenses in approximately 24 contracts. The major purposes of these contracts were for the purchase of vehicles, radios, radar units, in-car video systems, vehicle maintenance, office supplies and the payment to the State Office of Risk Management.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? 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 around major metropolitan population centers. Frustration over traffic congestion fueled by a discourteous, antagonistic, and competitive attitude is often manifested in aggressive driving behavior. Aggressive driving behavior carried to the extreme can lead to assaultive conduct commonly referred to as "road rage." Many episodes of road rage have culminated in 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.

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

None.

N. Regulatory programs relate to the licensing, registration, certification, or permitting 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 Highway Patrol Service does not have any regulatory programs.

O. 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.

N/A.

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

Name of Program or Function	Commercial Vehicle Enforcement
Location/Division	Statewide/Texas Highway Patrol
Contact Name	R.K. Elliston, Chief
Actual Expenditures, FY 2006	\$44,373,600
Number of FTEs as of August 31, 2006	732.5

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 commercial and other vehicles when it is safe to do so. Detecting and apprehending wanted persons and persons involved in illegal activity, such as transporting illegal drugs and contraband, 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 performance measures that best convey the effectiveness and efficiency of this function or program.

A summary of Commercial Vehicle Enforcement troopers' activities for Calendar Year 2006 follows:

DWI Arrests	1,843
Speeding Arrests	40,023
Criminal Arrests	2,434
Vehicles Checked	1,558,922
Vehicles Weighed	878,323
CMV Roadside Inspections	336,322
Vehicles Placed Out of Service	75,038
Drivers Placed Out of Service	18,184

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 effects. 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

The term “commercial motor vehicle” is defined in Texas Transportation Code, Section 644.001, and generally includes the following vehicles:

Description of Vehicle	Regulated in Interstate commerce	Regulated in Interstate commerce
Gross Weight, Registered Weight, or Gross Weight Rating of more than 10,000 lbs.	Yes	No
Gross Weight, Registered Weight, or Gross Weight Rating of more than 26,000 lbs.	Yes	Yes
Designed to Transport More than 15 Passengers, including the Driver	Yes	Yes
Transporting Hazardous Materials that Require Placarding	Yes	Yes

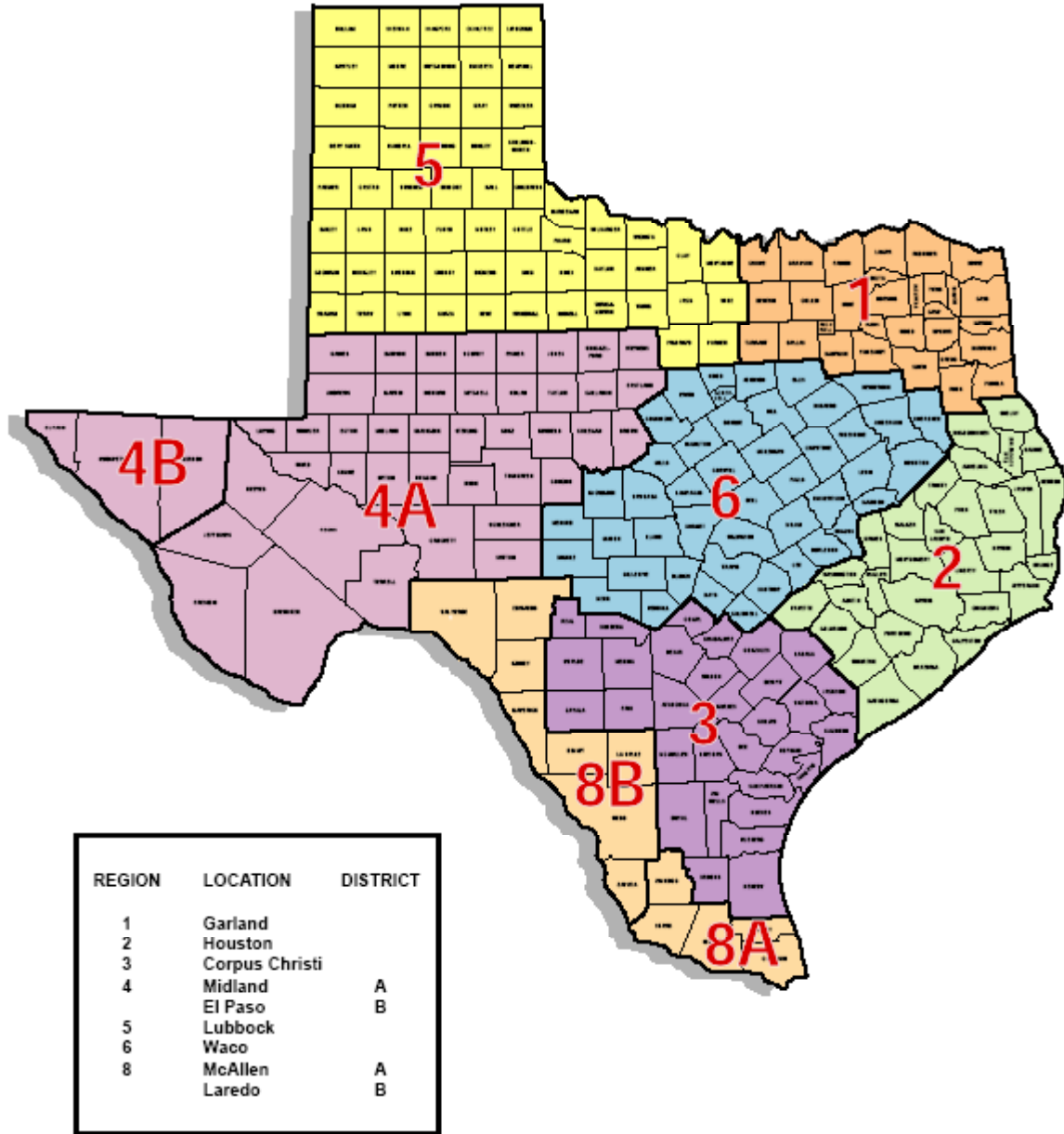
To operate a commercial vehicle in the State of Texas, a motor carrier must be in compliance with the following requirements as applicable:

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. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

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

Each region is assigned a lieutenant to assist the Service Commander in the oversight of service operations. The Motor Carrier Bureau, Regions 2, Region/Dist 4A, 8A, and 8B are assigned two lieutenants to assist in oversight responsibilities. 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 passthrough 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 01-01-02. It is funded by State Highway Fund 0006 in the amount of \$23,116,780 and Federal grants in the amount of \$16,000,151. This program also receives additional Federal funding in Fund 0582, Motor Carrier Act Enforcement of \$5,225,685. This program had Appropriated Receipts of \$21,273 and Interagency Contracts of \$9,711.

H. Identify any programs internal or external to your agency that provide identical or similar services or functions. 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.

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.

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 (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. 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. Currently, there are 27 municipal police departments and 2 sheriff offices that have been certified by the DPS to perform commercial vehicle inspections. The 80th Texas Legislature passed Senate Bill 545 and House Bills 1638 and 2077 that lower the population thresholds in TRC, Section 644.101. These legislative changes will allow an additional 40 municipalities in Texas to be eligible to apply to the DPS for certification to perform commercial vehicle inspections if they choose to.

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

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

This program spent \$4,900,266 in contracted expenses in approximately 23 contracts. The major purposes of these contracts were for the purchase of vehicles, radios, scales, software and licensing agreements, vehicle maintenance, office supplies and the payment to the State Office of Risk Management.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain.

At present, no statutory changes are recommended.

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

To review statistical information on commercial vehicles on a nationwide basis, please go to the following website: <http://ai.fmcsa.dot.gov/mcspa.asp>

N. Regulatory programs relate to the licensing, registration, certification, or permitting 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:

- Unsatisfactory safety assessment factor evaluations based on the motor carrier's history of noncompliance with the 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 MCCA contributes to highway safety by helping to ensure that motor carriers comply with the Federal Motor Carrier Safety (FMCSR) and Hazardous Material Transportation Regulations (HMR) as adopted by the State of Texas. Troopers and non-commissioned investigators are certified to conduct compliance review audits and inspect vehicles and records at the motor carrier's principal place of business to determine the carrier's level of compliance with the FMCSR and HMR. The compliance review audit determines the motor carrier's compliance with the commercial driver license requirements, alcohol and controlled substance regulations, driver qualifications, hours of service, and vehicle maintenance requirements of the FMCSR and the HMR transportation requirements for hazardous materials. In Federal Fiscal Year (FFY) 2006, the DPS conducted 1075 compliance review audits out of the more than 150,000 motor carriers authorized to operate in the State of Texas. Approximately 0.72% of the total motor carriers authorized to operate in the State of Texas received a compliance review audit in FFY 2006.

Motor carriers that receive an unsatisfactory safety rating as a result of a compliance review audit or a penalty assessment for noncompliance are subject to a follow-up compliance review audit 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 1075 compliance review audits

conducted in FFY 2006, 688 resulted in an enforcement action being initiated against the motor carrier and over \$1.9 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 Motor Carrier Impound List per Texas Transportation Code, Section 644.154, are referred to the Attorney General's Office for collection, and are also referred to the Texas Department of Transportation to have their State of Texas operating authority revoked.

O. 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.

Texas Department of Public Safety Commercial Vehicle Enforcement Exhibit 12: Information on Complaints Against Regulated Persons or Entities Motor Carrier Compliance Fiscal Years 2005 and 2006		
	FFY 2005	FFY 2006
Number of Compliance Review Audits Conducted	946	1085
Number of Compliance Review Enforcement Cases	600	690
Administrative Penalties Collected	\$2,498,679.54	\$1,918,000.32
Number of Informal Hearings Conducted	46	70
Number of Administrative Penalty Cases Heard at the State Office of Administrative Hearings (SOAH)	Hearings Held = 3 Settle prior to hearing = 1	Hearings Held = 3 Settle prior to hearing = 3
Number of Cease Operation Orders Issued	47	41
Number of Motor Carriers Placed on Carrier Impound List	283	211
Number of Commercial Motor Vehicles Impounded for Non – Payment of Administrative Penalties	2	2
Number of Motor Carriers Referred to the Texas Department of Transportation for Revocation of Operating Authority	21	19
Number of New Entrant Safety Audits Conducted	999	1733

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

Name of Program or Function	Vehicle Inspection
Location/Division	Statewide/Texas Highway Patrol
Contact Name	R. K. Elliston, Chief
Actual Expenditures, FY 2006	\$17,102,067
Number of FTEs as of August 31, 2006	264

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

The Vehicle Inspection Service administers the state's compulsory vehicle safety inspection and emissions testing programs. The objective of the Vehicle Inspection Service is to contribute to traffic safety, through the discovery and correction of any vehicle maladjustment or condition that might contribute to a traffic collision. The Service also seeks to improve air quality in Texas.

Major activities of the Service include:

- (1) Vehicle Inspection Station Qualification
 - a. To investigate and test for compliance with established standards relating to the application for new and/or renewal vehicle inspection station licensing: the premises, equipment, owner and/or operator and certified inspector.
 - b. To recommend approval or disapproval of the license application.
 - c. To conduct training schools for vehicle inspection station owners, operators, and certified inspectors.
- (2) Vehicle Inspection Station Supervision
 - a. To make checks on vehicle inspection stations to: answer questions and give instructions; check records and reports; and test equipment.
 - b. To monitor inspections and take appropriate action by instructing, counseling, advising, and recommending needed equipment adjustments.
- (3) Vehicle Inspection Station Enforcement
 - a. To detect non-compliance with prescribed standards and procedures in the vehicle inspection station operation by the owner, operator or certified inspector and ensure proper equipment operation and condition.
 - b. To take appropriate action to correct noted failures to comply and to prevent future violations by collecting evidence, filing charges, presenting testimony and recommending other disciplinary action.

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

measures that best convey the effectiveness and efficiency of this function or program.

During 2006, Vehicle Inspection personnel made 133,711 station contacts and audits in order to supervise 10,036 licensed inspection facilities and 38,946 certified inspectors. These station contacts resulted in 2,379 enforcement actions and suspension of 90 inspection station licenses and 628 inspector certifications. Ensuring quality vehicle inspections helps protect the safety of motorists on Texas highways by causing vehicles with unsafe and defective equipment to be identified and repaired.

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 original intent of improving public safety on Texas highways has not changed; however, the program has been enhanced, expanded, and updated throughout its 55 year history. Recognizing the need to improve safety by the regulation of motor vehicle equipment allowed on our public roadways, Texas passed the first motor vehicle equipment requirements in 1907. To ensure compliance with equipment standards and condition, the first vehicle inspection requirements were implemented in 1925 with the inspection of head lamps.

The current inspection program began in 1952 when Texas accident statistics reflected that 13% of fatal traffic accidents and 12% of non-fatal traffic accidents had defective equipment as a contributing factor to the accident. By 2001, 1% of fatality and 2% of non-fatality accidents reflect that defective equipment contributed to the accident. As of 2004, approximately 95% of Texas registered vehicles surveyed were in compliance with inspection requirements.

Additionally, except for a brief period in the mid 1990's, 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. EPA for improving air quality in 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.

Safety inspection of motor vehicles is a statutorily required, compulsory program that affects the owners of over 15 million vehicles annually. These inspections are conducted at approximately 10,000 licensed independently owned and operated inspection stations by over 38,000 inspectors certified and supervised by the Department.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The Vehicle Inspection Bureau 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. A Vehicle Inspection Regional Supervisor (Service Commander) is assigned to seven of the eight Texas Highway Patrol Division regions. The Regional Supervisor is responsible to the Regional Commander (major) for the administration and operation of the service in achieving program objectives in the most effective and efficient manner.

Each V.I. Regional Supervisor is assigned a number of Vehicle Inspection Field Supervisors to assist in oversight of service operations and to directly coordinate the daily program activities, explain procedures, policies, law, and interpretations of these requirements for the Vehicle Inspection Technicians.

There are twenty commissioned personnel of the Texas Highway Patrol (THP) assigned to the Vehicle Inspection Service (10 each in Regions 1 & 2) to conduct criminal investigations arising from the actions of station licensees and inspectors; as well as fraud, counterfeiting, identity theft, and other crimes. They also conduct traffic patrol directed toward compliance with vehicle inspection, driver license, registration, insurance, and other traffic and criminal laws. As a part of the Texas Highway Patrol, they are in the THP Service chain-of-command.

V.I. Technicians 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.

Region 1		Region 3		Region 5	
Regional Supervisor	1	Regional Supervisor	1	Regional Supervisor	1
Field Supervisors	6	Field Supervisors	2	Field Supervisors	2
Technicians	45	Technicians	12	Technicians	13
Administrative Assistants	8	Administrative Assistants	2	Administrative Assistants	1
Region 2		Region 4		Region 6	
Regional Supervisor	1	Regional Supervisor	1	Regional Supervisor	1
Field Supervisor	4	Field Supervisors	2	Field Supervisors	2
Technicians	42	Technicians	13	Technicians	21
Administrative Assistants	8	Administrative Assistants	2	Administrative Assistants	3

				Region 8	
				Regional Supervisor	1

				Technicians	6
--	--	--	--	-------------	---

The Vehicle Inspection Bureau, reports directly to the Texas Highway Patrol Division Chief’s office and performs a records management function. The bureau also performs inspection certificate inventory, sales and coordination for the vehicle emissions testing 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).

This program is accounted for in Strategy 01-01-03. Its primary funding sources are State Highway Fund 0006 for \$14,798,595 and General Revenue Fund 0001 for \$2,302,004. This program had Appropriated Receipts of \$1,468.

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

In Texas, administration of vehicle emissions testing is a cooperative effort between two state agencies, the Texas Commission on Environmental Quality (TCEQ) and the Texas Department of Public Safety.

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 of vehicle emissions testing in conjunction with the annual vehicle safety 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.

Each agency has their own unique function within the program and therefore duplication of effort and services is avoided. TCEQ develops testing standards and protocols which comply with U.S. EPA standards, while DPS implements those standards and insures the correct application by inspection stations providing vehicle emissions testing.

TCEQ and DPS have a Memorandum of Understanding (MOU) which clearly sets out each agency’s 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.

N/A

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

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

This program spent \$7,681,535 in contracted expenses in approximately 12 contracts.

The following expenditures were made in four contracts that totaled \$5,665,144.87:

1. de la Torre Klausmeier Consulting, Inc. (Rob Klausmeier) - \$5,031.00
2. Environmental System Products Holdings, Inc. (ESP) - \$2,718,802.62
3. Texas Department of Criminal Justice (TDCJ) – \$2,927,342.50
4. CBM Archives Company (CBM) - \$13,968.75

A short summary of the general purpose of those contracts follows:

1. Rob Klausmeier:
Due to the complexity and rapidly-evolving nature of Texas' various emissions control strategies, it is necessary to engage an expert for consultation and various technical issues in order to formulate policy and make critical, sometimes time-sensitive, management decisions about the conduct of the inspection and maintenance programs in the various parts of the state.
2. ESP:
The Texas On-Road Vehicle Emissions Testing Program (TORVET), conducted through the state's contract with ESP, is a federally mandated component of the State's Inspection and Maintenance program. Through this contract, the state meets its obligation, under the Federal Clean Air Act and the state's own Implementation Plan, to conduct on-road emissions tests of a certain percentage of the fleet, to maintain the recorded data for evaluative purposes, and to analyze the recorded data to identify high emitting vehicles.
3. TDCJ:
Provides printing of all vehicle inspection certificates and numerical inserts for the inspection certificates.

4. CBM:

This contract was to provide on-site maintenance for a legacy document scanning/imaging system.

The following is a short summary of the methods used to ensure accountability for funding and performance. No current contracting problems exist in this program.

1. Rob Klausmeier:

The contractor is held accountable through an objective evaluation of his availability, responsiveness, and ability to meet timelines and deadlines.

2. ESP:

The contractor is held accountable through the objective audit of records, notices, and projects delivered and the evaluation of their methods and practices in delivering those products.

3. TDCJ:

DPS orders a given number of inspection certificates by type and numerical sequence. Inspection certificates are contained in book form of a set number based upon type and then boxed according to a set number of books per box. During the receiving process counts of inspection certificates are verified by DPS. TDCJ has very strict manufacturing quality control processes in place and DPS representatives meet monthly with TDCJ to address any issues or concerns.

4. CBM:

This was an hourly rate fee for service contract so that payment was only authorized when DPS made a service request for a known problem. Also, the number of hours and hourly rate was a fixed amount.

L. What statutory changes could be made to assist this program in performing its functions? Explain.

None

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

The Vehicle Inspection program maintains a web site at <http://www.txdps.state.tx.us/vi/index.htm>

N. 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 is needed to ensure the integrity of the inspection program in providing appropriate, accurate, and complete vehicle inspections in order to prevent unsafe vehicles on public roadways. Chapter 548 of the Texas Transportation Code establishes a compulsory vehicle inspection program for all motor vehicles registered in Texas and requires inspections to be performed at a state certified and supervised inspection station. It also gives DPS the authority to adopt rules to administer and enforce requirements in Chapter 548.

Persons desiring to enter the inspection business apply to DPS prior to the opening of an inspection station or the start of inspecting vehicles. 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.

Many who apply for inspection station licenses are already vehicle inspectors or are applying to become inspectors at the same time. Those persons 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 written and practical examinations prior to being certified as vehicle inspectors.

The primary regulatory tool for the Vehicle Inspection program is the in-person audit or station contact conducted by DPS personnel at each inspection station. These continuing station contacts, conducted at regular intervals, are key in monitoring station and inspector activities, application of inspection requirements, providing on-going and remedial training as necessary, and monitoring the condition and use of required equipment. Recognizing the importance of in-person auditing, 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 required certificates.

These 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 bona fide complaints received by DPS about any 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. Appropriate reports will be made and actions taken if the investigation reveals violations by a vehicle inspection station, inspectors, or its employees.

O. 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.

Texas Department of Public Safety Vehicle Inspection Program Exhibit 12: Information on Complaints Against Regulated Persons or Entities Fiscal Years 2005 and 2006		
	FY 2005	FY 2006
Total number of Vehicle Inspectors	32,692	38,946
Total number of Vehicle Inspection Stations	9,947	10,036
Total number of Inspection Station Contacts	116,356	133,711
Total number of complaint and quality control investigations	4,074	3,897
Complaints resolved by Enforcement Actions	2,756	2,379
Complaints resolved by Administrative Actions	447	1,100
Accepted administrative suspension	300	718
Requested administrative hearing on suspension	147	382

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

Name of Program or Function	Capitol Security
------------------------------------	------------------

Location/Division	Austin/Texas Highway Patrol
Contact Name	R.K. Elliston, Chief
Actual Expenditures, FY 2006	\$13,213,027
Number of FTEs as of August 31, 2006	266

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

The objective of the Texas Highway Patrol, Region VII is to provide a safe work environment for all state officials, employees and visitors within the Capitol Complex; to protect state grounds, state-owned and public buildings and property; to regulate parking; to control traffic; to regulate and supervise entrance to and public use of state-owned buildings; and to investigate criminal activity occurring within these locations.

Activities and duties performed by Region VII personnel within the boundaries of the Capitol Complex include the following:

- Security at the State Capitol and other state office buildings
- Traffic enforcement
- First response to fire and security alarms
- Parking management and enforcement
- Criminal investigations
- Public safety education
- Supervision and control of explosive and bio-hazard detection canines
- Governor's protection
- Locksmith services for all state agencies
- Electronic access management and operation for state buildings
- Police communications; including roadside assistance, railroad malfunction and crime-stoppers hotlines

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

During 2006, Region VII provided 409,176 hours of security in the Capitol Complex. Troopers responded to 1,065 alarms and initiated 25 building evacuations. Investigators conducted 397 criminal investigations. Troopers issued 5,678 tickets and warnings for traffic violations and made 108 DWI arrests.

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 Legislature transferred all duties and responsibilities of the Capitol Security Police Division of the State Purchasing and General Services Commission to the Texas Department of Public Safety in September 1991. The former Capitol Security Police was placed under the Traffic Law Enforcement Division of DPS. The Traffic Law Enforcement Division reorganized in 2003 and Capitol Service became Region VII of the Texas Highway Patrol 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.

State employees, elected officials and visitors to the Capitol Complex are affected by the function of the Texas Highway Patrol Region VII/Capitol. There are approximately 40,000 persons who conduct business at the Capitol Complex during any given weekday, along with more than 14,000 state employees who work within that area. The Texas Highway Patrol is charged with protecting state property and buildings, and providing a safe environment for state officials, employees and the general public.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

Region VII consists of a 24 hour communications facility and four (4) Highway Patrol Districts. Each district is commanded by a Highway Patrol Captain and the communications operation is under the command of a civilian communications supervisor.

District 7A is responsible for the security and law enforcement operations at the State Capitol, the Capitol Extension and the State Capitol Grounds. Responsibilities include police and security patrols, with limited criminal investigations by uniformed State Troopers; crowd control and management during special events and rallies; supervision and operation of secure electronic access and closed-circuit monitoring systems; operation, control and supervision of magnetometers during high alert status; daily operation, control and supervision of X-ray equipment for in-coming postal and delivery packages; inspection and control of all vehicular traffic allowed on the State Capitol grounds, loading dock, and underground parking garage; emergency response to duress and fire alarms; and provide security and protection for the Governor, Lieutenant Governor, Senators and Representatives while working in and/or around the State Capitol and during each legislative session. In addition, District 7A personnel continuously provide a safe environment and visit for over 1 million tourists to the State Capitol each year through a strong visual and vigilant presence.

District 7B provides general police and security duties within the 46 square blocks that define the Capitol Complex and the State Aircraft Pooling Board. Responsibilities include police and security

patrols, traffic supervision, accident investigation, motorist assists, building security by commissioned and non-commissioned personnel, criminal report and investigations, and crowd control. Special events including sporting events, parades, and charity walk/runs bring thousands of visitors to the Capitol Complex, requiring intense crowd control measures.

District 7C is responsible for special police operations. Responsibilities include criminal investigations, threat assessments, parking enforcement, parking management for state parking garages and lots, issuance of parking permits for state employees, issuance of state employee ID and electronic access cards, parking meter management, locksmith services including issuance and tracking of all keys in the Capitol Complex, security at the DPS Headquarters complex, safety education, explosive detection and bio-hazard canines, electronic access management at all state office buildings in the Capitol Complex including DPS Headquarters.

Governor's Protective Detail is responsible for the security of the Governor, the Governor's family, and the Governor's Mansion.

The Police Communications facility provides 24-hour police communications for troopers within the Capitol Complex and DPS Headquarters. Operators monitor fire alarms and access systems in state office buildings. Additional duties include operating the Texas Roadside Assistance Hotline, The Texas Railroad Malfunctions Hotline, and the Texas Crime-stoppers Hotline.

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 01-01-05. Its primary funding source is State Highway Fund 0006 for \$13,018,266. This program also has Appropriated Receipts of \$133,327 and Interagency Contracts of \$61,434.

Fines for parking violations in the Capitol Complex are appropriated for use by the Capitol Police Security in Appropriations Rider 24. In fiscal year 2006, \$125,365 was collected.

State agency paid reserved parking fees for fiscal year 2006 was \$56,190. These funds are not appropriated to DPS but rather deposited into General Revenue.

Interagency contracts for private security reimbursed Region VII \$61,434 in fiscal year 2006.

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

The Office of Attorney General has a security staff for the William Clements and Price Daniels buildings due to their own specific security needs. Region VII, Highway Patrol does not provide building security at those locations, however, Troopers respond when events require a police response.

Region VII is located entirely within the city limits of Austin. The Austin Police Department has law enforcement jurisdiction as well as the Highway Patrol.

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 Office of Attorney General has an interagency contract with DPS for private security when there is a need for additional security at the William Clements and Price Daniels buildings.

Communication and coordination with the Attorney General's Office and the Austin Police Department is in place to prevent conflict or duplication of services.

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 Highway Patrol Region VII has an inter-local agreement with the City of Austin defining responsibilities for traffic and parking enforcement and general security in the Capitol Complex including private property within the Capitol Complex. The agreement defines responsibilities for street closures, parking meters, sign, signals, and street markings.

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

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

This program spent \$970,623 in contracted expenses in approximately 4 contracts. The major

purposes of these contracts were for the purchase of vehicles, radios, security services, and office supplies.

Region VII has one contract for private security for some state office buildings. In fiscal year 2006,

expenditure for private security was \$220,670. Interagency contracts are in place for reimbursement of expense from other state agencies for security at several state office buildings. In fiscal year 2006, DPS was reimbursed \$61,434 for private security services

No current contract problems.

L. What statutory changes could be made to assist this program in performing its functions? Explain.

The history of the Capitol Police budget strategy has been that the Capitol Police District is operated in a separate budget from the Texas Highway Patrol Division. In 2003 the THP Division underwent reorganization and the Capitol Police District was absorbed by the THP Division and became the Capitol Police, Region VII, the seventh region within the THP Division. With this reorganization it would make for a more effective and efficient budget strategy if the Capitol Police Region budget was absorbed by the THP Division budget and was managed as one just as the other seven regions within the THP Division are done.

Parking operations for the Capitol Complex is currently managed by three state agencies, the Texas Highway Patrol, Texas Building and Procurement Commission (TBPC) and the State Preservation Board. TBPC owns the parking lots and garages within the Complex. THP develops administrative rules for the management and enforcement of parking regulations. The State Preservation Board administers the rules. Combining all aspects of the parking operations and allowing one state agency to oversee the parking operations would make for a more effective and efficient operation.

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

None

N. 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.

Region VII is responsible for issuing parking permits for vehicles owned by state employees working in the Capitol Complex. State employees must register their vehicles in our Parking Administration in order to get a parking permit to park in state-owned garages and lots. Parking permits are required to enable fair enforcement of the parking rules and to ensure enough parking for state employees.

Troopers and State Preservation Board employees patrol parking lots, garages and parking meters to ensure compliance of the parking rules. Administrative citations are issued for non-compliance of parking rules. If a state employee has 6 or more unpaid parking citations a wheel boot will be placed on the vehicle until the citations are paid. A violator may request in writing to have the citation voided. Approval to void citations is made by Parking Administration supervisory staff.

O. 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.

Texas Department of Public Safety Region VII Parking Administration Exhibit 12: Information on Citations Issued Fiscal Years 2005 and 2006		
	FY 2005	FY 2006
Total number of citations issued	19,445	17,672
Total number of citations paid	12,742	11,281
Total number of citations voided due to appeals	1,398	1,405
Total number of unpaid citations	3,004	2,878
Total number of wheel boots	97	50
Total number of parking permits issued	8,843	9,097
Total number of warnings	2,301	2,100

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

Name of Program or Function	Communications
Location/Division	Austin/Texas Highway Patrol
Contact Name	R. K. Elliston, Chief
Actual Expenditures, FY 2006	\$8,809,221

Number of FTEs as of August 31, 2006	244
--------------------------------------	-----

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

The objective of the Communications Service is to provide public safety communications.

The Communications Service operates a statewide network designed to serve the communications requirements of all criminal justice agencies. The system utilizes radio, telephone, and landline connections to TCIC, NCIC, and other law enforcement databases. The Department operates a total of thirty-four 24-hour communications facilities.

Major activities of the Communications Service include:

- Communications between Department units;
- Communications between the Department and other law enforcement agencies;
- Information and assistance to the public in emergency and other Department related matters; and,
- Warnings and communications necessary for the protection of lives and property of the public.

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

The following is a summary of activity for the Communications Service during 2006:

Average Number Radio Log Transactions	1,948,078
Average Number Administrative Messages	4,616
Average of Total Transactions	1,977,451

(Transactions include telephone contacts, teletype messages, radio contacts, etc.)

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.

None.

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 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, satellite and landline telecommunications.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

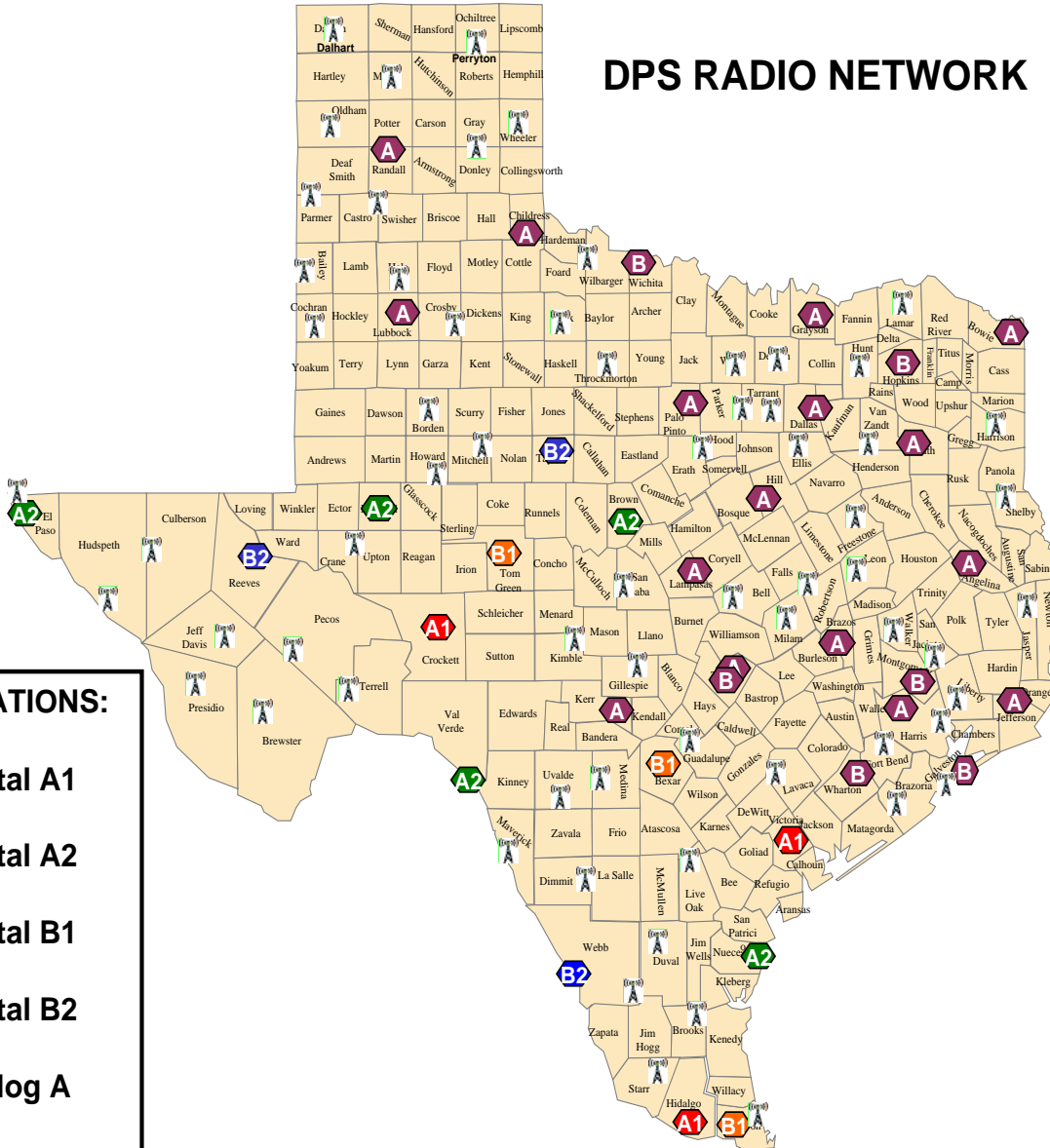
The Communications Service in each DPS region is managed by a regional police communications supervisor. Each facility is staffed by civilian personnel including a supervisor and five to 10 operators who handle part of the department's statewide police radio system that covers approximately 97 percent of Texas' geographical area. This system consists of 34 communications centers and 64 mobile relay stations.

Each facility has access to numerous data files through the Texas and National Law Enforcement Telecommunications Systems. These files contain information about wanted persons, criminal histories, driver licenses, vehicle registrations, concealed handgun licenses, 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.

The following chart shows the communications facilities and repeater sites throughout the State.

DPS RADIO NETWORK



BASE STATIONS:

-  Digital A1
-  Digital A2
-  Digital B1
-  Digital B2
-  Analog A
-  Analog B

Communications Facilities and Repeater Sites

Region 1
 Garland – Hurst, Greenville
 Sherman – Denton
 Texarkana – Marshall
 Sulphur Springs – Paris
 Tyler – Canton

Region 2
 Houston – Fred Hartman
 Bridge, Huffman
 Pierce – Columbus, Richmond
 Conroe – Huntsville
 Beaumont
 Lufkin – Shepherd, Jasper, Shelby
 Texas City – Danciger, Brazoria

Region 3
 Corpus Christi – Three Rivers,
 Freer, Falfurrias
 San Antonio – New Braunfels,
 D’Haris, Sweet Home

Victoria

Region 4
 Midland – Gail, Big Spring
 El Paso – Quitman, Sierra Diablo,
 Franklin
 Pecos – McDonald, Santiago,
 Glass, Chinati
 Ozona – Sheffield, Sanderson,
 Crane
 Abilene – Loraine
 Brownwood
 San Angelo

Region 5
 Lubbock – Whiteface, Plainview,
 Crosbyton
 Amarillo – Dalhart, Dumas,
 Perryton, Adrian, Lazbuddie
 Childress – Benjamin, Tolbert,
 Alanreed, Wheeler
 Mineral Wells - Aledo
 Wichita Falls – Throckmorton,
 Decatur

Region 6
 Waco – Glen Rose, Fairfield,
 Boyce
 Kerrville – Junction, Johnson City
 Lampasas – Pontotoc, Temple
 Bryan – Flynn, Cameron
 Austin District Office

Region 7
 Capitol - Detail, Security, Parking

Region 8
 McAllen – Rio Grande City
 Harlingen – Bayview
 Del Rio – Uvalde, Eagle Pass
 Laredo – Hebbronville, ValleyWells

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 06-01-04 and its primary source of funding is State Highway Fund 0006 in the amount of \$8,806,882. This program also had Appropriated Receipts of \$2,339.

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

The majority of other law enforcement agencies throughout the State maintain their own communications operations. They provide the same 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.

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 agencies.

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 over 2,163 law enforcement entities (city, county and federal) in the State of Texas. The Communications Service works with these agencies when called upon to provide the most effective and efficient police services to the citizens and visitors of Texas.

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

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

This program spent \$10,047 in contracted expenses in 3 contracts. The major purposes of these contracts were for the payment of office supplies.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain.

None.

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

None.

N. 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.

None.

O. 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.

N/A

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

Name of Program or Function	Breath Alcohol Testing
Location/Division	Statewide/Texas Highway Patrol
Contact Name	R. K. Elliston, Chief
Actual Expenditures, FY 2006	\$2,241,844
Number of FTEs as of August 31, 2006	33

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

The Breath Alcohol Testing Bureau has two primary objectives:

- Statewide regulation of the evidential forensic breath alcohol testing program
- Statewide regulation of the breath alcohol ignition interlock program.

The bureau regulates the statewide evidential forensic breath alcohol testing program through the Texas Breath Alcohol Testing Regulations which establish rules approving satisfactory techniques, methods of analysis and programs, instrument certification, approval of reference sample devices, operator certification, technical supervisor certification, and the approval of courses of instruction. Bureau personnel testify to the program's validity in court.

The bureau regulates the statewide breath alcohol ignition interlock program through the Texas Ignition Interlock Device Regulations which establish rules for the approval of interlock devices, technical requirements, maintenance and calibration requirements, certification and inspection of service centers, service representative certification and ignition interlock inspector certification.

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

The statewide evidential forensic breath alcohol testing program annually supervises approximately 56,000 valid subject tests. The tests are conducted by more than 5,300 certified breath test operators who work for over 900 different agencies at 380 instrument testing sites statewide. The operators and instruments are supervised by 53 certified Technical Supervisors; 25 of whom are employed by the DPS and the remainder work for 16 different agencies, including sheriff's offices, police departments, medical examiner's offices and colleges.

The statewide breath alcohol ignition interlock program has three certified ignition interlock inspectors employed by DPS who certify and inspect 170 privately owned service centers where 280 certified service representatives install, calibrate and maintain more than 16,000 ignition interlock devices in motor vehicles. Currently, eight different ignition interlock devices are approved for use in Texas.

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 implied consent law passed by the Texas Legislature went into effect on Sept. 1, 1969. This law authorized the DPS to establish statewide testing standards for breath alcohol testing. While breath alcohol testing was being conducted by a few individual law enforcement agencies prior to the enactment of the implied consent law, breath alcohol testing grew rapidly after 1969. The first evidential breath test instrument used on a statewide basis at this time was the Breathalyzer. The Breathalyzer was replaced by the Intoxilyzer 4011AS-A beginning in 1980 and it was replaced by the Intoxilyzer 5000 beginning in 1989. The Intoxilyzer 5000 is still in use in Texas; however, the current models are much more sophisticated than the original instrument.

The first presumptive level for intoxication of 0.10 in Texas, enacted by the Legislature, went into effect Sept. 1, 1973. Prior to this, 0.15 was widely accepted as the point at which everyone was intoxicated, but there was no Texas statute establishing 0.15. The 0.10 presumptive law was changed to a per se or legal definition law by the Legislature in 1983 and the alcohol concentration was lowered to 0.08 in 1999.

Twelve Technical Supervisors were originally employed by DPS to oversee the breath alcohol testing program and they were joined by a few Technical Supervisors who were employed locally, primarily in Dallas-Ft. Worth and Houston. The number of DPS employed Technical Supervisors grew slowly and reached its current number of 25 in 1994. The number of locally employed Technical Supervisors has grown to 28 and continues to grow, with 5 more locally employed Technical Supervisors currently in training. From the inception of the program until now, more than 150 forensic scientists have been certified as Technical Supervisors and more than 20,000 police officers have been certified as breath test operators with approximately 5,300 operators currently certified.

Originally, the instruments were completely mechanical, operated manually and all reports were hand written. Today, the instruments are computerized, operation is automated and the reports are generated electronically. Originally, tests were entered into a log book for statistical purposes and it took six months or more to compile the data. Today, the test information is stored electronically in the instruments and transmitted to the main database computer via modems and the internet at least once per month.

While the evidential breath alcohol testing program in Texas has grown and advanced dramatically over the years and breath alcohol testing equipment has become much more sophisticated and the laws have changed, the primary function of the evidential breath alcohol testing program has not

changed from its original intent. The primary function was and is to provide the citizens of the State of Texas with a forensically sound and scientifically accurate and reliable breath alcohol testing program that produces alcohol concentration test results which can be admitted into court as evidence.

The statewide breath alcohol ignition interlock program began in 1988. Originally, the law required the bureau to establish rules for and approve ignition interlocks by model and class, only. Service centers and service representatives were not certified. In 1999, the Legislature added the certification of service centers and service representatives 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. The primary function of the ignition interlock 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 has been enhanced.

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' highways are affected by the function of the Breath Alcohol Testing Bureau. All users of Texas' highways are required to comply with the appropriate statutes contained in the Texas Transportation Code.

There are currently over 16 million licensed drivers in Texas and 20.1 million registered motor vehicles in Texas. Approximately 100,000 motorists are arrested for DWI annually and 56,000 of those motorists submit to an evidential breath alcohol test. Approximately 16,000 of the motorists arrested for DWI have been ordered by the courts to have an ignition interlock placed in their vehicle.

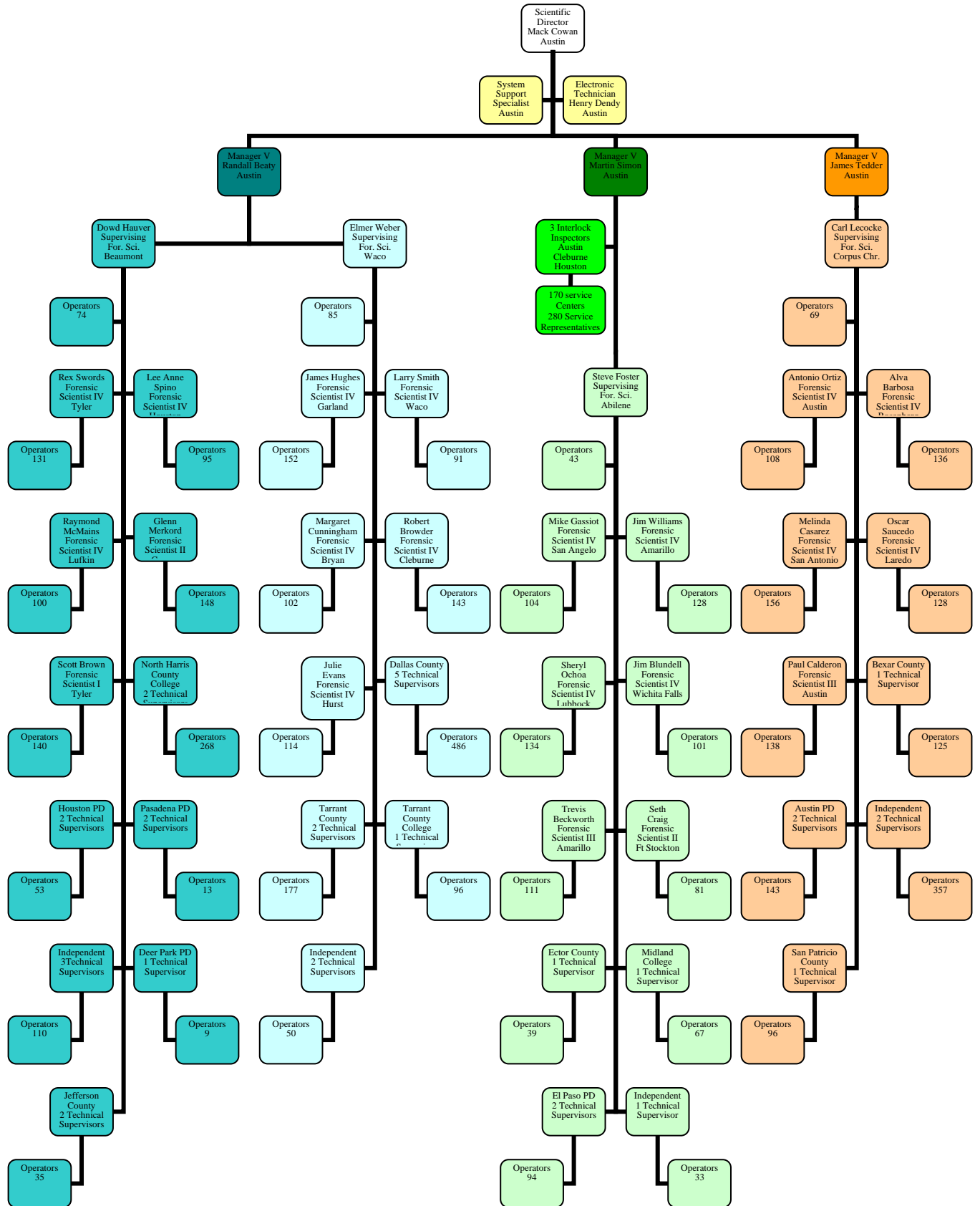
F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

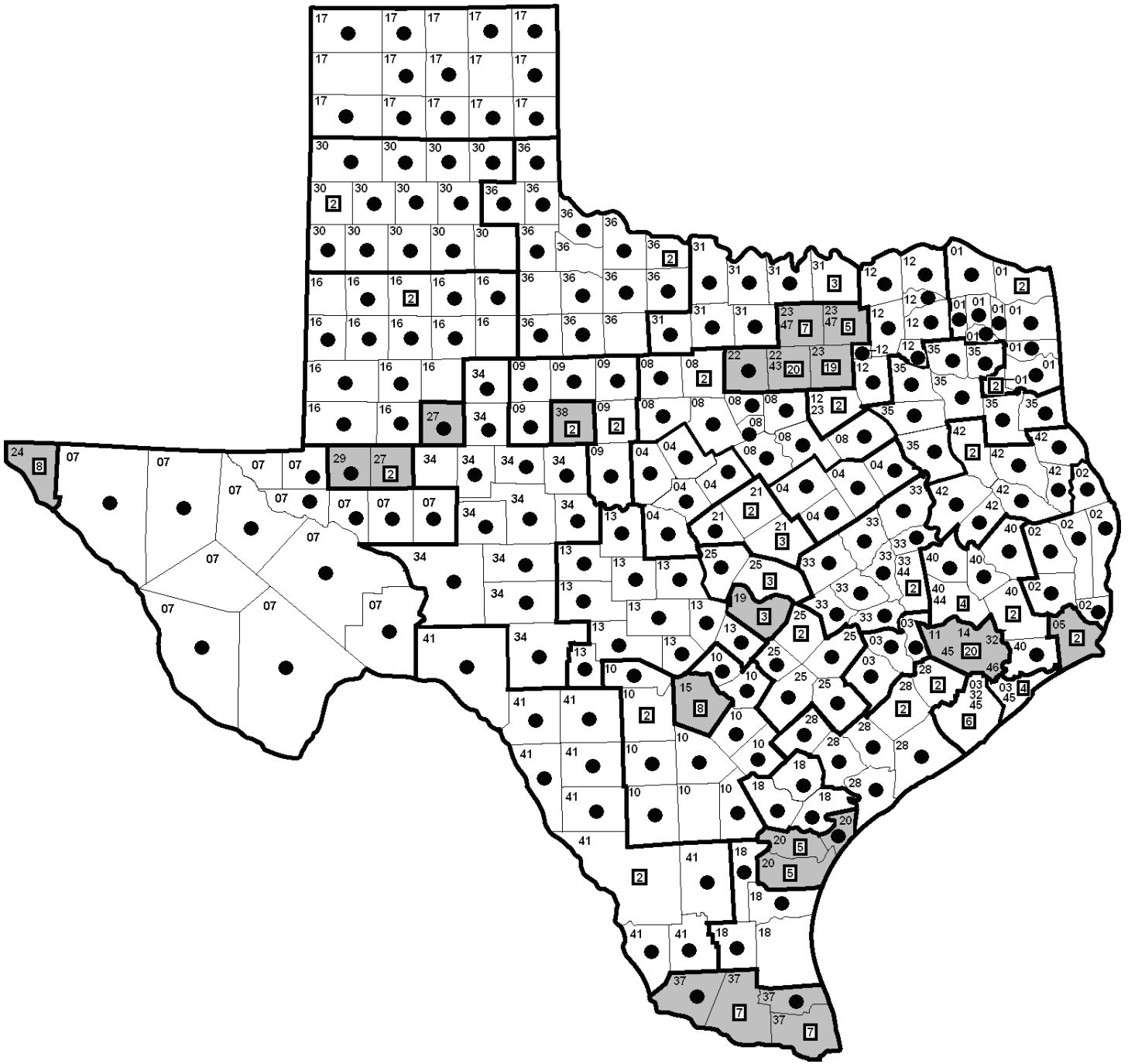
The Breath Alcohol Testing Bureau is administered through the Office of the Scientific Director (OSD) in Austin which is composed of the Scientific Director and three managers. For the evidential breath alcohol testing program, the state is divided into three sections and each section is administered by one of the three managers. One of the managers also administers the ignition interlock program for the entire state.

The bureau administers a statewide breath test program that regulates 53 technical supervisors. The technical supervisors are assigned to 44 separate technical supervisor areas and 5300 breath test operators from over 900 agencies. They also supervise a statewide ignition interlock program that regulates over 170 privately owned service centers where 280 certified service representatives are employed. Twenty five of the 53 technical supervisors work for the DPS, along with approximately

2500 of the 5300 certified breath test operators. For the ignition interlock program, the state is divided into thirds and three DPS employed ignition interlock inspectors regulate the state's ignition interlock industry.

The following is a Breath Alcohol Testing Bureau Flow Chart that details how the bureau is administered and a map detailing the technical supervisor areas and the number of evidential instruments in each county.





The counties shaded in gray are supervised by non-DPS technical supervisors. The remaining counties are supervised by DPS employed technical supervisors.

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 01-01-04. Its primary funding source is State Highway Fund 0006 for \$2,105,741. This program also has Appropriated Receipts of \$66,046 and Interagency Contracts of \$70,057.

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

There are 53 certified technical supervisors, 25 of whom are employed by the DPS and the remainder work for 16 different agencies, including sheriff's offices, police departments, medical examiner's offices and colleges. These locally employed technical supervisors are certified through the Department and are integrated into the statewide breath alcohol testing program. Their responsibilities as technical supervisors are identical to DPS technical supervisors; however, they are employed and paid by agencies other than the DPS.

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 Breath Alcohol Testing Program is an integrated program composed of technical supervisors employed by the DPS and locally. There is no duplication or conflict because the program is managed and regulated on a statewide basis by the Office of the Scientific Director.

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 Breath Alcohol Testing Program works with, certifies and regulates breath test operators, technical supervisors and courses of instruction from over 900 agencies including sheriff's offices, police departments, medical examiner's offices, constable's offices, water districts and colleges and universities.

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

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

This program spent \$246,410 in contracted expenses in approximately 4 contracts. The major purposes of these contracts were for the purchase of office supplies and intoxicizers.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain.

The breath test refusal rate in Texas is over 40%. Other states have dramatically reduced their refusal rate by enacting laws that make it a criminal offense to refuse a breath or blood alcohol test. 79 (R) H.B. 3241 was a bill that made refusal of a breath or blood test a Class B misdemeanor but it failed to get out of committee.

Texas DWI law requires the prosecution to prove the defendant was impaired while driving or operating a motor vehicle. This requires the prosecution to present an expert witness to extrapolate the chemical test evidence from blood or breath, taken after the alleged offense, back to the time of driving. The time course of alcohol in the human body is a dynamic process. To be forensically useful and scientifically valid, such extrapolations may require facts concerning the person, that person's alcohol consumption, and related information, that are often not available in such situations.

Recognizing this, many jurisdictions, including at least 32 States and the District of Columbia in the United States and all of Canada have adopted laws that define the alcohol element of the offense as the alcohol concentration of the blood or breath at the time of the test. Most of these jurisdictions require the specimen be taken within a specified time after the offense or arrest, if the evidence is to be admitted without retrograde extrapolation or further proof. The Uniform Vehicle Code model DUI law is a time-of-test law. Bills have been filed in the Texas Legislature addressing this issue, but none has been referred out of committee thus far.

80 (R) H.B. 915 is an example of a time of test law. For purposes of the prosecution of an offense under Chapter 49, Penal Code, relating to the operating of a motor vehicle or watercraft while intoxicated, it is presumed that the person had an alcohol concentration equal to or higher than 0.08 at the time of the offense if that level of alcohol concentration is shown by an analysis of a specimen of the person's breath, blood, or urine taken from the person not later than 90 minutes after the time of the person's arrest. The bill is weak because it establishes a presumption rather than a legal definition of the time that the specimen is taken and the time period of 90 minutes is far too short.

79 (R) H.B. 645 and H.B. 651 (identical) is a better time of test bill. It still contains a presumption

rather than a legal definition of the time that the specimen is taken, but the time period is three hours. For purposes of the prosecution of an offense under Chapter 49, Penal Code, relating to the operating of a motor vehicle while intoxicated, it is presumed that at the time of the offense, the person had an alcohol concentration equal to or higher than 0.08 if that level of alcohol concentration is shown by an analysis of a specimen of the person's breath, blood, or urine taken from the person not later than three hours after the time of the person's arrest.

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

None.

N. 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.**

For breath alcohol test evidence to be admissible in court, the test must have been conducted by a certified operator, using an approved technique or method, who attended an approved course of instruction, under the supervision of a forensic scientist certified as a technical supervisor on a certified instrument. The Legislature has granted DPS the authority to regulate breath alcohol testing and establish the Texas Breath Alcohol Testing Regulations so that breath alcohol test results will be admissible in court.

To be approved to teach a course of instruction an entity must comply with Rule 19.7 Approvals of Courses of Instruction in the Texas Breath Alcohol Testing Regulations. Currently six entities are approved to teach a course of instruction.

- DPS
- Fondren Forensics
- Midland College
- North Harris College
- San Antonio College
- Tarrant County College

Each of these schools is visited by a representative of the Office of the Scientific Director, at the conclusion of every breath test operator school, to inspect the school and conduct the written

examination required for certification.

After successful completion of an approved course of instruction, an operator is certified until October 31, unless the certification is inactivated or suspended. Prior to the certification's expiration, in September and October, the operator must renew their certification by passing a lab practical each year and a written test each odd numbered year. Failure to renew or failure of the lab practical and/or written test results in the inactivation of the operator's certification.

Technical supervisors are college degreed forensic scientists with at least 18 hours of chemistry. After certification as an operator, a technical supervisor candidate must successfully complete courses of instruction at the University of Indiana in Bloomington and the instrument manufacturer, currently CMI, Inc. in Owensboro, KY. To become certified the candidate must then demonstrate proficiency in instrument calibration, a mastery of the breath test data collection software and pass a written and oral examination. Technical supervisor training usually takes a minimum of six months to complete. Unless inactivated or suspended, technical supervisor certification expires July 31 of odd number years. To remain certified a technical supervisor must accumulate at least 10 continuing education points, called certification renewal units (CRUs), prior to the expiration of their certification. Technical supervisors are inspected at least once per year by a designated representative of the Office of the Scientific Director. They must also pass quality assurance proficiency tests twice per year. Failure to pass an inspection and/or a proficiency test will result in remedial training and/or certification suspension.

Evidential instruments are certified after extensive linearity testing is completed by a certified technical supervisor. Instrument certification continues until it is inactivated by the technical supervisor due to unreliability or until such time as it is replaced by a newer instrument. Certified instruments in service must be checked by a certified technical supervisor, the test data downloaded from the instrument and the data transferred to the Office of the Scientific Director at least once every calendar month. Failure to comply may result in the inactivation of tests and/or the suspension of the technical supervisor.

Substantiated complaints for non-compliance against an approved course of instruction, a certified operator or technical supervisor will result in the removal of approval or the inactivation or suspension of certification for a minimum period of 30 days. To regain certification an operator or technical supervisor must pass the tests required for initial certification.

O. 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.

Texas Department of Public Safety Breath Alcohol Testing Program Exhibit 12: Information on Complaints Against Regulated Persons or Entities Fiscal Years 2005 and 2006		
	FY 2005	FY 2006
Total number of Breath Test Operators	5125	5250
Total number of Entities that Employ Technical Supervisors	20	20
Total number of Entities that Employ Technical Supervisors	20	20
Total number of complaints received from the public	0	0
Total number of complaints initiated by agency	5	4
Number of complaints pending from prior years	0	0
Number of complaints found to be non-jurisdictional	0	0
Number of jurisdictional complaints found to be without merit	0	0
Number of complaints resolved	5	4
Average number of days for complaint resolution	1	1
Complaints resulting in disciplinary action:		
administrative penalty	0	0
Reprimand	0	0
Probation	0	0
Suspension	5	4
Revocation	0	0
Other	0	0

Texas Department of Public Safety Texas Breath Alcohol Ignition Interlock Program Exhibit 12: Information on Complaints Against Regulated Persons or Entities Fiscal Years 2005 and 2006		
	FY 2005	FY 2006

Total number of Service Center Representatives	187	258
Total number of Service Centers	99	120
Total number of Service Centers	99	120
Total number of complaints received from the public	0	2
Total number of complaints initiated by agency	2	0
Number of complaints pending from prior years	0	1
Number of complaints found to be non-jurisdictional	0	0
Number of jurisdictional complaints found to be without merit	0	0
Number of complaints resolved	2	3
Average number of days for complaint resolution	5	7
Complaints resulting in disciplinary action:		
administrative penalty	0	0
Reprimand	0	0
Probation	0	0
Suspension	0	0
Revocation	0	0
Other	0	0

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

--	--

Name of Program or Function	Texas Rangers
Location/Division	Statewide/Texas Rangers
Contact Name	Ray Coffman, Chief
Actual Expenditures, FY 2006	\$8,861,061
Number of FTEs as of August 31, 2006	126

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

As a major criminal investigative unit within the Department of Public Safety, the objective of the Texas Rangers is to prevent and detect crime in Texas. This objective is facilitated through the implementation of five activities within the Division; conducting criminal and special investigations, apprehending wanted felons, suppressing major disturbances, protection of life and property, and rendering assistance to local law enforcement officials in the suppression of crime and violence.

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

FY 2006:

- Number of Criminal Investigations – 6,118
- Number of Arrests – 2,468
- Dollar Value of Property Recovered and Contraband Seized - \$47,927,967.26

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.

As the state population has grown substantially over the last ten years, so have the requests for Texas Ranger assistance in criminal investigations across the state. This, coupled with advances in forensic science, has required that the Division invest substantial resources in training and equipment to meet those needs.

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 Texas Ranger Division provides criminal investigative assistance to all law enforcement agencies within Texas, and assists law enforcement agencies outside the state that have investigative interests in Texas.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The Texas Ranger Division, headquartered in Austin, is divided into six companies which serve all Texas counties. The Division is commanded by a Chief, who answers directly to the Director of DPS. The companies are commanded by a captain, who answers directly to the Chief. Each company is staffed by one or two lieutenants, as first-line supervisors, and 13-19 sergeant investigators.

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 03-01-04 and its primary source of funding is State Highway Fund 0006 in the amount of \$8,857,208. This program also had Appropriated Receipts of \$3,853.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. 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 within the state when federal laws are violated.

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 conducts criminal investigations solely or in conjunction with other law enforcement agencies. Unless authorized to do so, the Division will refrain from involving itself in investigations where another agency does not desire our participation.

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 Ranger Division works daily with local, state, and federal law enforcement agencies throughout and outside the state investigating criminal offenses.

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

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

This program spent \$423,504 in contracted expenses in approximately 5 of contracts. The major purposes of these contracts were for the purchase of vehicles and radios, office supplies, and the payment to the State Office of Risk Management.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain.

There are no identifiable statutory changes to assist the Division.

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

None.

N. 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.

None.

O. 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.

N/A

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

Name of Program or Function	Unsolved Crimes Investigation
Location/Division	San Antonio/Texas Rangers
Contact Name	Ray Coffman, Chief
Actual Expenditures, FY 2006	\$687,105
Number of FTEs as of August 31, 2006	12

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

The function of the Unsolved Crimes Investigation Team is to provide assistance to any law enforcement agency in the investigation of unsolved homicides or major crimes. Only a few law enforcement agencies in the state have dedicated “teams” to investigate cold cases. The majority do not have the manpower, expertise, funds or time to investigate these unsolved offenses.

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

Since the inception of the Texas Rangers Unsolved Crimes Investigation Team (UCIT), the unit has had over 140 unsolved cases (mostly homicides) submitted for possible re-investigation. Of those, 31 have been completed resulting in 22 of those having been solved (71% clearance rate) by arrest, indictment or exceptional means. Twenty-five suspects have been arrested and charged. The remaining cases submitted are currently being investigated or investigation is pending.

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.

None.

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.

UCIT efforts affect all citizens of the state who wait for justice for their family members who are the victims of these unsolved crimes. Any agency is encouraged and welcome to submit unsolved cases to UCIT for re-investigation. The following list provides a breakdown of city and county agencies that have submitted cases to UCIT (Does not include cases submitted by Rangers):

1. Addison P.D.
2. Angelina Co. S.O.
3. Archer Co. S.O..
4. Bexar Co. S.O.
5. Brazos Co. S.O.
6. Brown Co. S.O.
7. Brownsville P.D.
8. Cameron Co. S.O.
9. Carson Co S.O.
10. Cockrell P.D.
11. Corpus Christi PD
12. Coryell Co. S.O.
13. Culberson Co. S.O.
14. Dallas Co. S.O.
15. Dallas P.D.
16. Donna P.D.
17. Edinburgh P.D.
18. Edwards Co. S.O.
19. Ellis Co. S.O.
20. Falfurrias P.D.
21. Fannin Co. S.O.
22. Frio County S.O.
23. Frio Co. S.O.
24. Gonzales Co. S.O.
25. Grayson County DA Office
26. Gregg Co. DA Office
27. Gregg Co. S.O.
28. Guadalupe Co. S.O
29. Harlingen P.D.

30. Harris Co. S.O.
31. Harrison Co. S.O.
32. Hempstead P.D.
33. Hewitt P.D.
34. Hickory Creek P.D.
35. Irving P.D.
36. Jack Co. S.O.
37. Jasper Co. S.O.
38. Jones Co. S.O.
39. Liberty Co. S.O.
40. Maverick Co. S.O.
41. McAllen P.D.
42. Medina Co. S.O.
43. Midland Co. S.O.
44. Missouri City P.D.
45. Nacogdoches P.D.
46. Navarro Co. S.O.
47. Nueces County S.O.
48. Olmos Park P.D.
49. Orange Co. S.O.
50. Parker C. S.O.
51. Rio Hondo P.D.
52. Round Rock P.D.
53. San Angelo P.D.
54. San Antonio P.D.
55. Seguin P.D.
56. Smith Co. S.O.
57. Tarrant Co. S.O.
58. Titus Co. S.O.
59. Tom Green S.O.
60. Tom Green Co. S.O.
61. Travis Co. S.O.
62. Weatherford P.D.
63. Williamson Co. S.O.
64. Young Co. S.O.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

UCIT program is administered through a select group of Texas Rangers. The team consists of a Captain, Lieutenant, and eight field Rangers. All cases submitted are screened to determine probability of solving which determines which cases are investigated first and which are turned down. There is no time limit set on amount of investigative hours allowed per investigation. An investigation continues as long as there are leads to follow.

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 03-01-05 and its sole source of funding is State Highway Fund 0006 in the amount of \$687,105.

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

Other “cold case units” are located in some of the larger cities (i.e. HPD, SAPD, APD), but those only work on unsolved crimes within their jurisdiction. The size of the group of cold case detectives range from one to five or more. Smaller cities and county sheriff departments have none. Those agencies with “cold case units” work on unsolved crimes as teams. UCIT works on cases individually, but do confer with one another on cases, techniques, and crime scene investigations, and on occasion work in teams, depending on the investigation. UCIT works on cases submitted. We do not take over any agencies cases unless specifically requested. Normally, the other units work with a single district attorney’s office for prosecution, whereas UCIT must work with District Attorney offices throughout 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.

UCIT avoids duplication or conflict by keeping a good working relationship with other cold case units. If victim’s families request UCIT’s involvement in an area with an existing cold case unit, they are informed of that fact and advised to talk to the other agency. On any case that is submitted, UCIT ascertains if another agency is working on the same case and then confers with that agency to avoid duplication or conflict.

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.

None.

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

This program spent \$2,036 in contracted expenses in 2 contracts. The major purposes of these contracts were for the purchase of office supplies and the enterprise agreement.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Request that the “team” structure and wording of the enabling legislation be amended to reflect an enacted (mandated) “program” within the division. Propose changing the current concept of having all UCIT Rangers stationed in one location to having a “UCIT” Ranger stationed at each company and having that designated Ranger Sergeant work exclusively on unsolved homicides/major crimes in that company’s geographic area. These positions would be under the command of the Company Captain and assigned to the Company Headquarters office, field Lieutenant’s office or in a station where there is at least one other Ranger stationed. The total allocated budget for UCIT (Strategy C.1.5) would continue to be utilized for funding the UCIT position. Authorization to combine Strategy C.1.5 into Strategy C.1.4 would be requested from the 81st Legislature to fund all division positions. Attrition and voluntary transfers should accomplish the decentralization of the unit within two years or less. The estimated savings of decentralization of UCIT would be \$19,987.00 per year. The amount of travel expenses should also decreased due to the UCIT Ranger working within a company.

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

None.

N. 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.

None.

O. 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.

N/A

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

Name of Program or Function	Narcotics Enforcement
Location/Division	Statewide/Criminal Law Enforcement
Contact Name	Kenneth Crockett, Commander
Actual Expenditures, FY 2006	\$35,539,331
Number of FTEs as of August 31, 2006	429

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

The objective of the Narcotics Service is to deter illegal trafficking of controlled substances, dangerous drugs and drug abuse in Texas. The Narcotics Service seeks to achieve this objective by enforcing state and federal drug laws; providing narcotics-related tactical and strategic analytical support to internal and external law enforcement entities; and performing mandated regulatory functions which include controlled substance registration, administration of the prescription drug program and regulation of precursor chemical/laboratory apparatus permits. The Narcotics Service also participates in the Drug Demand Reduction Advisory Committee and the Drug Endangered Children's 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 performance measures that best convey the effectiveness and efficiency of this function or program.

The Uniform Crime Reporting Program (UCR) statistics are one method of providing evidence that the Narcotics Service is effectively and efficiently meeting the objective. The UCR data for 2006 shows an overall decrease in the crime rate for Texas. Other key statistics for FY 2006 are as follows:

- 1,349 felony arrests
- Illegal controlled substances seized valued at \$241,243,265
- \$16,845,433.46 in U.S. currency seized
- 57 clandestine labs were seized
- 19,890 reports written
- 68,422 controlled substance registrations were processed
- 5,376,300 Schedule II prescriptions were processed
- 1,424 precursor/chemical apparatus permits were processed

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 overall direction of the Narcotics Service has not changed from its original intent; however, recent legislation has increased the responsibility of the Service. The 79th Legislative Session passed H.B. 1239 which formalized the Department's role in providing oversight to multi-county drug task forces and mandated reporting requirements addressing evaluation of effective performance outcomes and compliance with policies, rules and regulations. The 80th Legislative Session passed S.B. 1879 which will require the Department to collect data, beginning September 1, 2008, from prescriptions issued for controlled substances in Schedule III through V, as well as continuing to collect data for Schedule II prescriptions.

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 Narcotics Service provides drug law enforcement for the citizens of the state and also assists other law enforcement agencies with this function. The regulatory programs of the Narcotics Service affect the following:

- Prescription Drug Program:
 - Physicians must be licensed by their appropriate state board.
 - In FY 2006, there were 65,187 physicians affected by this program.
 - Pharmacies must be licensed by the State Board of Pharmacy.
 - In FY 2006, there were 6,510 pharmacies affected by this program.
- Controlled Substance Registration:
 - Professionals were licensed by the various health care state boards.
- Precursor Chemical/Laboratory Apparatus Program:
 - Businesses and individuals who sell, transfer, receive or otherwise furnish a precursor chemical/laboratory apparatus within the state.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The Narcotics Service commander is responsible to the Chief of the Criminal Law Enforcement Division for the overall operation of the Service. The deputy commander directs the statewide drug law enforcement strategy through each of the ten district captains. The districts are comprised of multiple lieutenant areas and each lieutenant area is staffed by sergeants and administrative assistants. The sergeants are responsible for conducting investigations of drug trafficking activities

within their respective areas. Two assistant commanders provide administrative support functions to the field, the deputy commander and commander. Two headquarters captains oversee the operation of the Narcotics Service Analyst Team and Technical Unit. The regulatory programs are supervised by a non-commissioned manager. The Narcotics Service conducts its function in accordance with state and federal laws, department policy and best police practices.

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 03-01-01 and its primary source of funding is State Highway Fund 0006 in the amount of \$33,390,413. This program also had Federal Funds of \$2,050,784 and Appropriated Receipts of \$98,134.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. 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. Therefore, other law enforcement services or divisions within the Department provide similar functions as the Narcotics Service. The Drug Enforcement Administration is a federal agency that provides a very similar function as the Narcotics Service. Local, county and federal law enforcement agencies have areas of narcotics investigative responsibility that overlap with the jurisdiction and investigative responsibility of the Narcotics Service.

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 Narcotics Service, when called upon, assists the Texas Highway Patrol Division with interdiction stops and attempts to further the investigation of these drug trafficking violations. The Narcotics Service coordinates drug law enforcement efforts with other agencies through informal cooperative agreements and through Memorandums of Understanding (MOUs). The Narcotics Service participates in the four High Intensity Drug Trafficking Area (HIDTA) task forces located within Texas and utilizes the deconfliction centers operated within each of the HIDTAs to avoid duplication or conflicts with other law enforcement agencies drug enforcement efforts.

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 Narcotics Service works with all local, county, state and federal law enforcement agencies in a cooperative manner to enforce criminal laws.

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

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

This program spent \$7,667,565 in contracted expenses in approximately 17 contracts. The major purposes of these contracts were for the purchase of vehicles, radios, weapons, office supplies, postage, printing and the payment to the State Office of Risk Management.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain.

None.

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

N/A

N. 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.

- Prescription Drug Program

- The regulation of prescription drug ensures that only properly educated and trained individuals manage prescribing and dispensing of controlled substances in order to protect the general public's health needs.
 - Health and Safety Code, Section 481.181, Inspection, provides for inspection of any location that is listed on the Controlled Substances Registration Certificate. The statute further allows for the inspections to be completed at any reasonable time and specifies what may or may not be inspected. The Texas Administrative Code, Title 37, Chapter 13, Subchapter K, further articulates the procedures for inspections.
 - Physicians are contacted by telephone for follow-up activity.
 - Physicians may have the authority to write Schedule II prescriptions suspended. In addition, a physician could have the Schedule II prescribing authority revoked.
 - Physicians may be contacted by telephone and asked about the complaint. If the complaint is within the program's scope, the complaint will be addressed or forwarded to the State Board with appropriate jurisdiction.
- Controlled Substance Registration
 - The regulation of controlled substances (Schedules I through V) ensures that only properly educated and trained individuals and entities manage prescribing and dispensing of controlled substances in order to protect the general public's health needs.
 - Health and Safety Code, Section 481.181, Inspection, provides for inspection of any location that is listed on the Controlled Substances Registration Certificate. The statute also allows for the inspections to be completed at any time and specifies what may or may not be inspected. The Texas Administrative Code, Title 37, Chapter 13, Subchapter K, further articulates the procedures for inspections.
 - Letters and/or telephone calls are made to registrants if non-compliance is identified.
 - The sanctions available to ensure compliance include denial, suspension, revocation, probation, voluntary surrender, termination and modification of the registration.
 - If a complaint/inquiry is received, the registrant will be contacted if it relates directly to a Controlled Substances Registration and an inquiry as to the cause of the complaint will be made and/or will be referred to the appropriate State Board. In all cases, an effort is made to resolve all issues the consumer/public may have.
 - Precursor Chemical/Laboratory Apparatus Program
 - 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.
 - The Department 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.

O. 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.

Department of Public Safety Prescription Drug Program Exhibit 12: Information on Complaints Against Regulated Persons or Entities Fiscal Years 2005 and 2006		
	FY 2005	FY 2006
Total number of Schedule II Registered Physicians	63,647	65,187
Total number of Regulated Entities	0	0
Total number of Entities Inspected	0	0
* Total number of complaints received from the public	2	15
Total number of inquiries initiated by agency	5	30
Number of complaints pending from prior years	0	0
Number of complaints found to be non-jurisdictional	0	0
Number of jurisdictional complaints found to be without merit	0	0
Number of complaints resolved		
*Average number of days for complaint resolution	2 – 30	2 – 30
Complaints/Board Actions resulting in disciplinary action:	71	40
administrative penalty	0	0
Reprimand	0	4
Probation	0	0
Suspension	See * below	See * below
* Revocation/suspension	71	40
Other	0	0

*Complaints received focused on the issue of the seven- day requirement of a Schedule II prescription being filled from the date of issue. This was addressed with recent legislation. Most inquiries/complaints are due to a lack of knowledge of the rules and statutes that govern the program. Inserts have been placed in the Official Prescription Order Forms containing specific rules and statutes concerning the program.

* The average number of days for complaint resolution is based on the physician's return of requested written information concerning their prescription forms. It takes as long as 15 to 30 days for the physicians to furnish the required information.

*The revocations/suspensions were predicated on actions taken by State Boards that revoked/suspended the physician's privileges and not actions taken by the program itself.

Department of Public Safety Controlled Substance Program Exhibit 12: Information on Complaints Against Regulated Persons or Entities Fiscal Years 2005 and 2006		
	FY 2005	FY 2006
Total number of Registered Physicians	68,155	70,636
Total number of Pharmacies, Hospitals, etc.	6,285	6,510
Total number of entities inspected	0	0
Total number of complaints received from the public	0	0
Total number of complaints initiated by agency	43	60
Number of complaints pending from prior years	0	0
Number of complaints found to be non-jurisdictional	0	0
Number of jurisdictional complaints found to be without merit	0	0
Number of complaints resolved	43	60
Average number of days for complaint resolution	30	30
Complaints resulting in disciplinary action:	0	0
administrative penalty	0	0
Reprimand	0	0
Probation	0	0
Suspension	0	0
Revocation	43	60
Other	3	4

Department of Public Safety Precursor Chemical/Laboratory Apparatus Exhibit 12: Information on Complaints Against Regulated Persons or Entities Fiscal Years 2005 and 2006		
	FY 2005	FY 2006
Total number of Permitted Individuals	5	6
Total number of Permitted Businesses	1,440	1,421

Total number of Individuals and Businesses	19	11
Total number of complaints received from the public	0	0
Total number of complaints initiated by agency	0	0
Number of complaints pending from prior years	0	0
Number of complaints found to be non-jurisdictional	0	0
Number of jurisdictional complaints found to be without merit	0	0
Number of complaints resolved	n/a	n/a
Average number of days for complaint resolution	n/a	n/a
Complaints resulting in disciplinary action:	0	0
administrative penalty	0	0
Reprimand	0	0
Probation	0	0
Suspension	0	0
Revocation	0	0
Other	0	0

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

Name of Program or Function	Criminal Intelligence
Location/Division	Statewide/Criminal Law Enforcement
Contact Name	Gene Hawkins, Commander
Actual Expenditures, FY 2006	\$15,120,499
Number of FTEs as of August 31, 2006	244

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

The Criminal Intelligence Service (CIS) primary objective is to collect, analyze, and disseminate intelligence related to terrorism and organized criminal activity. The Service is also responsible for investigating crimes that are being committed by individuals in order to finance and further terrorist and criminal activities.

CIS performs both enforcement and intelligence functions.

- Enforcement – Conducting criminal investigations and providing support to various regulatory programs, including enforcement of the Department’s sex offender registration program and assisting in pari-mutuel racing laws and rules. Personnel track and monitor sex offenders who are under civil commitment. Commissioned personnel provide part-time dignitary protection for the Governor of Texas, visiting governors, and other public officials as assigned.
- Intelligence – Recent terrorism investigations within the U.S. have highlighted the benefits of multi-agency information/intelligence sharing strategies. CIS participates in federal joint terrorism task forces that focus on both domestic and international terrorism investigations. Coordinated investigative efforts between local, state, and federal law enforcement aid in the effective identification, investigation, and prosecution of individuals who engage in or support terrorism. Criminal organizations such as prison gangs, outlaw motorcycle gangs, and hate groups represent major challenges to the security of Texas. The activities of these criminal organizations impact the economy and threaten the safety and welfare of all residents of Texas. Due to the multi-jurisdictional nature of these criminal organizations, it is crucial for CIS to develop and maintain strong law enforcement partnerships in order to effectively combat the illegal activities of these organizations. The gathering and appropriate dissemination of strategic and tactical criminal intelligence is crucial in meeting the challenges that organized criminal groups pose to the various jurisdictions within the state.

Activities Include:

- Texas Intelligence Center (TXIC). TXIC is the central facility for fulfilling the Department's responsibility to collect, analyze, and disseminate intelligence information related to criminal and terrorist activities. TXIC not only is designed to handle and respond to Internet and telephone inquiries from the general public and other law enforcement agencies, but has access to numerous information systems. This combination gives TXIC personnel the ability to process and document information from multiple sources, and to disseminate this information to multiple recipients.
- Civil Commitment Program. Civil commitment sex offenders are statutorily identified as sexually violent predators who suffer from a behavioral abnormality that makes the person likely to engage in repeat predatory acts of sexual violence. All civil commitment sex offenders, except for those residing in Dallas, Harris, or Tarrant County, are tracked and monitored by CIS through a system that combines GPS technology, wireless communications, and RF (Radio Frequency) technology.
- Missing Persons Clearinghouse (MPCH). 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 program. As law enforcement liaison for the Amber Alert program, MPCH maintains a 24/7 on-call status 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 CLE 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.
- Polygraph. CIS personnel provide investigative assistance by administering polygraph examinations to suspects, witnesses, victims, and informants involved in ongoing criminal investigations. In addition, polygraph examiners presently conduct pre-employment examinations for trooper trainees, communications operators, and commissioned officer reinstatement applicants. Polygraph personnel also provide specialized training, technical and court-related expertise for municipal, county, state, and federal government agencies inside and outside Texas.

- Analysis. The Service employs crime analysts at Austin headquarters and key field offices across the state that conduct strategic analysis on crime trends and provide tactical case support to the law enforcement community. Headquarters analysts also coordinate the FBI's ViCAP system in Texas, which tracks serial killers and provides a central repository for information and analysis on violent serial crimes. In addition, analysts collect, analyze, and disseminate information related to fraud and confidence schemes committed against the elderly, as required by statute.
- Criminal Law Enforcement Online (CLEO). CLEO is a secure law enforcement web site for collecting and disseminating information that would be of interest to the law enforcement community that includes information regarding wanted fugitives, unsolved crimes, career criminals, officer safety alerts, and upcoming training opportunities.
- Driver License Photos. Upon authorized requests, clerical and analytical personnel with CIS provide Texas driver license photographs and photo lineups to law enforcement agencies who are seeking to identify suspects involved in felony crimes.

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

FY 2006:

- Number of arrests effected 837
- Total number of reports written (investigative/intelligence/administrative): 9,464
- Total number of polygraph examinations conducted: 2,003
- Number of civil commitment offenders tracked/monitored: 61 committed to the program, of which 30 were actively being monitored
- Total number of ERN transactions received and processed by the TXIC: 12,188
- Number of persons reported missing in Texas: 70,000 (Over the past decade, the number of missing persons reported to local law enforcement agencies has remained relatively unchanged; however, MPCH has experienced a 127% increase in the number of missing person inquiries from law enforcement and the public.)
- Number of Amber Alerts requested: 23
- Number of Amber Alerts activated: 7
- Number of intelligence products created/disseminated
 - 400 unique intelligence briefs, identifying suspected criminal activities and actionable intelligence collection requirements and information sharing
 - 25 special reports, including officer safety advisories, event assessments, and situational awareness
 - 4 threat assessments
 - 15 pamphlets/brochures

- Number of analyst assists: 35,225
- Number of DL photos processed: 11,388
- Number of CLEO users being administered: 3,000
- Number of articles posted to CLEO by CIS personnel: 3,800

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 Intelligence Section 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. 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. At the time of the last Sunset Review in 1999, CIS was heavily involved in fugitive apprehension, sex offender registration and compliance, civil commitment tracking, pari-mutuel racing enforcement, and gun range verification. In 2000, the Polygraph Service became a program within the Special Crimes Service. After the terrorist attacks on September 11, 2001, CIS reorganized to spearhead the Department's responsibility to protect the state from terrorism and formally shift priorities by revisiting the past as an intelligence-gathering unit. As a result, CIS was renamed the Criminal Intelligence Service in September 2005. CIS personnel continue to work closely with local, state, and federal agencies to investigate individuals involved in suspected terrorist activity and crimes that support terrorism. CIS also maintains strong working partnerships with local and federal agencies on multi-jurisdictional terrorism task forces to ensure the safety and freedom of Texas residents.

Strong intelligence gathering capabilities are crucial to the development of accurate information sharing that provides effectiveness in these investigative efforts. Texas homeland security legislation, passed in 2003, provides for the creation of a central collection point for information related to terrorism. This collection point was originally created as the Texas Security Alert and Analysis Center but is now known as the Texas Intelligence Center (TXIC). The TXIC is staffed by CIS analysts who receive, process, and disseminate information from the public, private industry, and law enforcement sources.

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.

All citizens of Texas through the enforcement of existing laws and administration of certain statutory regulatory programs.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

CIS is under the direction of a service commander and maintains a headquarters operation in Austin, Texas. In addition to the service commander, the headquarters operation includes an assistant commander over field operations, an assistant commander over headquarters operations and Service fiscal affairs, two captains, two lieutenants, a budget analyst, four analyst supervisors, twenty-eight analysts, a clerical supervisor, and eight clerical personnel. Commissioned and non-commissioned

Polygraph personnel are strategically assigned across the state and are supervised by two lieutenants and one of the headquarters captains. Other CIS personnel are assigned to duty stations in one of five geographic regions or districts within the state. Each district is staffed by a captain, two or more lieutenants, multiple sergeants, and civilian support/analytical 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).

This program is accounted for in Strategy 03-01-03 and its primary source of funding is State Highway Fund 0006 in the amount of \$14,676,455. This program also had Criminal Justice Grants of \$311,643, Federal Funds of \$29,739 and Appropriated Receipts of \$102,662.

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

The state-mandated requirement for sex offender registration is a multifaceted/multi-agency responsibility. Externally, local police agencies are responsible for enforcing the requirements for sex offender registration. However, CIS is available to supplement smaller police agencies with enforcement of registration laws.

The National Center for Missing and Exploited Children (NCMEC) is a non-profit organization congressionally-mandated as the nation's official resource center on missing and exploited children. The NCMEC works closely with local, county, state, and federal law enforcement. Similar to the MPCH, NCMEC serves as a national repository for missing children information. However, whereas the NCMEC assists law enforcement and the general public in only missing children cases, the MPCH assists in both missing children and adult cases.

Along with DPS – the Governor’s Office of Homeland Security, Division of Emergency Management (SOC) provides some similar function as TXIC; however, TXIC provides analytical assistance and disseminates information to the law enforcement community 24/7, while the Governor’s Division of Emergency Management operates only as a dissemination point for information received. Externally, there are also several intelligence centers established in Texas; however, they operate at a local or regional level rather than statewide, as is the case with the TXIC.

Externally, polygraph programs are maintained throughout the State of Texas by major law enforcement agencies; however, these programs are limited to their primary jurisdiction.

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 MPCH does not have an MOU with the NCMEC. Upon receiving a request from law enforcement or from families of missing children, the MPCH ascertains if NCMEC has involvement in the case and coordinates resources accordingly.

The duties and responsibilities of the TXIC, combined with the criminal analytical assistance offered on a 24/7 basis, are what set the Center apart from other programs. No other program in the State of Texas performs a similar function.

There is no MOU or interagency agreement between the Department and the Governor’s Office of Homeland Security. The gray area of responsibility between that office and the Department has not been resolved.

An MOU exists between CIS and the Council on Sex Offender Treatment in providing electronic tracking services for the Civil Commitment Sex Offender 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 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.

TXIC works closely with the Federal Bureau of Investigation (FBI) and provides an on-site office for an FBI analyst. In addition, the Intelligence Center frequently provides analytical support upon request to the US Secret Service, the U.S. Marshals, the Drug Enforcement Administration, and the Bureau of Alcohol, Tobacco, Firearms, and Explosives regarding ongoing investigations. Many other local and state agencies are customers of the Center.

Commissioned and non-commissioned personnel work with numerous state entities within the civil commitment program through the Risk Assessment Review Committee (RARC) and the Multi-Disciplinary Team (MDT). Agencies include the Council on Sex Offender Treatment, Texas Department of Criminal Justice, Texas Mental Health/Mental Retardation, and the Texas Youth Commission.

The MPCH works with all Texas sheriffs' offices and police departments. In addition, the MPCH also works with any and all federal agencies upon request.

Polygraph works with rural and smaller agencies that are incapable of maintaining or having access to a viable polygraph examination program.

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

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

This program spent \$1,529,874 in contracted expenses in approximately 12 of contracts. The major purposes of these contracts were for the purchase of vehicles and radios, office supplies, postage, computer equipment and the payment to the State Office of Risk Management.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Statutory clarification of the role and responsibilities of the Governor's Office of Homeland Security would facilitate operational efforts and communications across all levels of government and the private sector.

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

N/A.

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

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

N/A

O. 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.

N/A

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

Name of Program or Function	Vehicle Theft Enforcement
Location/Division	Statewide/Criminal Law Enforcement
Contact Name	Jesse Flores, Commander
Actual Expenditures, FY 2006	\$10,721,325
Number of FTEs as of August 31, 2006	148

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

The objective of the Motor Vehicle Theft Service is to promote effective law enforcement by prompt apprehension of persons involved in the commission of motor vehicle thefts in the State of Texas. MVTS seeks to perform this mission in a highly-skilled and professional manner by planning, designing, and the implementing statewide programs designed to promote cooperation and leadership for coordinated efforts in vehicle theft control activities among all law enforcement and other interested agencies.

The Service provides professional training for investigators in the specialized field of vehicle theft enforcement with emphasis placed on commercial and organized vehicle theft activity. Capabilities of personnel include investigative tracking of vehicles from manufacturers all over the world, locating and deciphering confidential identification numbers, obtaining factory contact information from major vehicle manufacturers, conducting purged record inquires through a national computer system, the ability to query suspect vehicle identification through personal points of identification, and the ability to restore altered or obliterated identification numbers.

Activities:

MVTS personnel establish and promote close working relationships with other law enforcement representatives to support the general law enforcement effort. MVTS actively participates in programs designed to inform and educate the general public in matters relating to motor vehicle thefts, theft prevention, and related matters affecting public safety.

MVTS personnel also establish and maintain working relations with Mexican officials to facilitate the recovery of stolen vehicles and to apprehend fugitives within the interior of Mexico through the U.S./Mexico treaty process and police liaison.

MVTS has accepted the responsibility to provide leadership in the training of local, state, and federal agencies participating in Auto Theft Prevention Authority grants.

MVTS also works in close cooperation with the Texas Racing Commission. Service personnel are committed to maintaining an enforcement program that ensures a high level of integrity for Texas Pari-Mutuel Racing.

MVTS operates the Border Auto Theft Information Center (B.A.T.I.C.). Established in 1994 with the primary function to assist Mexico's police agencies in identifying stolen vehicles, B.A.T.I.C. provides an insight into the magnitude of the issue of the exportation of stolen vehicles into Mexico and Central American countries. B.A.T.I.C. is under the direction and supervision of the Motor Vehicle Theft Service and is staffed with six bilingual analysts and one supervisor who provide assistance six days a week on stolen vehicle information throughout the United States, Republic of Mexico, and Central America.

The chief function of B.A.T.I.C. is to provide Mexican law enforcement officers with timely information on the stolen status of vehicles interdicted so that appropriate recovery and enforcement action be taken, prosecution secured and property returned to the United States. Another asset of B.A.T.I.C. is its access to Mexico's vehicle registration files. This access provides law enforcement agencies in Texas and the United States with investigative information which otherwise would not have any other means to access records in Mexico. MVTS sergeants conduct investigations from information provided by B.A.T.I.C. and work with National Insurance Crime Bureau agents toward the actual recovery of vehicles identified as stolen. MVTS sergeants maintain a working relationship with officers in Mexico through frequent personal contact in order to assist them in identifying and recovering stolen vehicles.

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

The recent publication of the "Uniform Crime Report" details the continued reduction of motor vehicle theft by an overall .04% decrease for 2005, showing this decrease from 93,844 in 2004 to 93,471 in 2005. The theft rate by population decreased from 417.3 in 2004 to 408.9 in 2005 – a -2% difference. The Service has been tasked with additional duties that include pari-mutuel racing monitoring and enforcement, fugitive apprehension and the Texas Top Ten Most Wanted.

OUTPUT MEASURES FY 2006

1st Quarter Months	Inv. Sgts	Inv. Analyst	Arrests	Recovered Value	Number Recovered	Invest. Hrs	Bus. Inv. Hrs	Title Hist.	Salv. Bus. Inv.
September	392	1479	78	\$4,265,696.00	283	7913	152	45	54
October	382	1501	120	\$5,749,857.00	332	7913	96	42	33
November	305	1413	120	\$4,219,367.00	255	5573	107	36	29
Total	5472		318	\$14,234,920.00	870	21399	355	123	116
2nd Quarter Months	Inv. Sgts	Inv. Analyst	Arrests	Recovered Value	Number Recovered	Invest. Hrs	Bus. Inv. Hrs	Title Hist.	Salv. Bus. Inv.
December	512	1368	130	\$5,379,281.00	307	7934	73	73	32
January	523	1758	188	\$5,999,264.00	397	8665	178	63	51
February	512	1853	115	\$6,197,768.00	364	7447	178	21	55
Total	6526		433	\$17,576,313.00	1068	24046	429	157	138
3rd Quarter Months	Inv. Sgts	Inv. Analyst	Arrests	Recovered Value	Number Recovered	Invest. Hrs	Bus. Inv. Hrs	Title Hist.	Salv. Bus. Inv.
March	568	2256	203	\$6,233,816.00	348	8299	154	50	57
April	471	1805	243	\$6,099,548.00	323	7264	132	42	34
May	537	1967	128	\$7,087,024.00	384	8362	192	61	37
Total	7604		574	\$19,420,388.00	1055	23925	478	153	128
4th Quarter Months	Inv. Sgts	Inv. Analyst	Arrests	Recovered Value	Number Recovered	Invest. Hrs	Bus. Inv. Hrs	Title Hist.	Salv. Bus. Inv.
June	550	2387	188	\$7,481,385.00	376	8504	145	29	29
July	504	1440	121	\$4,434,767.00	302	7625	149	27	26
August	524	2039	181	\$6,781,294.00	378	9115	159	35	37
Total	7444		490	\$18,697,446.00	1056	25244	453	91	92
Fiscal Year Total	27046		1815	\$69,929,067.00	4049	94614	1715	524	474

Since the start of the fiscal year, MVTS personnel have conducted 88 pari-mutuel racing track inspections and filed 15 charges with 2 related arrests and assisted Texas Racing Commission personnel with numerous administrative violations. MVTS personnel have closely cooperated with TRC personnel and have established a firm relationship with enforcement personnel throughout the state. Numerous compliments have been received by TRC regarding the work being conducted by MVTS personnel on this objective.

Fugitive apprehension responsibilities assigned to MVTS have netted key contacts with the court systems and probation/parole offices throughout Texas. MVTS personnel arrested 717 felony fugitive and 239 misdemeanor fugitives. Commendations have been received on MVTS personnel from court officials and probation/parole offices from various sectors of the state regarding assistance and professionalism.

Evaluation of the MVTS training program is best measured by demand. The expertise and specialized knowledge in vehicle identification techniques and investigative resources acquired through the Service's thirty-five years of experience merit the recognition and respect unmatched by any other law enforcement agency in the United States. Assistance is frequently requested by local, state, and federal agencies and is readily provided ensuring that a successful outcome is attained.

The information reported daily by B.A.T.I.C. employees is compiled to provide quarterly reports to the Texas Auto Theft Prevention Authority regarding the implementation of B.A.T.I.C. systems, the volume of official requests for information, and the overall effectiveness of the center. Relative data used to gauge the effectiveness of this function program includes, but is not limited to the following:

- Overall number of transactions performed by the center.
- Number of inquiries answered from officials in Mexico by name, agency, city, and state.
- Number of inquiries answered by officials in Texas and other states by name, agency, city, and state. (These records are maintained for 12 months, plus the present month only.)
- Number of stolen vehicles identified for officials in Mexico by name, agency, city, and state.
- Number of stolen vehicles identified for officials in Texas and other states as applicable.
- Number of vehicles returned to Texas and other states.
- Number of vehicles returned to Mexico.
- Monetary value of vehicles, parts, and other stolen property returned to the United States.
- Monetary value of vehicles discovered to have been recovered through archived records, but not previously reported to BATIC.

Each day, calls are logged in the order of time received. The number of calls and inquiries are summarized on a computerized call count for the purpose of determining monthly statistics. The following statistics were recorded for September 2005 – August 2006:

Telephone Inquiries to B.A.T.I.C.	164,136
Confirmed Stolen Entry (Hits)	3,807
Stolen Vehicles Recovered	2,591
Value of Recovered Vehicles	\$38,124,341
Unreported Recoveries	484
Value of Unreported Recoveries	\$12,403,993.
Mexico Stolen Vehicles Recovered in U.S.	142
Value of Recovered Vehicles in U.S. and Returned to Mexico	\$1,628,361

Fiscal Year	Inquiries	Recoveries	Estimated Value Of Recoveries
1993-1994	15,928	644	\$4,902,930
1994-1995	53,427	1,005	\$8,041,296
1995-1996	62,308	1,152	\$12,219,288
1996-1997	97,013	1,422	\$18,154,702
1997-1998	111,739	1,501	\$18,729,136
1998-1999	104,212	1,397	\$16,954,644
1999-2000	104,723	1,845	\$24,669,422
2000-2001	194,752	4,132	\$23,896,925
2001-2002	119,729	1,774	\$22,904,119
2002-2003	138,081	2,158	\$29,289,834
2003-2004	151,711	2,355	\$33,199,313
2004-2005	158,966	2,990	\$38,697,707
2005-2006	164,136	3,807	\$38,124,341.

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.

As of September 1, 2005, MVTS was tasked with additional duties and responsibilities of overseeing and monitoring pari-mutuel racing activity and the primary responsibility of fugitive apprehension activity. MVTS assigned five personnel to the Drug Intelligence Groups (DIG) task force units headed by the Narcotics Service to address the narcotics/terrorism intelligence objective. In addition, the Service also delegated five sergeants to conduct intelligence-gathering on auto theft-related offenses with supervisory and responsibility control by MVTS.

September 2006, MVTS was given the responsibility of supporting and investigating the Top Ten Most Wanted Fugitives as proposed in the CLE reorganization process from the previous year. The Top Ten Most Wanted Fugitives are assigned to MVTS and disseminated to district personnel for investigation and apprehension.

The high level of cooperation between officials in Mexico, MVTS sergeants, the NICB, and B.A.T.I.C. specialists continues as expected in this program. The number of recoveries, as well as inquiries, continues to increase since B.A.T.I.C. went into operation January 1, 1994. This function has not changed from the original intent although the span of service coverage has increased to include law enforcement agencies from Central American countries and Canadian provinces on some occasions.

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 of vehicle theft has been viewed as a victimless crime for a number of years. Texas continues to be ranked second in the nation in vehicle theft, surpassed only by California. The economic loss sustained from this criminal enterprise has reached astronomical proportions which, in turn, are recovered by the insurance industry through higher premiums paid by all responsible motorists as they purchase insurance for their vehicles. Additionally, many hard-working individuals are victimized as the innocent vehicle purchaser, who unknowingly buys an altered, stolen vehicle from the thief who appears to sell a legitimate vehicle.

B.A.T.I.C. has evolved into a complete information center on stolen vehicles for the Mexican officer and has dramatically improved the recovery rate of stolen vehicles returned to the United States from Mexico. In addition, substantial progress has been made in assisting United States law enforcement agencies to locate and return vehicles that were stolen in Mexico and imported into the United States.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

MVTS is under the supervision of a service commander, who is responsible to the Chief of the Criminal Law Enforcement Division, for the overall operation of the Service. The assistant commander is responsible for the administration of the headquarters operation, which includes immediate supervision of one administrative assistant, one fiscal analyst, and one research specialist supervisor. The research specialist supervisor is responsible for the research specialist section, which is comprised of five headquarters research specialists, and two field research specialists located in Tyler and Houston. The Service's field operations include five districts which are commanded by a Service captain with the assistance of two to three lieutenants per district. Each lieutenant supervises six to eight sergeants, with the exception of the El Paso Sub-District lieutenant, who also supervises the MVTS Border Auto Theft Information Center (B.A.T.I.C.) which is comprised of one program supervisor and six border information specialists. The Service accomplishes its function through the compliance of state and federal laws, department policies and procedures, and prescribed law enforcement guidelines.

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 03-01-02 and its primary source of funding is State Highway Fund 0006 in the amount of \$10,308,894. This program also had Criminal Justice Grants of \$411,694 and Appropriated Receipts of \$737.

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

Local law enforcement agencies have limited resources to address vehicle theft criminal organizations; therefore, the Service provides the expertise, training, and additional resources to assist them in dealing with this crime. The legislature created the Auto Theft Prevention Authority in 1991 to provide financial assistance to local law enforcement and prosecutors and sponsors public awareness programs such as Help End Auto Theft (H.E.A.T.). Although many local law enforcement agencies have formed vehicle theft task forces around the state, none of these units have reached this service level of expertise. MVT services complement and supplement other agency resources.

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.

MVTS is an active participant in several Texas Automobile Theft Prevention Authority task forces around the state. The importance of sharing information and resources to the function of the Service is paramount. Therefore, MVTS assigned eight officers to participate, and in some cases act as task force commander for these multi-jurisdictional entities. In these instances, interagency agreements have been utilized in order to coordinate the efforts of all agencies involved and provide guidelines in accordance with the Texas Government Code.

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.

MVTS works with multiple local, regional and federal units of government, as well as international units of government. Local law enforcement agencies are responsible for police operations within designated jurisdictions. These local agencies rely on the Department's personnel for expertise and resources to maintain law and order within geographical boundaries. Regional units of government include multi-jurisdictional task forces, such as the Texas Automobile Theft Prevention Authority Task Forces – established to address certain categories of criminal offenses within the multi-jurisdictional boundaries. These task forces may be composed of city, county, state, and, at times, federal officers and frequently depend on DPS to coordinate and support efforts in crime suppression. MVTS has also established beneficial working relationships with various federal units of government such as the Federal Bureau of Investigation, which conducts various types of criminal investigation. MVTS also works closely with the U.S. Department of Homeland Security, Customs and Border Protection who is responsible for enforcing the movement of traffic, people and products coming in and going out of the country through ports of entry and airports. Joint outbound operations are frequently conducted to monitor the exportation of stolen vehicles and property.

MVTS also assists Immigration and Customs Enforcement (ICE) with investigations involving the

smuggling of illegal aliens utilizing vehicles stolen from different geographical areas in Texas. MVTS personnel have also established excellent working relationships with local, state, and federal Mexican law enforcement agencies and officials to obtain the seizure and return of Texas/U.S. stolen vehicles in Mexico. These Mexican entities look to the Department and B.A.T.I.C. to maintain a productive dialogue of international cooperation in all realms of government.

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

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

This program spent \$874,356 in contracted expenses in approximately 7 contracts. The major purposes of these contracts were for the purchase of vehicles, radios, computer equipment and office supplies.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain.

The elements of theft are clearly addressed within the Texas Penal Code. The punishment for violating these statutes could be enhanced. Punishment guidelines, such as in the federal statutes, could be beneficial since a significant number of individuals arrested for vehicle theft-related offenses are repeat offenders.

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

None.

N. 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.

None.

O. For each regulatory program, if applicable, provides the following complaint information. The chart headings may be changed if needed to better reflect your agency=s practices.

N/A

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

Name of Program or Function	Scientific Analysis of Forensic Evidence
Location/Division	Statewide/Criminal Law Enforcement
Contact Name	D. Pat Johnson, Director Crime Laboratory Service
Actual Expenditures, FY 2006	\$15,510,011
Number of FTEs as of August 31, 2006	211.5

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

Provide service to local and state law enforcement agencies in the scientific analysis of evidence in criminal cases to aid investigation and prosecution of suspected criminals.

Scientific analysis of evidence in these areas:

- Controlled Substances
- Serology/DNA
- Trace Evidence
- Latent Fingerprints and AFIS (Automated Fingerprint Indexing System)
- Firearms and NIBIN (National Integrated Ballistics Imaging Network)
- Toxicology
- Questioned Documents and Digital Evidence

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

Annual Report 2006

<u>Type of Case</u>	<u>Number Received</u>	<u>Number Examined</u>
Controlled Substance	52,701	55,131
Blood Alcohol	5,693	5,787
Toxicology	3,497	3,084
Serology/DNA	4,357	3,663
Firearms	720	634
Trace Evidence	653	675
Latent Fingerprints	1,090	1,140

Questioned Documents	166	105
AFIS	1,610	1,838
Digital Evidence	<u>192</u>	<u>182</u>
	70,679	72,238

Court	<u>Appearance</u>	<u>Testify</u>
	1,077	759

Crime Scene Investigations – (Assistance Rendered) @ 131 investigations

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.

As the problem with illegal drug use began in the 1960’s and 1970’s, and continues to the present, the DPS Crime Lab focuses resources on the chemical analysis and identification of drugs – a requirement to prosecute persons for this offense. Analysis of drug evidence constitutes 25% of the Crime Lab budget.

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 serves local and state law enforcement agencies (laboratory service limited to analysis of criminal evidence only) as follows:

<u>Agency</u>	<u>Percent of Crime Lab Services Provided (2006)</u>
DPS	27.03%
Other State Agencies	.03%
City Police Departments	51.53%
County Sheriff’s Departments	14.88%
Federal Agencies	3.90%
Task Force	1.53%
Other	0.90%

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The DPS provides crime laboratory services through thirteen laboratory sites. Drug analysis is provided in all thirteen labs.

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 03-01-06 and its primary source of funding is State Highway Fund 0006 in the amount of \$11,908,873. This program also had Federal Funding of \$2,317,055 and Appropriated Receipts of \$1,284,083.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. 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
 Jefferson County Regional Crime Laboratory
 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 Police Department Crime Laboratory
 Joseph Jachimczyk Forensic Center (Harris County)
 Pasadena Police Department Regional Crime Laboratory
 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.

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 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 Jefferson County lab does not perform DNA testing, so those cases are examined by the DPS lab in Houston. DPS has no MOUs or interagency agreements with these local laboratories.

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.

DPS Crime Laboratories perform laboratory work for city, county, state, and federal law enforcement agencies. Evidence is submitted to one of the 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.

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

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

This program spent \$2,486,169 in contracted expenses in approximately 20 contracts. The major purposes of these contracts were for the purchase of lab equipment, software, office supplies and DNA test kits.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain.

No statutory changes are needed.

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

No further information at present.

N. 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.

Regulatory Programs:

Accreditation of Crime Laboratories

- Section 411.0205, Government Code, states that the (DPS) director by rule shall establish an accreditation process for crime laboratories and other entities conducting forensic analyses of physical evidence for use in criminal proceedings. Further, the director was authorized to enter and inspect the premises and audit the records of a crime lab seeking accreditation.
 - For information on audits, see:
Title 37, Texas Administrative Code, Part 1, Chapter 28, Subchapter I, Rule 28.152, Unscheduled Audits.
 - For follow-up activities see Rule 28.153 Corrective Action Plan.
 - For sanctions available to ensure compliance, see Rule 28.154.
- For procedures for handling complaints, see Rule 28.151.

O. 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.

Texas Department of Public Safety Crime Laboratory Service Scientific Analysis of Forensic Analysis Exhibit 12: Information on Complaints Against Regulated Persons or Entities Fiscal Years 2005 and 2006		
	FY 2005	FY 2006
Total number of regulated persons	n/a	n/a
Total number of regulated entities (Laboratories)	48	65
Total number of entities inspected	0	0
Total number of complaints received from the public	0	2
Total number of complaints initiated by agency	0	0
Number of complaints pending from prior years	0	0
Number of complaints found to be non-jurisdictional	0	0
Number of jurisdictional complaints found to be without merit	0	0
Number of complaints resolved	0	2
Average number of days for complaint resolution		10
Complaints resulting in disciplinary action:		0
administrative penalty		
reprimand		
probation		
suspension		
revocation		
other		

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

Name of Program or Function	CODIS-DNA
Location/Division	Statewide/Criminal Law Enforcement
Contact Name	Brady Mills, Assistant Director Crime Laboratory Service
Actual Expenditures, FY 2006	\$1,787,884
Number of FTEs as of August 31, 2006	17

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

The primary function of the program is to provide investigative leads to help solve crimes where there is biological evidence available for analysis. The CODIS Laboratory receives thousands of offender samples each month which are analyzed and the DNA profiles are uploaded to the state and national CODIS databases. The laboratory also houses the state's CODIS database server. There are fourteen forensic laboratories statewide which perform DNA analysis on evidence. Those evidence profiles are uploaded to the state server and searched against each other and against the offender profiles on a weekly basis. The CODIS manager acts as the state database administrator and is the point of contact between each of the participating laboratories and between the State of Texas and the FBI. When a match occurs between an offender profile and an evidentiary profile, the CODIS laboratory verifies the match and then reports the name of the offender to the investigating agency and the forensic laboratory.

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

Since the program began on January 1, 1996, DPS has received about 390,000 offender samples. Just over 300,000 DNA profiles have been uploaded to the state and national CODIS databases to date. The number of hits (matches of an offender to an unsolved case) in-the state is currently 1,420 and the number of national hits is 174. The total number of investigations aided to date, including case-to-case (forensic) hits, is 1,837.

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 advent of forensic DNA testing in the 1990's has shifted the focus of crime labs to this technology to solve cases that include biological evidence (blood, semen, etc.), including most

homicides and sexual assaults. With the CODIS DNA database, this DNA testing also solves cold cases – offenses committed 30 years ago – and more. The success of DNA testing now calls for DPS to expend 25% of lab funds in this forensic DNA testing area.

The original CODIS legislation only required convicted sex offenders to provide a sample for databasing. At that point in time, the laboratory was receiving about 600 samples per month. In 1999, the legislation expanded to include crimes against persons and burglary of a habitation. In 2004, the legislation expanded again to include all felons that were sentenced to a term of incarceration and all juveniles committed to TYC. On September 1, 2005, the "all-felons" provision became retroactive to all felons in custody. At that time, the number of samples received each month increased to 7,500. Currently, sample receiving has decrease to about 4,000 samples per month.

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.

All police and criminal justice agencies in Texas.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The CODIS laboratory is located in Austin, Texas at the DPS headquarters complex. The laboratory is part of the Crime Laboratory Service of the Criminal Law Enforcement Division of the DPS. The CODIS manager is the state CODIS administrator who functions as the liaison between the DPS and the fourteen local CODIS laboratories, and between the DPS and the FBI.

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 03-01-06 and its sole source of funding is Federal Funding in the amount of \$1,787,884.

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

There are no other programs that provide search capabilities using DNA.

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.

CODIS is a statewide program which serves all of the police and criminal justice agencies in the state of Texas. Through the uploading of data to the national database, CODIS also serves the 49 other states, the FBI, the Department of the Army, and Puerto Rico. Through INTERPOL searches, the laboratory has also performed searches for Canada and Mexico.

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

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

This program spent \$544,711 in contracted expenses in approximately 4 contracts. The major purposes of these contracts were for the purchase of lab equipment, software, office supplies and DNA test kits.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain.

There are no obvious changes that are currently required.

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

N/A

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

N/A

O. 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.

N/A

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

Name of Program or Function	Customer Service
Location/Division	Austin/Driver License
Contact Name	Mimzie Herklotz, Manager
Actual Expenditures, FY 2006	\$696,076
Number of FTEs as of August 31, 2006	43

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

The Customer Service Bureau (CSB) is the call/contact center for the Driver License Division. Established in 1995, it serves to centralize the dissemination of driver license related information to customers via the telephone, website, fax, e-mail or written correspondence. The CSB is also responsible for the main DPS Headquarters switchboard on a rotation basis. In April of 2003, a tracking system was

created and installed in CSB. All customer contacts are recorded in this database for training purposes, customer convenience and collection of data for performance measures.

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

Average number of cases handled daily per representative –	100
Average number of emails responded to per month –	5,200
Average number of calls handled by menu tree per month –	8,000

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.

No change.

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.

DLD programs and descriptions affect all citizens of the state of Texas who require driver and/or identification issuance services.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

CALL/CONTACT CENTER - The call center is staffed Monday thru Friday, 7:30 am to 5:00 pm. On average, 242,000 calls are attempted monthly through the primary line. Fully staffed, 79,000 contacts are handled each month, with an additional 8,000 calls processed by an automated menu tree installed in October 2001. Each representative handles an average of 100 calls daily. Customers are becoming more familiar with our internet services and web addresses and, alternatively, are choosing to e-mail their questions directly to our site. We have an e-mail team that responds to an average of 5,200 e-mail inquiries each month.

A separate number (512/424-7181) is available to Spanish speaking customers and staffed by bilingual representatives. A non-published number is available as support to the driver license field offices.

The main function of the call center is to assist customers with driver license issues by reviewing their driver history and providing the necessary information. Calls, e-mail and written correspondence range in subject matter from driver license issuance questions, crash report information, and driver records to more technical calls regarding the suspension and/or reinstatement of Texas driver licenses.

SWITCHBOARD - The Headquarters main switchboard is staffed by two representatives daily from 7:30 a.m. to 5:00 p.m. Representatives respond to 10,000 incoming telephone calls monthly regarding DPS-wide matters. Staff either provide direct responses to incoming questions, ensure the caller's routing to the correct internal destination, and/or informs the caller of the responsible state agency. Another 8,000 calls received monthly are handled automatically through the menu tree. A procedural manual is located in the switchboard area with specific instructions in handling calls, bomb threats and other threatening situations.

TRAINING - All customer service representatives receive an intensive, four-week training and are taught by subject matter experts from the various Driver License Division Bureaus. Upon completion of training, an assessment is given to test employee's knowledge base. A 90% score is required before representatives are assigned to live calls. The training program includes:

- Technical training in relation to driver license and safety responsibility laws.
- Service related training including listening skills, customer relations, and stress related classes.
- Training from Driver License Division Bureaus regarding overall functions and questions.
- How to handle bomb threats and other emergency related calls.
- Continuing education/refresher training.
- Legislative changes.

Meetings are held on a bi-monthly basis and information is shared with all employees. Team meetings are held on an as needed basis and daily updates are provided to representatives and technicians as changes occur via a custom intranet instant messaging application and handouts.

A CSB training specialist provides additional training to all Division employees. The trainer develops schedules and new curriculum and presents classes on customer service, teambuilding, new employee orientations and leadership.

SPECIAL PROGRAMS - The CSB also coordinates the agency-wide customer service survey as legislatively required. Agency customers are surveyed on a continual basis via the online customer survey. The information and comments from those surveys are distributed to the respective areas for response and data analysis. In addition to the online survey, a random sample of agency customers are contacted quarterly soliciting input on the services provided. The University of Texas Survey of Organizational Excellence provides the survey instruments, data collection and results. In September 2004, the University of Texas implemented a new way to track TXDPS customer comments via the online survey on the agency's web page. This new process is called the "Thought Bubble". This system enables the handlers and or administrators to view the comments, respond to the customer, forward the comment to another area, recognize employees for outstanding work performance and review all resolved comments.

The Driver License Division Training Staff is excited about the completion of the new customer service training program, The Road to Success in Customer Relations. The new course replaces the Achieving Extraordinary Customer Relations program that has been presented to Division employees since 1999.

The new program is receiving exceptional reviews from both field and headquarters employees.

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 02-01-01 and its sole source of funding is State Highway Fund 0006 in the amount of \$696,076.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. 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.

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:

This program spent \$2,213 in contracted expenses in 3 contracts. The purpose of these contracts was for the purchase of office supplies and postage.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain.

None.

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

None.

N. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity.

N/A

O. 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.

N/A

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

Name of Program or Function	Driver License Issuance
Location/Division	Austin/Driver License
Contact Name	Debbie Cartwright, Manager
Actual Expenditures, FY 2006	\$13,823,309
Number of FTEs as of August 31, 2006	111

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

The License Issuance Bureau (LIB) determines the eligibility of all driver license and identification cards issued prior to mailing. Each year, over 5 million DL/IDs are issued in the state of Texas. Annual production volumes, ensuring issuance quality and meeting customer needs places high demands on LIB employees. As well, LIB personnel manage several high-profile programs related to state and federal licensing systems.

Introduced in March 1995, the Digital Driver License program enabled the License Issuance Bureau to establish new standards for many driver license functions. Digital technology provided the agency an opportunity to redesign the license document, improve quality and enhance security features. Applicant-specific restriction and endorsement information and the inclusion of a magnetic stripe and barcode on the back of the license created a more effective document for law enforcement and the retail community.

Security features have been incorporated into the Texas driver license making it more resistant to counterfeit attempts. LIB produces and mails a license or identification card within 7-10 days from the date the customer visits an office. Automated programs allow LIB staff to correct and then reproduce a driver license without inconvenience to the customer.

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

License Issuance Bureau performance measure is as follows:

DL/ID Issuance Totals: Fiscal Year 2006	
	FY 2006 Total Issues
Original Driver License	779,038
Renewal Driver License	2,678,060
Duplicate Driver License	1,645,320
Original ID Card	376,818
Renewal ID Card	183,675
Duplicate ID Card	206,153

DL/ID Revenue Totals: Fiscal Year 2006	
	FY 2006 Total
Driver License	\$94,596,580
Identification Card	\$10,271,310
Motorcycle	\$1,320,374
Blindness Education	\$491,955
Donor Education Awareness Registry	\$376,860

of

• Number Driver

Licenses Mailed - 5,102,423

- Number of Identification Cards Mailed – 766,647
- Blindness Donations Accepted – \$491,955
- Donor Education Awareness Registry Donations Accepted - \$376,860
- Percent Driver License Records with SSN – 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.

None.

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.

DLD programs and descriptions affect all citizens of the state of Texas who require driver and/or identification issuance services.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

Distributive Driver License (DDL) Program - This automated program is utilized throughout the state for the collection and update of all demographic data related directly to the issuance of driver licenses and identification cards. In conjunction with this program, a vendor system operating digital imaging software is used to collect applicant signature, thumbprints, and portrait images necessary to complete the issuance process. Data transmission to headquarters is monitored daily by technical staff to ensure program completion and DL/ID production. Staff provides technical support to system application processing, as well as support to DL/ID related issuance processing. Other mandated processes required

at the time of driver license issuance include:

- Commercial Driver License Information System (CDLIS);
- Problem Driver Pointer System (PDPS);
- Blindness Education Screening and Treatment (BEST);
- Donor Education, Awareness, and Registry (DEAR);
- Parent Taught Driver Education (PTDE);
- Voter Registration;
- Citizenship Status;
- Motorcycle Safety; and
- United States Selective Service

System Testing - Technical Support coordinates, designs, develops, tests and implements new or modified versions to existing driver license programs for dissemination to field offices statewide. Staff also works closely with driver license personnel, IMS personnel, other departmental areas, law enforcement, other state licensing authorities, federal program personnel, judges/county officials, program vendors, and the public.

Data Analysis/Fund Disbursement - Technicians compile and maintain statistical data related to DL/ID issuances. Data collection ranges from total number and type of driver licenses issued on a monthly basis, to the identification and subsequent allocation of funds collected for DL/IDs, Blindness Education Screening and Treatment (BEST) and the Donor Education, Awareness, and Registry (DEAR). This data is useful to the agency in identifying the disbursement of related funds to the State Comptroller, as well as providing projections based on future growth and budgetary impacts.

Failure to Appear/Failure to Pay (FTA/FTP) Program - In accordance with Texas Transportation Code Chapter 706, the Department contracts with political subdivisions to deny renewal of a driver license 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 2006, the department entered into contract with 839 political subdivisions across the state. There have been over 4,915,784 offenses entered into the FTA database and over 2,532,470 resulting compliances.

Texas Intrastate Vision and Limb Waiver Program - Vision waivers are issued to commercial drivers whose vision does not meet Federal Motor Carrier Safety Regulations. Applicants for a vision waiver must submit information that contains a vision and physical examination and a vision waiver application. Technical staff evaluates these submissions and, if approved, the driver will be issued a vision waiver card, which allows him/her to drive commercially within the state of Texas. The Texas intrastate limb waiver program is available for those Texas license holders that wish to obtain a Texas commercial driver license and do not meet the federal requirements. Technical staff evaluates these submissions and,

if approved, the driver will be issued a limb waiver, which allows him/her to drive commercially within the state of Texas. Specific qualifications for a Texas intrastate vision or limb waiver are outlined in the Texas Administrative Code Rule 16.9.

DLD Website - Via the Internet, electronic mail has become a means by which the License Issuance Bureau provides enhanced customer service to Texas residents all over the world. Incoming e-mail requesting additional service related information is monitored by LIB technical staff and forwarded to the appropriate area for response. LIB technical staff responds to questions that are driver license related. Updates and new site requests are coordinated between this staff and IMS. An average of 1,500 e-mail responses are generated each month.

Parent-Taught Driver Education Program (PTDE) – In accordance with Texas Transportation Code, Section 521.205, the Department is directed to provide a driver-training course which can be given by a parent, stepparent, grandparent, stepgrandparent, foster parent or legal guardian. In the past, driver education programs in Texas were only granted by schools and instructors certified by the Texas Education Agency. The ‘Driver Education Instruction Curriculum Model’ was developed by the

Department and became the curriculum for those individuals who wished to teach their child/ward to drive. Functions of this program include:

- Verify request form (DL-92) for completeness and accuracy;
- Enter requestor and applicant information in network database;
- Issue and mail driver education form (DE-964) to driver license offices;
- Mail curriculum package to requestor;
- Update the internal database upon the receipt of DE-964s from the field offices; and
- The Department is also charged with the responsibility of reviewing parent-taught driver education curriculum that is at least equal to those required in a course approved by the Texas Education Agency. The Department has approved eight (8) driver education courses that may be utilized by a PTDE instructor.

License Verification/Quality Control – LIB personnel are responsible for multiple functions related to verifying the eligibility of Texas driver license and identification card holders. With an average of 21,500 DL/ID issues in Texas daily, section personnel are responsible for the verification of issuance materials from over 256 driver license offices across the state. This requires section personnel to handle an average of 5.7 million issuance documents each year. Verification of issuance materials prior to imaging include:

- Ensuring completeness of all documents and required certifications;
- Accurate recording and verification of license type and class;
- Eligibility and proper reporting of out-of-state/country jurisdictional exchange; and
- Accuracy of remittance reports and end of day total money transactions.

Using an automated program, personnel are also responsible for verifying the quality of all DL/IDs prior to mailing. This mainframe program, Verification (VER) is accessed through the use of the barcode on the back of the DL/ID. Quality control includes:

- Verifying the data collected is accurate and complete;
- Production quality checks of DL/IDs;
- Distribution of DL/IDs designated for further handling; and
- Update and reproduction of incorrect DL/IDs.

Military/Out of State Issuance Program - This program allows military personnel and civilians currently residing out of the state or country to renew or receive a duplicate of their license or ID by mail. During FY 2006, a total 13,714 applications were processed through this program. Applicants can now access downloadable forms from the TxDPS website www.txdps.state.tx.us to help expedite the process.

Accessibility Program - This program was designed to assist individuals with disabilities who are unable to visit the driver license office to obtain an identification card.

Record Evaluation – Record evaluation involves review and compilation of various source documents to determine validity or authenticity of driver license and/or identification card numbers. LIB staff performs the following processes:

- Identification of multiple DL/ID records with matching social security numbers or matching names and dates of birth.
- Assisting field personnel with investigations related to fraudulent use;
- Transferring and updating driver history information when necessary; and
- Transferring and updating PDPS pointers as necessary with driver history transfers.

Social Security Online Verification (SSOLV) Program – SSOLV was developed to enable access to the Social Security Administration (SSA) for social security number verification. A comparison of SSA and DPS records is completed at the time of issuance for original applicants in the field. If the SSN information does not match, the license is not issued and the DPS record is placed under alarm. Upon notification from a field office that the reason for the discrepancy was valid or has been corrected, the alarm is removed and the license is issued.

Commercial Driver License Information System (CDLIS) - The Commercial Driver License Information System (CDLIS) manages the issuance of commercial driver licenses by jurisdictions and eliminates the fraudulent practice of having commercial licenses from more than one jurisdiction in order to distribute driving violations. It requires the entry of all commercial drivers into the CDLIS system. Data collected on Texas CDL operators is electronically transmitted by LIB staff into the national clearinghouse, which maintains the identity and location of commercial operators across the country. As

commercial operators move from state to state, driver histories, including moving violations, are electronically sent through this system for maintenance in the current state of record.

Hazardous Materials Endorsement (HME) Program - As a result of the Patriot Act, enacted by Congress in 2001, CDL holders who wish to apply for a HME are required to pass a federal background check and receive clearance from the Department of Homeland Security (DHS). Applicant data is collected in the field and sent to LIB for review and submission to the Transportation Security Administration (TSA). Upon notification from the TSA, LIB staff updates the CDL with or without the HME as appropriate.

Automated Mailing Machine - The automated mailing machine is a computerized electronic high-speed mailer that accesses a database, prints and inserts materials at a rate of 3,000 - 4,000 documents per hour. Operators download and upload data from the department's mainframe computer to perform program activities. The driver license and identification cards contain a barcode that is utilized to access program applications for the retrieval of mailing address information. As a result, DL/IDs are scanned, read, inserted and mailed. Speed, combined with effective automated programs, has allowed the Department to maintain an average mailing cycle of 7-10 days from the date of issue for driver license and identification cards. Additionally, the mailer is responsible for inserting the alternate renewal program.

During FY 2006, a total of 5,869,064 DL/IDs and 1,420,212 alternate renewal applications were mailed.

Microfilm – LIB personnel maintain a system for the storage and retrieval of driver license records, including digital image photos, and provide assistance to law enforcement and DPS personnel in obtaining correct record information. Microfilm-related processes include:

- Film driver license/identification card record material using a microfilm camera, which creates a photographic record on a reduced scale. Paper records are prepared for filming/indexing by a vendor. An indexing system is maintained on all filmed documents.
- Maintain black and white photograph film file for all applicants photographed after 1986. Retrieval from the black and white file and the digital imaging file is initiated for law enforcement purposes or in response to subpoenas.
- Respond to subpoenas with printed microfilmed documents and digital/black and white photographs. Upon retrieval, all confidential information is redacted.
- Maintain microfiche record retrieval system to reference previous mainframe transactions.
- Coordinate transfer, processing, storage and destruction of exposed/developed microfilm and fiche for the Division.
- Provide assistance to the Terrorism Task Force/Special Crimes since September 11, 2001.
- Maintain database of all requests received and processed since 1991.

The LIB Microfilm Section implemented a document imaging system in the License Issuance Bureau. Imaging equipment such as document scanners, desktop scanners and personal computers were installed to enable all workstations in LIB the capability to access the document imaging system. LIB users and the DLD Fraud Unit utilize the document-imaging program on a daily basis to process various business

requests.

The imaging continues to be enhanced by incorporating documents to be imaged for the Commercial Driver License Section (HME letters). Documents imaged also include the identification application documents that were used to issue Texas Temporary Identification Cards to the Hurricane Katrina/Rita evacuees.

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 02-01-01 and its primary source of funding is State Highway Fund 0006 in the amount of \$10,135,487. This program also has Appropriated Receipts of \$2,466,478 and Federal Funding of \$1,221,344.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. 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.

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.

Coordination with the following federal agencies is performed to communicate vital information, respond to program changes, program audits, implement federal laws and other program related functions:

- Department of Transportation (DOT) – The Department of Transportation serves the United States by ensuring a fast, safe, efficient, accessible and convenient transportation system that meets vital national interests. The Driver License Division works with the Federal Motor Carrier Safety Association within DOT for regulations and programs concerning commercial vehicle drivers.

- Department of Homeland Security (DHS) – The Department of Homeland Security’s strategy is to mobilize and organize our nation to secure the homeland from terrorist attacks. The Driver License Division works with segments of DHS to process commercial drivers requesting hazardous materials endorsement according to the U. S. Patriot Act. Driver License Division further works with the REAL ID implementation office to evaluate and communicate impact of the REAL ID Act.
- Texas Department of Criminal Justice for the purpose of printing materials related to the Parent Taught Driver Education Program.
- Texas Education Agency for the purpose of compliance with driver education programs.
- American Association of Motor Vehicle Administrators (AAMVA) for the purpose of electronic transfer of commercial and problem driver record information into the national database.
- Transportation Security Administration for the purpose of compliance with the Hazardous Materials Threat Assessment program requirement of the U.S. Patriot Act.

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

This program spent \$7,204,253 in contracted expenses in 13 contracts. The purpose of these contracts was for the purchase of vehicles and radios, rental of lease space, information system maintenance, office supplies, postage and the payment to the State Office of Risk Management.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain.

None.

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

None.

N. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity.

N/A

O. 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.

N/A

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

Name of Program or Function	Driver Improvement
Location/Division	Austin/Driver License
Contact Name	Sherrie Zgabay, Manager
Actual Expenditures, FY 2006	\$3,081,860
Number of FTEs as of August 31, 2006	103

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

The Driver Improvement Bureau's (DIB) primary function is to help ensure the safety of all licensed Texas drivers and to promote responsible driving behavior on Texas roadways. Driver Improvement has the statutory authority to suspend, revoke, disqualify, or cancel driving privileges. When applicable, DIB also provides options to Texas drivers for restoration of their driving privilege.

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

Performance measures for the Driver Improvement Bureau include the number of enforcement actions taken under Chapter 521 and Chapter 601, Texas Transportation Code. Chapter 521 authorizes driver improvement actions and Chapter 601 authorizes actions for safety responsibility statutes. In FY 2006, there were 293,438 driver improvement suspensions and 131,115 safety responsibility suspensions.

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.

No change.

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.

DIB evaluates the driving performance of those who jeopardize the safety of others. The drivers are identified through receipt of convictions of traffic violations or information concerning a medical condition which could prevent safe operation of a motor vehicle. Upon identification, the bureau takes

corrective action that may result in the loss of license and/or driving privilege. This includes out-of-state violations as well as an adverse driving status in other states. DIB responds to written inquiries and telephone calls from affected citizens and communicates with courts throughout the state and U.S. to ensure the accuracy of conviction reports.

While traffic safety remains DIB's primary focus, administering numerous laws that require the Department to take withdrawal action for non-traffic offenses has become equally important. Failure to pay child support, failure to pay a surcharge required by the Driver Responsibility Program, minors who have non-traffic related alcohol offenses, minors who have been determined to be truant, and drug convictions that are not traffic related are examples of these programs.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

DRIVING WHILE INTOXICATED OFFENSES AND CONSEQUENCES - Offenders convicted of Driving While Intoxicated (DWI) who are 21 years of age or over may be required to attend an authorized Alcohol Education Program, may be suspended, or may receive probation for their offenses, in addition to the Safety Responsibility requirements. Offenders convicted of Driving While Intoxicated who are under 21 years of age will receive a driver license suspension of one (1) year, in addition to the Safety Responsibility requirements. An authorized Alcohol Education Program may also be required before the license may be reinstated. Other special terms may reduce the length of suspension.

DWI conviction information is reported through several formats. Counties that have the capability may report their convictions through the electronic criminal history court disposition reporting system, while other counties utilize a paper format which is the equivalent to this electronic transmission. Conviction information may also be reported on a conviction information reporting form (DIC-17). Electronic reporting is continually encouraged as the preferred format.

ADMINISTRATIVE LICENSE REVOCATION (ALR) - The ALR program went into effect on January 1, 1995. This program is the administrative process by which the Department suspends the driver licenses of individuals who are arrested for the offense of driving while intoxicated. DIB maintains the automated database for the ALR program and supports the ALR attorney group on technical matters specific to offense reports.

DRUG OFFENSES AND CONSEQUENCES - Offenders 17 years and older convicted of a drug offense or controlled substance offense will receive a driver license suspension of 180 days. In addition to the suspension, the offender must comply with the Safety Responsibility requirements and complete an authorized Drug Education Program through the Texas Commission on Alcohol and Drug Abuse. Failure to complete the program will result in a revocation of the license beyond the 180 days suspension until the Department receives a completion certificate.

Offenders who do not have a Texas driver license at the time of offense will be denied a Texas driver license for a period of 180 days. The Order of Prohibition (180 days) will begin upon first contact with DPS Driver License personnel. Safety Responsibility requirements will be in effect for this suspension. The SR-22 insurance certificate will be required for two (2) years from the date of conviction.

ADMINISTRATIVE SUSPENSIONS - Texas Transportation Code sections 521.292 and 521.294 permit the Department to take action against a driver license or privilege under certain circumstances. The Driver Improvement Bureau reviews driver record histories 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 Texas Transportation Code. 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, the hearing is held in the driver's county of residence. A

representative for the Department (usually a Driver License Examiner) will attend and present the case to the Justice of the Peace or Municipal court judge. A decision may then be rendered to suspend, revoke, or disqualify the driving privilege. Reinstatement fees may apply.

MINOR ALCOHOL OFFENSES AND CONSEQUENCES - Individuals under 21 years of age who are convicted of the following offenses receive a 30-day suspension for the 1st offense. Subsequent convictions have enhanced suspensions from 60 to 180 days.

- Minor in possession
- Attempt to purchase alcohol by a minor
- Purchase of alcohol by a minor
- Consumption of alcohol by a minor
- Misrepresentation of age by a minor
- Public intoxication by a minor

House Bill 1357, passed during the 79th Legislative Session, creates a six-month driver license suspension for a person convicted of providing alcohol to a minor. The second offense increases the suspension to one year.

MEDICAL ADVISORY BOARD - A panel of thirty-five physicians that are appointed by the Texas Department of State Health Services govern the Medical Advisory Board (MAB). 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 DPS acts in accordance with the findings of the Medical Advisory Board. If the Medical Advisory Board determines that an individual is medically incapable of safely operating a motor vehicle, administrative action is taken to revoke the privilege. An occupational or essential need license may not be issued for a revocation due to a medical condition.

Physicians, family, friends, acquaintances, and driver license field personnel may report a Texas driver to the Medical Advisory Board. In addition, 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 result in referral.

DELINQUENT CHILD SUPPORT - Upon receipt of a Notice of Revocation from the Attorney General's Office or a Texas District Court, DIB will take revocation action against a Texas driver licensee for failure to pay child support. The license will remain revoked until the Attorney General's Office or a Texas District Court submits an order vacating or staying the order of suspension. No reinstatement fee is required. An occupational or essential need license may not be issued for a revocation due to delinquent child support.

CLASSIFIED SEX OFFENDER REQUIREMENT - HB 1939, passed by the 76th Legislature, tasked the Driver License Division with the responsibility to issue a driver license or identification card to individuals subject to registration as a sex offender as required by Chapter 62, Code of Criminal Procedure. Driver Improvement will place an entry on the driver history of each registered sex offender as identified by the Registered Sex Offender database maintained by Crime Records Service (CRS). The entry appears on the computerized driver history available to law enforcement personnel and on the

driver record issued by the Department. An individual subject to these requirements must obtain a driver license or identification card on an annual basis. If the individual does not renew their driver license or identification card annually, revocation action will be enforced. In order to lift a revocation for failure to comply with this requirement, an individual is required to obtain and or renew the driver license and/or identification card.

CRASH SUSPENSION CASES - The Safety Responsibility Act allows for the Department to take suspension action against an uninsured motorist's driving privilege if it has been determined that 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. Notification is sent to the individual requesting evidence of settlement for costs incurred by the innocent party as a result of property damage or medical bills. Administrative hearing provisions are available if the driver wishes to contest the suspension action.

FINANCIAL RESPONSIBILITY REQUIREMENT - Texas Transportation Code Chapter 601 provides a financial responsibility requirement for individuals whose driver license or privilege has been

suspended as a result of a conviction. Additionally, a person commits an offense by operating a motor vehicle in this state without liability insurance. A second or subsequent conviction for such an offense results in a suspension of the driver license unless the person provides the Department proof of financial responsibility. The Safety Responsibility Act requires an individual to file proof of and maintain financial responsibility, in the form of a SR-22 insurance certificate, with the Department for a period of two (2) years after the conviction date. If the individual fails to maintain the SR-22 as required, upon notification from the insurance company that the insurance coverage has been cancelled, the individual's driver license is suspended.

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 02-01-01 and its sole source of funding is State Highway Fund 0006 in the amount of \$3,081,860.

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

The Safety Responsibility Bureau of the Texas Department of Public Safety was the only other program authorized to take, suspend, cancel or revoke action on driving privileges in the state. These two bureaus were combined in 2007 to eliminate redundancy and improve efficiency.

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.

- Texas Department of State Health Services for the purpose of driver record actions related to Medical Advisory Board and Offender Education Program.
- Texas Department of Transportation for the purpose of driver record actions related to title and registration suspensions.
- The Attorney General's Office for the purpose of driver record actions related to the Child Support Program.

- The State Office of Administrative Hearings for the purpose of driver record actions related to Administrative License Revocations.

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

This program spent \$122,454 in contracted expenses in 4 contracts. The purpose of these contracts was for the purchase of equipment and software maintenance, storage of document images and postage.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain.

None.

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

None.

N. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity.

N/A

O. 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.

N/A

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

Name of Program or Function	Safety Responsibility
Location/Division	Austin/Driver License
Contact Name	Sherrie Zgabay, Manager
Actual Expenditures, FY 2006	\$2,761,269
Number of FTEs as of August 31, 2006	83

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

The Safety Responsibility Bureau (SRB) derives its authority from Texas Transportation Code Chapter 601, known as the Motor Vehicle Safety Responsibility Act. The bureau collects reinstatement fees paid to the Department for withdrawing driver license suspensions, processes all compliance items related to crash, departmental, and/or mandatory suspensions, and manages filing of proof of insurance certificates (SR-22). The SRB is also responsible for providing reinstatement services to citizens who visit compliance offices located in Austin, Houston, San Antonio and Garland.

In FY 2006, the Safety Responsibility Bureau received and processed the following fees. All of the funds listed below, with the exception of the funds collected under the security provisions of the Safety Responsibility Act, are deposited in Fund 001 with the Comptroller of Public Accounts. The money collected for security is deposited in Trust Fund 914 with the Comptroller of Public Accounts.

SR	\$ 7,108,240.35
ALR	\$ 7,310,454.24
DIB	\$ 2,453,972.85
Occupational licenses	\$ 180,572.60
Security Trust Fund	\$ 377,401.15
TOTAL COLLECTED	\$17,430,641.19

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program. Safety Responsibility Bureau performance measures are as follows:

- Number of Occupational Driver Licenses issued – 14,938
- Number of SR Compliance/Reinstatements processed – 411,661
- Days to process Safety Responsibility Compliance/Reinstatement – 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.

None.

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.

SRB programs affect all citizens of the state of Texas who require driver and/or identification issuance services. While primary services include reinstatement of driving privileges, anyone involved in a crash with an uninsured or underinsured driver may need SRB services.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The following programs are supported by all five sections of Safety Responsibility to ensure compliance items required by suspension activity are processed quickly and driving privileges are reinstated.

FINANCIAL RESPONSIBILITY REINSTATEMENT - A person commits an offense by operating a motor vehicle in this state without liability insurance. A second or subsequent conviction for such an offense results in a suspension of the driver license unless the person provides the Department proof of financial responsibility. The most common method of providing such proof is in the form of an SR-22 insurance certificate. This type of compliance must be maintained for a period of two years from the

date of conviction and requires a \$100.00 reinstatement fee once the suspension becomes effective that may be paid at any time prior to the renewal of the license.

SECURITY FOLLOWING CRASHES - Under the Safety Responsibility Act when an uninsured motorist is involved in a crash, the Department must determine if there is a reasonable probability of a judgment being rendered against the owner or operator. Should the suspension become effective, the person must comply by filing one of the following:

- A release from all liability regarding the crash;
- An installment agreement indicating monthly payments are being made until the claim has been satisfied;
- Security in the form of cash, cashier's check or money order in the amount of damages, along with proof of insurance in the form of an SR-22, and proof of a six-month prepaid premium in the form of an SR-22a; or
- Valid proof of insurance at the time of the crash.
- A \$100.00 reinstatement fee is also required if the suspension becomes effective that may be paid at any time prior to the renewal of the license.

ADMINISTRATIVE LICENSE REVOCATION (ALR) - A refusal or failure of a blood/breath test results in an administrative suspension. A \$125.00 reinstatement fee is required for offenses after September 1, 2001. Offenses occurring prior to that date require a \$100.00 reinstatement fee. The reinstatement fee may be paid at any time prior to the renewal of the license.

DEPARTMENTAL SUSPENSIONS - When the Department issues a suspension, such as habitual violator, provisional restriction violator, driving while license suspended, etc., a \$100.00 reinstatement fee is required. The reinstatement fee may be paid at any time prior to the renewal of the license.

JUDGMENT SUSPENSIONS - Suspension under the judgment provisions require the filing of evidence that the judgment has been satisfied, proof of financial responsibility in the form of an SR-22 and a \$100.00 reinstatement fee. The reinstatement fee may be paid at any time prior to the renewal of the license.

DEFAULT SUSPENSIONS - Suspension under the default provisions require filing a release or security deposit with proof of financial responsibility in the form of an original SR-22 and certificate of a six-month prepaid premium in the form of a SR-22a, if applicable, and a \$100.00 reinstatement fee. The reinstatement fee may be paid at any time prior to the renewal of the license.

RECIPROCITY SUSPENSIONS - Suspension of Texas license or vehicle registration resulting from a crash that occurred in another state requires a clearance letter from that state. If the suspension has become effective, a \$100.00 reinstatement fee is required. The reinstatement fee may be paid at any time prior to the renewal of the license.

MANDATORY SUSPENSIONS - Certain convictions, such as a non-probated DWI, result in a mandatory license suspension. Proof of financial responsibility in the form of a SR-22 is required to be maintained for two years from the date of conviction. A \$100.00 reinstatement fee is required prior to

renewal of the driver license if the SR-22 was not on file when the conviction was placed on the driver record.

OCCUPATIONAL LICENSES - If a motorist's driving privileges have been suspended for any reason other than delinquent child support or physical or mental health reasons, they may seek relief from the courts in the form of an occupational license. An occupational license may be issued upon receipt of a court order, proof of financial responsibility in the form of a SR-22, all reinstatement fees and a \$10.00 occupational license fee.

IGNITION INTERLOCK - Upon receipt of information from a court that an individual is required to operate a motor vehicle with a device that uses a deep-lung breath analysis mechanism, a notice of cancellation is mailed. A cancellation becomes effective until a release from the court is received. A restricted license may be issued if the individual's license status is clear of all other suspension action, license has not expired, all reinstatement fees have been paid and a \$10.00 restricted license fee is submitted.

DWI/DRUG CERTIFICATES - Under certain circumstances, a DWI, Drug or Repeat Offender Education Program may be required by a court. If the DWI or Repeat Offender Program is not completed in a timely manner, a revocation becomes effective.

MINOR FAILURE TO APPEAR/FAILURE TO PAY - Minors in Texas who have committed traffic and/or non-traffic offenses and have not complied with the court by failure to appear or failure to pay (offense prior to 09/01/03) are revoked. Disposition from the court that the minor has complied and a \$100.00 reinstatement fee is required. The reinstatement fee may be paid at any time prior to the renewal of the license.

JUVENILE SUSPENSION CONTEMPT OR DENY CONTEMPT - Minors in Texas who fail to pay for traffic and/or non-traffic offenses committed on or after 09/01/03 are in contempt of court. Their license will be suspended, or if unlicensed, will be denied issuance of a license until final disposition from the court is received. No reinstatement fee is required.

NON RESIDENT VIOLATOR COMPACT - Another state notifies the Department of an unpaid citation issued to a Texas licensed driver. If compliance is not received, revocation will occur. A receipt of payment from the court, a copy of the money order issued to the court or a copy of the front and back of the cancelled check made payable to the court must be submitted. If the revocation has become effective, a \$100.00 reinstatement fee is required. The reinstatement fee may be paid at any time prior to the renewal of the license.

FINANCIAL RESPONSIBILITY/SELF INSURANCE - An alternate method of financial responsibility issued by this agency is a Financial Responsibility Certificate. This is issued to an individual that submits cash or securities in the amount of \$55,000.00. A Self Insured Certificate can be issued to a company that has at least 26 vehicles registered in the company's name and submits an audited financial statement to substantiate their funds in the amount of \$165,000.00.

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 02-01-01 and its sole source of funding is State Highway Fund 0006 in the amount of \$2,761,269.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. 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.

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.

Texas Department of Insurance for the purpose of administration of the Self Insurance program.

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

This program spent \$149,625 in contracted expenses in 5 contracts. The purpose of these contracts was for the purchase of software and equipment maintenance and storage of document images.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Texas Transportation Code Chapter 601 provides several alternative methods for establishing financial responsibility. Section 601.121 - Section 601.124 offers drivers and/or companies an opportunity to post a surety bond, deposit cash or securities with the Comptroller, deposit cash or cashier's check with a County Judge or to obtain a self insurance certificate issued by the Driver License Division of the Department of Public Safety. The Department recommends a statutory change to shift alternative

insurance compliance methods to Texas Department of Insurance. This move in program function would place all methods of establishing financial responsibility under one governing agency.

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

None.

N. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity.

N/A

O. 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.

N/A

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

Name of Program or Function	Driver Records
Location/Division	Austin/Driver License
Contact Name	Joyce Stevens, Manager
Actual Expenditures, FY 2006	\$2,904,251
Number of FTEs as of August 31, 2006	82

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

The Driver Records Bureau (DRB) processes and maintains records of all driver license and identification cards issued by the Department. Each record is automated and contains a listing of traffic convictions and accident involvement in Texas, as well as other states. Files are maintained on over 16 million Texas driver license holders and 4 million identification card holders. In addition, the bureau is responsible for managing Ecommerce programs to provide online services for driver license and identification card renewals, address changes and driver records.

The Driver Records Bureau is comprised of several sections responsible for providing driver records and certification of driver records to the general public, law enforcement personnel, insurance companies, and driver records agencies. In FY 2006 the bureau processed 13,653,429 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 performance measures that best convey the effectiveness and efficiency of this function or program. The Driver Records Bureau performance measure is as follows:

- Number of driver records established and maintained – 17,610,879
- Number of driver records prepared - 13,653,429
- Fees collected for driver record sales - \$56,217,298
- Traffic convictions added to driver records - 2,092,039

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.

No change.

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.

DRB programs and departments affect all citizens of the state of Texas who require driver and/or identification record services.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

E-commerce – Several web-based programs utilize the official online web site for the State of Texas, www.TexasOnline.com. The web site improves public access to government information, programs and services and has allowed the Driver License Division (DLD) to provide a convenient, efficient and secure method for the citizens of Texas to renew and/or change their address on their driver license or identification card.

In May 2001, the DL Division introduced its first online service that allows eligible individuals to renew their driver license or identification card through the Internet or by telephone. Individuals are eligible to use this service if they are over the age of 18, the last renewal was not completed by mail or through the web, their license has not been expired for more than 2 years and has no current suspensions or revocations.

In December 2001, the Division implemented its second web-based program, which allows authorized contractors (e.g. insurance companies, government agencies) to obtain driver record information in an interactive format. To become authorized, a contractor must have an approved contract on file with the Department and meet at least one of the privacy exemptions provided for in the TRC Chapter 730. This service has allowed DLD to become more efficient in responding to bulk requests for driver record information and has decreased the manual intervention required for processing traditional taped responses.

In February 2003, the DL Division implemented the DL Image Retrieval System. This online service assists investigative efforts by enabling authorized law enforcement personnel to obtain the latest driver license or identification card photograph on record. To become eligible to access this system, a law enforcement agency must have an approved Memo of Understanding (MOU) on file with the Department. Each user of the system is assigned a unique user ID and password. Access is strictly limited for law enforcement investigation purposes.

In April 2003, web-based services provided by the DL Division were enhanced to enable eligible individuals to change their address through the Internet. Eligibility criteria for address changes follow the same basic guidelines as those for renewals.

In April 2004, the Division implemented the Licensee Driver Record Request application. This application allows a Texas driver license or commercial driver license holder to request their driver record online. Additionally, DLD implemented the Contractor Driver Record Request application. This application allows companies with an approved contract on file to request driver records online. The non-certified driver records are returned interactively to the company for printing or review. Certified records are mailed from DPS within 5 business days.

Automated Conviction Reporting - Traffic convictions are electronically submitted via diskette, modem transfer, electronic mail, and File Transfer Protocol (FTP). Currently, 710 Municipal and Justice of the Peace courts report by automated methods. Any hard copy tickets or computer generated listings of convictions submitted by the courts are reviewed for pertinent and accurate information to ensure final disposition before being added to the driver history. When necessary, courts are contacted to verify reported information.

Data Entry - Miscellaneous updates are received from the six DLD Headquarter Service Bureaus that are entered onto the driver history. These updates include name and address changes, crash data, suspensions, traffic convictions, and other driver related information.

Verification and Edit - Record updates to the driver record file are verified for error resolution and needed corrections are subsequently processed.

Driver Records - DRB provides driver records and certification of driver records to the general public, law enforcement personnel, insurance companies, and driver records agencies. Over thirteen million driver record requests are processed annually, generating approximately 50 million dollars in revenue each year for the state of Texas.

Correspondence - DRB provides written information on driver license related issues to Department personnel, other law enforcement agencies, and the general public.

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 02-01-01 and its sole source of funding is State Highway Fund 0006 in the amount of \$2,904,251.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. 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.

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.

- Texas Department of State Health Services Vital Statistics Department for the purpose of receiving and entering deceased data to the driver record file.
- Secretary of State's 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 Online for the purpose of e-commerce services related to driver license and identification card renewals and address changes, driver record requests and Driver Responsibility Program surcharge payments.

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

This program spent \$430,592 in contracted expenses in 4 contracts. The purpose of these contracts was for the purchase of office supplies and postage.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain.

None.

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

None.

N. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity.

N/A

O. 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.

N/A

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

Name of Program or Function	Driver License Field Offices
Location/Division	Statewide/Driver License
Contact Name	Lawrence Cuny, Major
Actual Expenditures, FY 2006	\$41,909,559
Number of FTEs as of August 31, 2006	1140.6

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

The Driver License Field Service is charged with the licensing and control of more than 20 million licensed drivers and identification card holders in Texas. The DL Field Service operates 256 full and part-time Driver License offices. Part-time offices serve 141 rural locations across the state of Texas. In FY 2006, these locations issued 5,869,064 driver licenses and identification cards.

The DL Field Service has made progress on reducing the lines and waiting time at our offices throughout the state without jeopardizing the fight against terrorism and fraud. Our larger offices extended their hours of operation during the week and the DL Division established renewal and address change options via the internet and telephone service. In addition, our website provides information to the public that was previously accessible only in our offices.

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

FY 2006:

- Number of examinations administered – 6,005,531
- Number of criminal arrests – 5,571
- Average cost to operate Driver License Office - \$231,374.81

- Number of Driver Licenses issued – 5,102,423
- Number of Identification cards issued – 766,647

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.

No change.

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.

Many of the fundamental principles of driver licensing are based on either statute or case law. Some of these precepts include:

- The state has the power to legislate for the welfare and safety of its citizens. As such, the Texas Department of Public Safety has been charged with the administration of standards for the licensing, improving, or “un-licensing” of drivers.
- The judicial branch for years held that a license to operate a motor vehicle is a privilege granted by law and that no inherent right is involved; however, recent case law has established a different position. Specifically, driving has been defined as a right, liberty, or an entitlement, subject to withdrawal for cause with due process of law.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The DL Field Service administers and supports a broad range of Driver License programs, which include examination of new drivers, improvement and control of problem drivers and general law enforcement.

Specific activities include:

- Determining applicant’s identity and eligibility for a license.
- Conducting tests and related duties to determine the applicant’s ability to drive safely.
- Accepting renewal and duplicate applications for driver licenses and identification cards.
- Inspecting vehicles to determine their safety for use on road tests.
- Capturing the licensee’s photograph, signature, and thumbprint.
- Providing accurate information regarding driver licensing and motor vehicle laws.
- Collecting and remitting all fees for licenses and identification cards.
- Conducting comprehensive examinations to determine driver limitations and/or to determine a driver’s physical or mental impairment.
- Representing the Department in administrative hearings for driver improvement.
- Verifying that original license applicants meet minimum requirements for financial responsibility.
- Registering applicants to vote.

- Verifying enrollment and school attendance of driver license applicants under 18.
 - Validating and recording the social security number of all driver license applicants.
 - Verifying vehicle registration of new resident driver license applicants.
 - Collecting applicant donations (\$1.00) for blindness education and organ donor programs.
 - Securing and recording acknowledgment of the state's "Zero Tolerance" for underage alcoholic consumption for driver license applicants 18 and under.
 - Processing Parent Taught Driver Education applicants.
 - Processing the Graduated Driver License applicants.
-
- Processing Sex Offender License applicants.
 - Processing Hazardous Material driver license applicants under the United States Patriot Act.

Commissioned personnel are present in the DL offices and intercede on a variety of traffic and criminal law enforcement matters. On a routine basis, Troopers arrest wanted persons and file complaints for violations of various statutes. Troopers conduct extensive and lengthy investigations involving fraudulent documents, counterfeit driver licenses and identification cards and investigations involving the theft of a person's identity. Troopers also investigate employee misconduct involving the selling or tampering of driver licenses and identification cards and employee theft. As needed, commissioned personnel provide training and other public service information to other law enforcement agencies and affected groups on a variety of subjects. For example, as the private sector has adopted the driver license as the preferred document to establish a person's identity, providing general education on the DL's security features has become increasingly important.

Prior to licensure, it is critical to determine the purpose for which the driving privilege is to be used so that specific standards can be defined for the applicant, based on the type of license to be issued. Accordingly, the Field Service involves the following processes and services:

APPLICANT IDENTIFICATION - An increasingly important task the Division faces is determining the applicant's identity. The criticality of this task is evidenced by virtue of specific guidelines appearing both in the Department's administrative rules and applicable manuals.

DRIVER EXAMINATIONS - Driver examinations are administered to determine applicant eligibility. Vision tests are conducted during each in-office original and renewal transaction. Written skills tests ensure sufficient knowledge of driver license laws for motor vehicle operation. Driving skills tests are also conducted, as required, to ensure the applicant can apply their knowledge of the laws while safely operating the motor vehicle. These examinations are critical not only because they test an applicant's general knowledge of driver license laws, but also because they serve as a tool in detecting driver limitations and any possible physical or mental impairments that warrant further investigation.

COMMERCIAL MOTOR VEHICLE SAFETY ACT AND PROBLEM DRIVER POINTER SYSTEM - Current state law requires the surrender of any and all licenses prior to the issuance of any Texas driver's license. This statute exists to support the premise that multiple licenses undermine public safety/law enforcement efforts. When multiple licenses have been issued to one driver, it is difficult to ensure that the full driver history "follows" the driver in his subsequent license applications. Two

national databases are accessed in conjunction with the federal Commercial Motor Vehicle Safety Act of 1986 and the 1982 Act of the National Driver Register's Problem Driver Pointer System. Licensing jurisdictions nationwide inquire into both databases to support the one license concept and the idea that the driver record of an individual will "follow" him or her. Field Service personnel carefully evaluate responses from these two databases to determine an individual's eligibility for the class of license for which they are applying.

"ZERO TOLERANCE" - Currently, DL Field Service employees also support a variety of other miscellaneous programs. Most of the programs are geared towards the general population, but a few target the teen population. For example, the "Zero Tolerance" statute enacted by the 75th Regular Session of the Texas Legislature provides that driver license applicants, under 18 years of age, and their parent or guardian must certify to their receipt of information regarding state laws on driving while intoxicated, minor's operation of a motor vehicle while under the influence, and implied consent. In general, the annual volume of public contacts occurring in DL offices statewide underscores the Department's involvement with these programs.

DRIVER LICENSE EXPRESS - The Driver License Express is a mobile driver license office which issues driver license renewals, original and renewal identification certificates and transfer of out-of-state licenses for Texas driver licenses. The Driver License Express is a 35 foot Recreational Vehicle that has been converted into a state-of-the-art driver license office. It provides doorstep service to many businesses, universities, hospitals and other organizations throughout the Dallas/Fort Worth Metroplex. It is a standalone unit powered by a generator and equipped with satellite communication.

DOCUMENT INVESTIGATION AND SEIZURE PROCEDURES - Many applicants resort to fraud in order to obtain a driver license or identification card especially when they are unable to meet the Department's identification requirements. The Division established document investigation and seizure procedures to instruct commissioned officers and our civilian personnel on how to handle fraudulent applications and documents.

HOMELAND SECURITY/ANTI-TERRORISM - The Division has taken a proactive stance against terrorism and has established clear guidelines for our employees on what their duties are in relation to the threat level the country is facing. Division personnel scrutinize documents presented by applicants in an effort to identify possible security risks. Any suspicious or expired documents that are presented to our employees will be referred to the Criminal Intelligence Service (CIS) through the use of an INT-7 form. An investigator from CIS will investigate to determine if there is a threat to our country.

INTERNAL AND EXTERNAL FRAUD - The Division continues to move forward on efforts to eliminate fraud in our offices. To prevent employees from issuing licenses or identification cards to applicants who do not meet our identification policy, employees copy all primary or secondary identification documents for submission with the original application. Field employees also use automated issuance reports to detect possible internal fraud. Field employees also pay particular attention when applicants return to be retested to ensure they are the same person who originally applied for the license.

TRAINING - The Division has made training one of their top priorities. The Division schedules in-service schools every other year for Driver License Technicians and Examiners. The in-service schools take place at our training academy in Austin and are typically three days. The training consists of updated policies and procedures, customer service, and specialized training. All employees also attend a two-day customer service class.

Q-MATIC - Q-matic is an applicant queuing system, which manages the applicant flow in our large offices. The applicant will obtain a Q-matic number from the employee at the information booth. When it is the applicant's turn to be processed, the Q-matic system will announce the applicant's number and to which processing window he should report. The system will provide this information in English and/or Spanish.

AUTOMATED DRIVER LICENSE TESTING SYSTEM (ADLTS) – The Automated Driving License Testing System (ADLTS) is currently installed in 96 driver license offices across the state. This system provides state of the art applications to allow customers to complete a written examination using a touch screen.

FIELD COMPLIANCE SERVICES – The success of the 2003 Field Compliance Pilot Project at the South Gessner Driver License Office in Houston yielded exceptional results. The Houston office provides customers a convenient alternative to processing compliance items and obtaining driver records via the standard mail process or traveling to Austin Headquarters for immediate service. The Department continues to expand these services to other metropolitan citites. Aside from the Houston compliance office, our customers now have the benefit of acquiring compliance services in San Antonio and Garland, with the San Antonio compliance office offering the sale of driver records. Over \$9.7 million dollars has been collected in these locations over the last four years. Approximately 229,000 transactions were processed. Overwhelming customer response confirms the necessity for these services to be available to customers in the larger metropolitan areas.

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 02-01-01 and its primary source of funding is State Highway Fund 0006 in the amount of \$41,407,817. This program also had Federal Funds of \$491,842 and \$9,900 of General Revenue Fund 0001 appropriated by Rider 58.

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

There are no other state programs which issue driver license or identification cards in 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.

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.

None.

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

This program spent \$2,061,254 in contracted expenses in 11 contracts. The purpose of these contracts was for the purchase of office supplies and postage.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain.

None.

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

None.

N. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity.

N/A

O. 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.

N/A

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

Name of Program or Function	Administrative License Revocation
Location/Division	Statewide/Driver License
Contact Name	Lanette Rusmiser, Director of Hearings
Actual Expenditures, FY 2006	\$2,318,561
Number of FTEs as of August 31, 2006	43.5

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

The Administrative License Revocation Service (ALR) is responsible for presenting administrative law cases for alcohol breath test failure or refusal of drivers before the State Office of Administrative Hearings (SOAH). The members of the ALR section are licensed attorneys whose primary responsibility is prosecuting breath test refusal cases but who also represent the Department in other administrative and judicial proceedings.

The Administrative License Revocation Service was established in response to passage of the ALR Statute effective on January 1, 1995. The ALR program is the administrative process by which the

Department suspends the driver licenses of individuals who are arrested for the offense of driving while intoxicated (DWI). Specifically, an individual may be suspended if he/she either refused to submit to chemical test or provided a specimen with an alcohol concentration of 0.08 or greater. The Department is also authorized to suspend the driver licenses of minors who commit the offense of driving under the influence (DUI) as well as the licenses of those individuals who refuse to provide a specimen following an arrest for the offense of boating while intoxicated (BWI).

Staff attorneys stationed in offices across the state prosecute administrative hearings before the State Office of Administrative Hearings (SOAH). These attorneys also respond to appeals by defendants, which are filed in the County Court at Law in the county of arrest. In addition, the ALR staff occasionally assists with Concealed Handgun and Expunction hearings and other (non-ALR) driver license appeals.

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

effectiveness and efficiency of this function or program.

During FY 2006, 100,472 Notices of Suspension were served. Of that number, 14,584 notices were served to offenders less than 21 years of age. During the same time period, DPS processed 100,380

suspensions, including 16,960 actions involving minors. This number includes uncontested administrative suspensions as well as suspensions that occurred as a result of a hearing. The Department received 28,629 hearing requests during fiscal year 2006, including 2,128 requests by minors. A total of 27,701 hearings were actually conducted. "Hearings conducted" includes any case that was scheduled and prepared for hearing and some action had to be taken to remove the setting from the docket. The results of those administrative hearings are as follows:

Affirmative	17,151
Default	2,500
Negative	3,366
Dismissed	4,684

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.

No change.

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.

- Law enforcement officers and attorneys handling DWI Cases.
- Drivers arrested for DWI.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The ALR hearing is conducted at a location designated by SOAH in either the county of arrest (if the arrest occurred in a county with a population in excess of 300,000) or within 75 miles of the county seat of the county of arrest. Alternatively, both parties may agree to hold the hearing by tele-conference. The hearing is conducted by an Administrative Law Judge (ALJ) employed by SOAH. DPS has the burden of proof by a preponderance of the evidence. If the judge makes an affirmative finding on all the relevant issues, the license is suspended.

If the driver failed the breath or blood test, the ALJ must determine whether (1) the person had an alcohol concentration of 0.08 or greater while operating a motor vehicle in a public place; and (2) reasonable suspicion to stop or probable cause to arrest the person existed. If the driver refused to

submit to a chemical test, the ALJ must determine whether (1) reasonable suspicion or probable cause existed to stop or arrest the person; (2) probable cause existed to believe that the person was operating a motor vehicle in a public place while intoxicated or operating a watercraft powered with an engine having a manufacturer’s rating of 50 horsepower or more while intoxicated; (3) the person was placed under arrest by the officer and was requested to submit to the taking of a specimen; and (4) the person refused to submit to the taking of specimen on request of the officer.

If a chemical test was not requested or if the driver provided specimen with any detectable amount of alcohol, the ALJ must determine whether: (1) the person is a minor and had any detectable amount of alcohol in the minor’s system while operating a motor vehicle in a public place; and (2) whether reasonable suspicion to stop or probable cause to arrest or take the minor into custody existed. If the driver refused to submit to a chemical test, the ALJ must determine whether: (1) reasonable suspicion or probable cause existed to arrest or take the minor into custody; (2) probable cause existed to believe that the minor was operating a motor vehicle in a public place while intoxicated or while having any detectable amount of alcohol in the minor’s system or operating a watercraft powered with an engine having a manufacturer’s rating of 50 horsepower or above while intoxicated; (3) the minor was placed under arrest or taken into custody and was requested to submit to the taking of a specimen; and (4) the minor refused to submit to the taking of a specimen on request of the officer.

An individual whose license has been suspended following an administrative hearing may appeal the decision rendered by the ALJ. The petition must be filed within thirty days of the decision in the County

Court in the county of the arrest. A properly filed appeal petition stays the suspension for first offenders for up to ninety days. For adults who refused to provide a specimen following an arrest for an offense prohibiting the operation of a motor vehicle or watercraft while intoxicated, while under the influence of

alcohol, or while under the influence of a controlled substance:

180 days	First offense
2 years	If previously suspended for failing or refusing a specimen test or previously suspended for a DWI, Intoxication Assault or Intoxication Manslaughter conviction during the 10 years preceding the date of arrest

Provided a specimen with an alcohol concentration of 0.08 or greater, following an arrest for an offense under Section 49.04, 49.07 or 49.08, Penal Code, involving the operation of a motor vehicle:

90 days	First offense
----------------	---------------

1 year	If previously suspended for failing or refusing a specimen test or previously suspended for a DWI, Intoxication Assault or Intoxication Manslaughter conviction during the 10 years preceding the date of arrest
---------------	--

If an individual under 21 years of age refused to provide a specimen following an arrest for an offense prohibiting the operation of a motor vehicle or watercraft while intoxicated, while under the influence of alcohol, or while under the influence of a controlled substance:

180 days	First offense
2 years	If previously suspended for failing or refusing a specimen test or previously suspended for a DWI, Intoxication Assault or Intoxication Manslaughter conviction during the 10 years preceding the date of arrest

Provided blood or breath specimen with an alcohol concentration of 0.08 or greater (or any detectable amount of alcohol) or was not requested to provide a specimen following an arrest for an offense under Section 106.041 Alcoholic Beverage Code or Sections 49.04, 49.07 or 49.08, Penal Code, involving the operation of a motor vehicle:

60 days	First offense
120 days	If previously convicted of an offense under Section 106.041, Alcoholic Beverage Code or Sections 49.04, 49.07, or 49.08 Penal Code, involving the operation of a motor vehicle
180 days	If previously convicted twice or more of an offense under Section 106.041, Alcoholic Beverage Code or Sections 49.04, 49.07, or 49.08 Penal Code, involving the operation of a motor vehicle

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 02-01-01 and its sole source of funding is State Highway Fund 0006 in the amount of \$2,318,561.

H. Identify any programs, internal or external to your agency, that provide identical or similar

services or functions. 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.

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.

ALR presents administrative law cases for alcohol breath test refusal of drivers before the State Office of Administrative Hearings (SOAH).

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

This program spent \$421 in contracted expenses in 1 contract. The purpose of this contract was for the purchase of office supplies.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain.

None.

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

None.

N. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity.

N/A

O. 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.

N/A

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

Name of Program or Function	Driver Responsibility
Location/Division	Austin/Driver License
Contact Name	Rebekah Lammey, Program Specialist
Actual Expenditures, FY 2006	\$8,350,491
Number of FTEs as of August 31, 2006	10

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

The Driver Responsibility law, created by HB3588 in the 78th Legislative Session, established a system that requires the Department to assess a surcharge based on certain traffic offenses. The Driver Responsibility Program (DRP) applies to offenses that occurred on or after September 1, 2003. This program does not replace administrative suspension, cancellation or revocation actions that result from the same convictions. HB2, passed in a Special Session of the 78th Legislature, made some amendments and provided the appropriation language to direct revenue collected. The Department contracts with a third party vendor for the collection of surcharges. The statute allows the vendor to collect service fees in addition to the base surcharge amount.

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

The DRP was created to enhance traffic safety and create a funding source for the Trauma Center Fund and General Revenue Fund. The program allows for the suspension of driving privileges for non-compliance with the assessment charges. Performance measures include the collection and compliance rates. As of August 2006, the total revenue billed by the DRP was \$478,704,791 with \$132,848,617 collected. The collection rate for the program was 32%.

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.

While the DRP functions and the intent have not been changed, the 80th Legislative Session amended the law to allow the Department broader authority for the collection of unpaid surcharge assessments. The

law created additional collection techniques and provisions for amnesty, incentive and indigency programs.

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.

Drivers with adverse history and who meet the criteria for assessment are affected by DRP. There are two criteria for the assessment of surcharges. Points are assessed to moving traffic violation convictions within a limited time period. Once the conviction has been reported to the Department, points will be assigned and will remain on the driver record for a period of three years. Secondly, drivers who receive a conviction for a specific type of offense will pay an annual surcharge for a period of three years from the date of conviction. No points are assessed for these offenses because the surcharge is automatic upon conviction. These include Intoxication, Driving While License Invalid, No Insurance and No Driver License convictions.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

Upon receipt of a conviction, the Department will assess a surcharge meeting the program criteria. The two methods below detail how surcharges are assessed.

Points System Surcharges

Points are assessed to moving violations classified as Class C misdemeanors. Points are assigned as follows:

- Two points for a moving violation conviction in Texas or that of another state.
 - Points will not be assigned for speeding less than 10% over the speed limit or seat belt convictions.
 - Three points for a moving violation conviction in Texas or another state that resulted in an accident.
- DPS will assess a surcharge when the driver accumulates a total of six (6) points or more on their driver record during a three-year period. The driver must pay a \$100 surcharge for the first six points and \$25 for each additional point, in addition to any related services fees.

Conviction Based Surcharges

Drivers who receive a conviction for an offense listed below will pay an annual surcharge for a period of three (3) years from date of conviction. No points are assessed for these offenses because the surcharge is automatic upon conviction.

- Driving While Intoxicated, Intoxication Assault, and Intoxication Manslaughter
 - First time offense = \$1,000
 - Second or subsequent offense = \$1,500
 - DWI 0.16 or greater = \$2,000
- Failure to Maintain Financial Responsibility
 - \$250

- Driving While License Invalid
 - \$250
- No Driver License
 - \$100

Note: The surcharges are cumulative, meaning if a driver received two DWI offenses during the same year, the total amount of surcharges would be \$2,500 annually for three years.

Drivers are notified when a surcharge has been assessed and given thirty (30) days to comply. Failure to pay will result in a suspension of the driver license and/or driving privilege. Drivers are provided the opportunity to pay in full or to submit monthly installment payments.

Each year, on the anniversary date of the original notice, the Department will review the driver record history to determine if the driver still meets surcharge requirement criteria. If the record reflects six or more points or if the conviction is within the previous 36 month period, the driver will be assessed another surcharge. Annual assessment based on points will include additional surcharges if more points have accrued since the first notice was mailed. No points or surcharges will be assessed if the conviction is deferred, or if a defensive driving course has been completed.

The Department contracts with Municipal Services Bureau (MSB) for the collection of surcharges. The vendor is allowed collection service fees in the amount of 4% of the original surcharge. Fees are also charged for other services, such as installment agreements and electronic payments. MSB provides a customer service call-center to assist with questions regarding payments and compliance requirements. If driving privileges have been revoked for failure to pay the surcharge, MSB notifies the Department when the payment and related collection fees are received.

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 02-01-01 and its primary source of funding is General Revenue Fund 0001, from Rider 50 collections, in the amount of \$7,976,630. This program also had \$373,861 of State Highway Fund 0006 funding.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. 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.

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.

None.

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

This program spent \$6,546,224 in contracted expenses in 3 contracts. The purpose of these contracts was for the service of a collection agency and the purchase of office supplies and postage.

State Comptroller Rapid Deposit, DRP vendor invoice and the Agency's monthly budget report are reviewed individually and then comparatively for accuracy. An audit process is in place for a daily review that ensures all records provided to the vendor for collection have a notice to the record holder generated. A monthly Service Level Agreement (SLA) report is provided by the vendor to ensure compliance with contract requirements. In addition, random audits are conducted by the Project Manager and the Department's Office of Audit and Inspection to ensure compliance with the statute and vendor Standard Operating Procedures. The vendor also utilizes independent auditing services to solicit client's feedback on the vendor's efficiency of program compliance. A weekly overview report is provided to the Agency officials comprised of statistical data related to compliance and collection of surcharges.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain.

None.

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

None.

N. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity.

N/A

O. 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.

N/A

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

Name of Program or Function	Fraud Unit
Location/Division	Statewide/Driver License
Contact Name	Rhonda Fleming, Major
Actual Expenditures, FY 2006	\$783,869
Number of FTEs as of August 31, 2006	19

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

The DLD Fraud Investigation Unit (FIU) mission is to identify, eliminate, and deter identification fraud through the successful application of investigative techniques resulting in the prosecution and arrest of violators; and to inform, advise, and educate the general public regarding Identity Theft. Due to the complex nature of investigating driver license identity theft fraud and internal fraud, FIU investigators and FIU analysts possess highly specialized and advanced skills and knowledge.

The Fraud Investigation Unit, established in December 2003, is comprised of eight commissioned troopers and six non-commissioned analysts. The primary goal of the unit is to strengthen investigative efforts concerning fraudulent and counterfeit documents, identity theft and suspected incidents of employee misconduct involving driver license and identification documents. The unit also assists in identifying areas of weakness, improving training and promoting employee preparedness in eliminating internal, as well as, external fraud.

As many other jurisdictions and national groups are prioritizing the detection and prevention of fraud, the unit's staff will attend training conferences focusing on these issues. Attention is given to modern identity management, including a full array of ID applications, digital identity solutions, identity theft, and homeland 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 performance measures that best convey the effectiveness and efficiency of this function or program.

During FY 2004 through FY 2006; the Fraud Unit investigated over 1,547 driver license related fraud cases, of which more than 500 resulted in arrests and 1,041 resulted in warrants being issued. In addition, the FIU has assisted other agencies in more than 2,500 cases.

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.

No change.

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 Fraud Investigation Unit consists of troopers and analysts who are highly trained in investigating incidents of driver license and identity fraud. The unit specializes in crimes related to identity theft and the fraudulent use of identity documents used to perpetrate other serious crimes. Unit members provide their expertise to other law enforcement agencies to aid in their investigations. Driver License Fraud Unit investigations are broader in scope than those performed by other Driver License Division troopers.

FIU troopers must have at least one year of service as a trooper of the Department of Public Safety and are selected through a competitive interview process. FIU trooper applicants must have strong investigative, report writing, and interpersonal skills.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

Currently, the unit has two distinct modes of operation: Headquarters Operations (Image Verification Section and Fraud Analysts) and Field Operations (Investigators/Troopers). The procedures established for the Image Verification Section requires personnel to identify records needing review due to clerical errors and possible matches within the system. Those records designated as possible matches are then routed to the Fraud Analyst section for criminal investigation case preparation. Fraud Analysts perform complex analytical functions. Procedures require analysts to utilize numerous software and hardware products as well as advanced analytical tools to assist and support fraud investigators in criminal investigations and prosecution. Fraud investigators/troopers perform advanced investigative and interrogation methods and techniques to investigate crimes involving driver license identity theft/fraud and driver license counterfeiting and apprehend any persons engaged in driver license fraudulent activities. Procedures also require Investigators/troopers to identify and investigate Department employees involved in internal fraud and those who facilitate such activities

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 02-01-02 and its sole source of funding is State Highway Fund 0006 in the amount of \$783,869.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. 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.

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.

- Federal Bureau of Investigations (FBI) for the purpose of investigating public integrity crimes.
- Secret Service for the purpose of investigating organized crimes against the community (Identity Theft).
- Immigration, Customs and Enforcement (ICE) for the purpose of investigating immigration identity theft/fraud and/or other related crimes.
- National Insurance Crime Bureau (NICB) for the purpose of investigating identity theft issues relating to insurance fraud.
- U.S. Marshall's Service for support in the apprehension and detection of wanted fugitives.
- The Treasury Department for the purpose of investigating identity fraud/theft relating to counterfeit currency.
- District Attorney investigators for the purpose of investigating identity theft and identity fraud issues.
- Sheriff's department investigators for the purpose of investigating identity theft and identity fraud issues.
- Police department investigators for the purpose of investigating identity theft and identity fraud issues.
- School district police for the purpose of investigating fraudulent minor ID's.

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

This program spent \$3,467 in contracted expenses in 3 contracts. The purpose of these contracts was for the purchase of office supplies.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain.

None.

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

None.

N. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity.

N/A

O. 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.

N/A

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

Name of Program or Function	Driver License Reengineering
Location/Division	Austin/Driver License
Contact Name	Greg Gloria, Assistant Chief
Actual Expenditures, FY 2006	\$12,189,489
Number of FTEs as of August 31, 2006	9

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

The Driver License Division's primary initiative in 2002 was to seek necessary funding from the 78th Legislative Session to implement **Driver License Reengineering (DLR)**. The objective of this activity is to initiate a comprehensive plan to resolve current driver license system failures throughout all areas of the Driver License Division. This activity will replace failing hardware in the driver license offices, rewrite outdated driver license programs, and provide retrieval capabilities through identity authentication and automated auditing processes to prevent fraud as well as for the production of driver license and identification cards utilizing the latest in security technologies.

During the 78th Legislative Session, HB3588 provided the Department with the necessary authority to reengineer the driver license system. Funding for this activity was realized during the 3rd Special Session with the passage of HB2, authorizing a \$1 additional fee increase on motor vehicle registrations to be designated to the Department for the purposes of implementing the DLR program.

In 2003, a Project Management Office was established with executive level sponsors and a project manager. Teams were established utilizing subject matter experts from all areas of DLD to begin writing business rules and preparing specification documents. In 2004 and 2005, vendor services were sought utilizing the Request for Proposal procurement process to initiate a contract to rewrite all driver license issuance programs and a contract to produce driver license and identification cards. To date, the team has been working with the selected vendors on program development and testing for the Driver License System (DLS) application and the Image Collection and Card Production Systems. Preparation of the Division's Headquarters and DL office infrastructure is also underway to accommodate the new organizational structure of the DLD. In addition, the team is finalizing deployment, training and implementation schedules for the final rollout of the DLS. The DLS will be piloted in the Austin, Georgetown, Garland, Waco & San Antonio driver license offices beginning January 2008. Implementation for all remaining field offices is scheduled for completion by April 2008.

Another component of DLR is the development and implementation of the Image Verification System (IVS). The system contains facial recognition and thumbprint comparison technology for the purposes of deterring and preventing identity theft and DL fraud. Approximately 20 million driver license and identification card photographs have been enrolled into the IVS, where the process of comparing all photographs commenced to locate suspicious issuance data. The Image Verification System is in the final development stage and has begun to provide assistance to law enforcement officials for the purposes of locating unknown individuals as well as identifying multiple records belonging to the same individual.

The IVS, which will become fully functional in January 2008, will allow driver license issuance employees to verify the identity of the individual at the time of issuance for a DL or ID. This will be accomplished by comparing the current photograph taken against previous photographs on file. All original DL or ID applicant photographs taken during the course of business will be compared nightly against all photographs on file. Suspicious activity identified through this process will be forwarded to the Division's Fraud Unit for investigation.

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

Driver License Reengineering is managed through a Project Management Office with timelines and reports submitted regularly. Once fully implemented, statistics and performance measures will be reported by the individual Services and bureaus within the Driver License Division.

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.

None.

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 Reengineering affects all citizens of the state of Texas who require driver and/or identification issuance services.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other

illustrations as necessary to describe agency policies and procedures. List any field or regional services.

Driver License Reengineering is managed by a project manager, with oversight provided from executive sponsors (DL Assistant Chief and IMS Assistant Chief) and a project management office/steering committee made up of Department officials.

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 02-01-02 and in Strategy 02-01-01. Its sole source of funding is State Highway Fund 0006 in the amount of \$12,189,489. This program also has expenditures and State Highway Funding in Strategy 02-01-01 for HB 2337, for Drivers License Image Verification System. Rider 41 allowed DPS to transfer funds into FY 06 from FY 05.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. 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.

Coordination with the following federal agencies is performed to communicate information, respond to program changes, program audits, implement federal laws and other program related functions:

- Department of Transportation (DOT) – The Department of Transportation serves the United States by ensuring a fast, safe, efficient, accessible and convenient transportation system that meets vital national interests. The Driver License Division works with the Federal Motor Carrier Safety Association within the DOT for regulations and programs concerning commercial vehicle drivers.

- Department of Homeland Security (DHS) – The Department of Homeland Security’s strategy is to mobilize and organize our nation to secure the homeland from terrorist attacks. The Driver License Division works with segments of DHS to process commercial drivers requesting hazardous materials endorsement according to the U. S. Patriot Act. Driver License Division further works with the REAL ID implementation office to evaluate and communicate impact of the REAL ID Act.

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

This program spent \$11,973,899 in contracted expenses in approximately 9 contracts. The major purposes of these contracts were for the purchase of computer equipment, software development of the Driver License Reengineering project, and office supplies.

The contract specifies contract deliverables, a maximum response time for system operations, as well as support and maintenance requirements. The DLR Project Structure includes a project manager, two executive project sponsors (DL Assistant Chief and IMS Assistant Chief) in addition to an internal Project Management Office (PMO) represented by agency stakeholders. Project status is provided on weekly reports and at monthly meetings. Project expenditures are closely monitored by a project leader with expenditures approved at the Division Chief level and monthly reports provided. In addition, quarterly reports are submitted to the Legislative Budget Board specifying project performance and budgetary allocations.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain.

None.

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

None.

N. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity.

N/A

O. 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.

N/A

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

Name of Program or Function	Crash Records
Location/Division	Austin/Driver License
Contact Name	Tony Small, Manager
Actual Expenditures, FY 2006	\$5,916,695
Number of FTEs as of August 31, 2006	77

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

The Crash Records Bureau (CRB) is the state repository for motor vehicle traffic crash records, in accordance with Texas Transportation Code Chapter 550, Texas Government Code 411.0175, and various other state and federal regulations. The crash records system is the single most comprehensive information system regarding traffic crashes in Texas. Crash reports received are analyzed and extensive data is extracted, transcribed in code, and tabulated. Comprehensive data is captured and maintained regarding motor vehicle crashes, including information about the crash and its contributing factors, the location, date, time, and people (injuries, fatalities and vehicles involved).

Statistical information derived from the reports - the number, cause and location of highway crashes - is published and distributed frequently. Non-standard summarized data provided upon request requires analysis of crash data performed through data extraction and manipulation. This involves creating detailed and complex Statistical Analysis Software (SAS) programs to extract the fields of data required for the end result and designing the printed reports format. Crash data is the primary source for statistics used in evaluating the effectiveness of safety programs, determining rural death rate, and obtaining funding to support traffic safety. Crash data is also critical to state and local transportation project planning and prioritization, highway and railroad crossing safety evaluation, and tort claim support. An estimated \$1.3 billion of federal funds is linked to crash records data.

The Crash Records Bureau is also responsible for the design, maintenance, and distribution of crash report forms and training/reference material. These publications must conform to American National Standards and statutory reporting requirements (both state and federal).

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program. Crash Records performance measure is as follows:

Number of Accident Reports processed – 887,894.

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.

Senate Bill 766, passed in the 80th Legislative Session transfers the responsibility for the Crash Records Bureau from the Department of Public Safety to the Texas Department of Transportation (TxDOT). The bill transfers personnel, equipment, and budgets associated with the collection, maintenance and tabulation of crash reports to TxDot on October 1, 2007.

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.

DLD programs and descriptions affect all citizens of the state of Texas who require crash data.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

In addition to the receipt, processing, and maintenance of crash reports and data, the bureau also performs the following functions:

CRASH REVIEW - SAFETY RESPONSIBILITY ADMINISTRATION – Personnel review peace officers' crash reports to determine whether an uninsured driver is involved who may be liable for the damage to another person's property or injury to another person. Copies of those reports meeting select criteria are forwarded to the Safety Responsibility Bureau for administration of the security provisions of the Texas Safety Responsibility Act.

CRASH REPORT SALES – CRB receives and processes written and walk-in requests for copies of peace officers' crash reports. Fee documentation associated with these requests must be balanced against the actual number of requests received. Certification of the reports is also performed. Subpoenas for copies of reports and for written depositions are received and processed.

EXPUNCTION OF INFORMATION - Court orders for the expunction of criminal information from the reports (e.g., charges filed, under influence of alcohol, etc.) are received and processed. This involves locating the report and excising the information. If the report is on microfilm, it requires excising of the information, refilming the report and witnessing and certifying back to the court that the old film has been destroyed and the new film of the document has been inserted in its place.

FATAL ANALYSIS REPORTING SYSTEM (FARS) – FARS collects data from reports of motor vehicle traffic crashes in which a fatality occurred and enters this data into a national data base

maintained by National Highway Traffic Safety Association (NHTSA). Each state participates in this system, which has been in existence since 1975.

PUBLICATIONS - Publications are designed, prepared, and distributed by the Analysis Section of the Crash Records Bureau.

1. Motor Vehicle Traffic Crashes In Texas (Annual) which includes:

- General Data
 - Deaths and Casualties
 - Where Crashes Happen
 - When Crashes Happen
 - How Crashes Happen
 - Driver Data
 - Vehicle Data

- DWI Involved Crashes
 - Deaths and Casualties
 - Where Crashes Happen
 - When Crashes Happen
 - How Crashes Happen
 - Driver Data
 - DWI Arrests
 - Breath Alcohol

- 1. State Of Texas Instructions to Police for Reporting Crashes on Texas Peace Officer's Crash Report Form and Commercial Motor Vehicle Supplement Form.
- 2. Manual on Classification of Motor Vehicle Traffic Crashes In Texas.
- 3. Winning the Battle; Losing the War. A snapshot look at the figurative cost of traffic crashes.
- 4. The Vehicle Damage Scale for Traffic Crash Investigators is also maintained and distributed by the Analysis Section; however, this Booklet was published by the Traffic Accident Data Project of the National Safety Council and is copyrighted. The Department of Public Safety has permission to distribute this booklet to Texas law enforcement agencies. Other distribution is prohibited.

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 02-01-03 and Strategy 02-01-04. Its primary source of funding is Federal Funds in the amount of \$4,430,731. The program also has General Revenue – Dedicated Fund 0036 – Rider 51 of \$203,771, State Highway Fund 0006 of \$786,584 and Appropriated Receipts of \$495,609.

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

The Texas Department of Transportation and the State Data Center receive, maintain and disseminate crash data.

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

This is not applicable as the dissemination of crash data by TxDOT and the State Data Center does not conflict with the submission and compilation of the data by the Crash Records Bureau.

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.

Crash data is requested and provided to the following:

- DPS and other law enforcement agencies for crash investigation, resource allocation and in long-term planning activities;
- Department of Transportation for identifying hazardous locations and prioritizing capital construction projects for supporting federal funding requests; and,
- Texas Attorney General for defending DPS and other state agencies and for collecting damages to state property.
- National Highway Traffic Safety Administration for the purpose of reporting fatal crashes in Texas to the Fatality Analysis Reporting System.
- Texas Department of State Health Services Vital Statistics Department for the purpose of receiving and entering deceased data to the crash data file.

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

This program spent \$2,964,748 in contracted expenses in approximately 9 contracts. The major purposes of these contracts were for the purchase of software development of the CRIS project, postage and office supplies.

The Department of Transportation and DPS officials established an executive leadership group consisting of sponsors from each agency. The executive group anchored the CRIS steering committee composed of subject matter experts and project managers from both agencies. Additionally, the leadership brought a third party project manager to guide the technical teams toward meeting contract deliverables. Project expenditures were closely monitored by both agency project managers.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain.

None.

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

The Crash Records Information System (CRIS) is a joint initiative between the DPS and the Texas Department of Transportation (TxDOT). The vision of the project is to implement a new crash records information system that will provide enhanced efficiencies to capture, manage, and disseminate timely and accurate data to parties who need it to improve the safety of Texas roadways. The system in use today was designed in the 1970s, using technologies available at that time that do not meet the current needs of DPS, TxDOT or other local and state agencies. The limits of this technology result in a system that is manually intensive and untimely in its reporting capabilities.

The CRIS project includes the redesign of the current accident/crash records system resulting in the creation of a new crash records information system. A steering committee comprised of DPS and TxDOT stakeholders will provide guidance. Co-sponsors for the project are the Assistant Chief of the Driver License Division, Highway Patrol Division Captain and the Deputy Director of Traffic Operations at TxDOT. The first phase of CRIS began production in the first quarter of 2006. The system is being hosted at the Texas State Data Center (WTDROC) in San Angelo and has testing and disaster recovery capabilities at the States Austin Data Center (ADROC).

N. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity.

N/A

O. 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.

N/A

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

Name of Program or Function	Private Security
-----------------------------	------------------

Location/Division	Statewide/Administration
Contact Name	Leonard Hinojosa, Captain
Actual Expenditures, FY 2006	\$2,886,485
Number of FTEs as of August 31, 2006	48

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

The objective is to enforce the provisions of the Private Security Act for the protection of the general public and for the consumers of private investigations and security services and products. The Private Security Bureau (PSB) investigates allegations, reports, and notices of violations of the Private Security Act and Department rules. PSB takes administrative action against licensed companies and registered and commissioned individuals operating in violation of the Act and rules. Additionally, PSB issues and renews company licenses and individual registrations and commissions (gun permits) of qualified applicants and denies same to those applicants who do not meet minimum standards.

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

During FY 2006, PSB resolved almost 100% of its documented complaints within six months and conducted 7,718 investigations. Additionally, the average time for case resolution in FY 2006 was 28.5 days. PSB issued 25,935 new licenses to individuals, with an average cost of \$11.06 and 19,970 new licenses to businesses, with an average cost of \$130.71.

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 Private Security Bureau 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. This entity became associated with the Texas Department of Public Safety in September 2003, and was abolished and reestablished as the Department's Private Security Bureau in February 2004.

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.

Before anyone can own, manage or be employed by a licensed company, a person must meet the following requirements;

- Be at least 18 years of age;
- 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 5 years;
- Be mentally competent;
- Not be alcohol or drug dependent; and
- Honorably Discharged if in the Armed Services

Total Number of Individuals Licensed - 123,615

Active Company Licenses (Branches NOT included)

License Types	Active
A	1,177
B	2,599
C	626
D	37
P	256
X	26

Total Number of Business Facilities Licensed 4,721

Active School Licenses (Branches NOT included)

License Types	Active
F	176
O	1

Total Number of Programs and Schools Licensed 177

Count of Active INDIVIDUAL Licenses

License Types	Active
Alarm Installer	5,283
Alarm Instructor	0
Alarm Monitor	130
Alarm Sales Person	2,872
Alarm Salesperson	514
Alarm System Monitor	2,761
Branch Office Manager	214
Commissioned Security Officer	16,789
Corporate Officer	536

Corporate Officer/Manager	18	
Corporate Officer/Private Investigator	4	
Electronic Access Control Device Installer		698
Employee of License Holder		817
GLOA - Commissioned Security Officer		118
GLOA Commissioned Security Officer		176
GLOA Non-Commissioned Security Officer		147
GLOA Personal Protection Officer		8
Guard Dog Trainer		112
Instructor		421
Level III Combined Instructor		15
Level IV Classroom Instructor		4
Level IV Instructor		1
Locksmith		106
Locksmith Registration		899
Manager		65
Manager - Letter of Authority		44
Manager - Training School		13
Manager Only		80
Manager/Private Investigator		101
Non-Commissioned Security Officer	60,317	
Officer		16
Officer - Training School		2
Officer/Manager		262
Officer/Manager/Private Investigator		251
Officer/Manager/Security Contractor		1

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The Private Security Bureau administers Texas Occupations Code, Chapter 1702 and Texas Administrative Code Chapter 35, through the Texas Private Security Board.

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, and armed courier and locksmith companies.

Investigation Section- pursues complaints from consumers as well as allegations of criminal activity or administrative violations of Chapter 1702, Texas Occupations Code. Criminal cases are presented to prosecutors in local jurisdictions and administrative violations are pursued through the State

Office of Administrative Hearings, when an agreed settlement cannot be reached. Administrative sanctions range from a letter of reprimand or fine to a suspension or revocation of the registration, commission, or license. Criminal violations of Chapter 1702, Texas Occupations Code, range from Class A misdemeanor to felony of the third degree. Investigation personnel also review applicant and registrant criminal histories for possible action to deny or suspend registration. The Investigation Section employs commissioned peace officers throughout the state in field offices.

Licensing Section- receives original and renewal applications for all categories of licensing and registration under Chapter 1702, Texas Occupations Code. Section personnel review those applications for eligibility, create and maintain the license or registration record, and issue the license.

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 Strategies 05-03-01, 05-03-02, and 05-03-03. Its primary funding source is General Revenue Fund 0001 in an amount of \$2,719,898. \$2,205,711 of this General Revenue was due to the additional funding provided to this program in Rider 59. This program also had Appropriated Receipts of \$166,587.

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

No other state or federal agency regulates or licenses any function within the private security professions.

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.

None.

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.

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. This national fingerprint background check is part of the screening process to determine if the individual has been arrested and charged with a crime. Criminal background checks are submitted to the FBI based upon specific federal and state law.

PSB investigators often work with other various local, state, and federal law enforcement agencies to resolve criminal cases.

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

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

This program spent \$1,005,371 in contracted expenses in approximately 9 contracts. The major purposes of these contracts were for the payment of legal settlement, vehicles, weapons for the investigators, enterprise agreement, office supplies and postage.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain.

None.

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

None.

N. 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.

- Regulation of the private security industry is needed to protect the citizens of Texas. Regulation ensures that the industry employs only qualified personnel who provide reliable security services.

- Field inspections and audits of entities regulated are conducted on a routine basis by troopers. These inspections include both records checks of companies as well as inspections on licensed personnel at locations where regulated activities are being performed. These inspections constitute a major portion of the bureau's overall enforcement effort and result in criminal and administrative violations found by troopers.
- Follow-up inspections are conducted to ensure compliance.
- Administrative fines can be administered against licensees and companies performing regulated activities. In addition, license denials, suspensions and revocations are available to ensure compliance.
- Process for Filing Complaints - potential criminal or administrative violations of Chapter 1702, Occupations Code by a licensed or unlicensed company or individual in the private security industry, may be submitted by consumers or citizens through U.S. mail, facsimile, e-mail or as a written complaint to the Private Security Bureau.

O. 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.

	FY 2005	FY 2006
Total number of Licensed or Registered Individuals	115,737	133,433
Total number of Licensed Companies	5074	5285
Total number of Licensed Companies	142	1110
Total number of complaints received from the public	716	668
Total number of complaints initiated by agency	1364	7662
Number of complaints pending from prior years	368	402
Number of complaints found to be non-jurisdictional	N/A	N/A
Number of jurisdictional complaints found to be without merit	1347	4457

Number of complaints resolved	2185	7718
Average number of days for complaint resolution	62	28.5
Complaints resulting in disciplinary action:		
Administrative penalty	181	1323
Reprimand	73	868
Probation	N/A	N/A
Suspension	N/A	N/A
Revocation	N/A	N/A
Other		

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

Name of Program or Function	Concealed Handgun Licensing
Location/Division	Austin/Administration
Contact Name	Jan Coffey, Manager
Actual Expenditures, FY 2006	\$4,496,274
Number of FTEs as of August 31, 2006	50

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

The objective of the Concealed Handgun Licensing Bureau (CHLB) is to issue concealed handgun licenses within statutory time requirements to eligible applicants, and to maintain and renew those licenses for as long as the licensee desires and remains eligible under Chapter 411, Texas Government Code. CHLB personnel provide for the accurate review of applications to determine eligibility, creation of license and the issuance, maintenance of license record, denial, suspension and revocation of licenses within statutory time frames and according to strict legal requirements. Licenses are issued depending upon statutory qualifications. The bureau also certifies qualified handgun instructors, following a process very similar to the concealed handgun license application activities.

The CHL Bureau administers the application and review process in coordination with other DPS areas for the field background investigations of applicants, creation of the actual concealed handgun license document, training of handgun instructors, and other necessary activities. The accurate issuance of licenses to eligible persons is a program priority.

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

The Concealed Handgun Licensing Bureau database contains approximately 259,583 license holders and 1,456 certified handgun instructors. The bureau issued 67,883 new licenses in FY 2006 and processes an average of 12,000 duplicate or modified licenses each year. In FY 2006 the bureau denied 402 original and renewal applications, suspended 541 licenses, and revoked 228 licenses based on statutory eligibility requirements.

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.

None.

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.

To be eligible for a license to carry a concealed handgun, one must be 21 years old (or 18 years old and a member of the US 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 Penal Code Section 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.

Of the total number of licenses issued during FY 2006, 18% were female and 82% were male; 196 were American Indian or Alaskan Native, 302 were multi-racial, 1,077 were Asian or Pacific Islander, 1,998 were Other/Unknown, 4,799 were Black and 59,514 were White.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

Upon receipt of an application for a concealed handgun license, statutory requirements allow the bureau 60 days to process an original license and 45 days for a renewal (except for certain extenuating circumstances). The bureau administers the application and review process in coordination with other DPS areas for the field background investigations of applicants. Applicants are requested to supply additional information or missing materials as needed. A license is issued to those individuals who are deemed eligible under Chapter 411.

License holders are monitored for any criminal activity that would make them ineligible, requiring the suspension or revocation of the license.

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 05-01-01 and its sole source of funding is State Highway Fund 0006 in the amount of \$4,496,274.

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

No other state or federal agency licenses individuals to carry concealed handguns 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.

None.

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.

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. This national fingerprint background check is part of the screening process to determine if the individual has been arrested and charged with a crime. Criminal background checks are submitted to the FBI based upon specific federal and state law.

Additionally, the Bureau 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:

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

This program spent \$2,020,127 in contracted expenses in approximately 11 contracts. The major purposes of these contracts were for the purchase of criminal history checks, license card production, image archive support, database support and office supplies.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain.

As discussed in Section IX, if the statute were amended to allow the Department to provide a list of certified instructors that included the instructors' names, as well as their business addresses and phones, it would be a greater service to the public. This would have little impact on the Department, as we currently create such a list and then redact everything but the name and zip code for purposes of public release. In addition, as also discussed in Section IX, the statute could be amended to require

that non-residents provide the Department with certifications from the appropriate agencies/authorities verifying that they are not delinquent in child support, local or state taxes or student loans.

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

None.

N. 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.

Regulation is needed to ensure that individuals who are licensed to carry a concealed handgun are properly trained and meet the eligibility requirements enacted by the Texas Legislature. Sanctions include suspension, revocation or denial of a license when we identify that the individual does not meet the eligibility requirements, which may sometimes be determined based on complaints by members of the public.

O. 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.

	FY 2005	FY 2006
Total number of Concealed Handgun License Holders	246,689	257,202
Total number of regulated entities	N/A	N/A
Total number of entities inspected	N/A	N/A
Total number of complaints received from the public	N/A	N/A
Total number of complaints initiated by agency	N/A	N/A
Number of complaints pending from prior years	N/A	N/A
Number of complaints found to be non-jurisdictional	N/A	N/A
Number of jurisdictional complaints found to be without merit	N/A	N/A
Number of complaints resolved	N/A	N/A
Average number of days for complaint resolution	N/A	N/A
Complaints resulting in disciplinary action:	N/A	N/A
Administrative penalty	N/A	N/A
Reprimand	N/A	N/A
Probation	N/A	N/A

Suspension	515	541
Revocation	321	228
Other	N/A	N/A

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

Name of Program or Function	Texas Crime Information Center
Location/Division	Austin/Administration
Contact Name	Randy Batten, Manager
Actual Expenditures, FY 2006	\$1,738,708
Number of FTEs as of August 31, 2006	40

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

The objective of this program is to administer the Texas Crime Information Center (TCIC) programs in a manner that ensures the immediate delivery of accurate, timely, and valid information critical to the daily duties of peace officers and other criminal justice entities. TCIC is an index of theft reports, warrants, missing person reports, and other law enforcement information that is available to Texas criminal justice agencies on-line via the Texas Law Enforcement Telecommunications System (TLETS) 24-hours-a-day, 7-days-a-week. TCIC is a state implementation of the National Crime Information Center (NCIC) managed by the FBI and operates under national rules established by the

FBI through the CJIS Advisory Policy Board. Those rules include standards for participation, especially as regards training and auditing.

There are four major activities performed by Crime Records to manage the TCIC function:

1. **TCIC Training:** Biennial training is required by FBI policy. Training is performed by DPS trainers and local agency associate trainers who have been trained by DPS.
2. **TCIC Auditing:** Triennial auditing of all local agency participants (approximately 1,000 in Texas). TCIC auditing is performed by the TCIC Audit staff through on-site and mail audits.
3. **TCIC Control Room:** The Control Room provides quality control review of records entered into TCIC by local law enforcement agencies, as well as a call-in “help desk” type support, and enforcement of FBI policies for “hit confirmation” and other general user support functions.
4. **The CRS CJIS Information Security Office** manages the implementation of the CJIS Security Policy for access to TCIC and other DPS systems via TLETS.

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

The greatest indication of the effectiveness of the program is its high-level of sustained use by law enforcement agencies in Texas. The system is totally voluntary, however police chiefs and sheriffs for a very long time have appreciated the benefits to be derived from participation. They know that if they enter a warrant into TCIC and NCIC that person may be arrested on a traffic stop or other contact with law enforcement at any time in any location across the country. This effectiveness has led to high level voluntary participation, with a rising average of well over 5 million transactions

per month by local 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.

While the NCIC file 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 late 1980's. The NCIC Gang file was added in the 1990's with an ancillary "terrorist organization" capability that became instantly relevant in 2001. The systems 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.

The CJIS Security Office has only been created within the last year, with a very small staff that started as a single person, to which we added a contractor, then two auditor positions, and now the 80th Legislative Session added ten additional auditors effective September 1, 2007.

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.

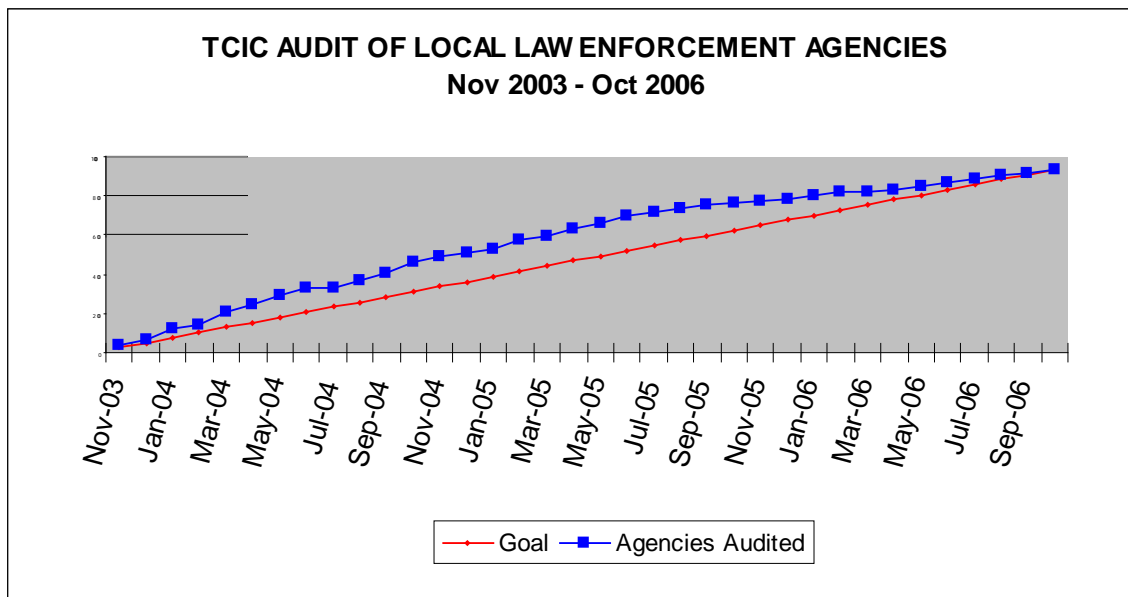
By FBI and DPS policy both NCIC and TCIC are available to criminal justice agencies for criminal justice purposes with a very few exceptions. "Criminal Justice Agency" is defined in federal regulations with an almost identical definition in Ch. 411.082(3) Government Code. "Criminal justice purpose" is defined in Ch. 411.082(4) in a similar manner to federal regulations, as well.

As such, TCIC serves approximately 1,000 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 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 this information with child protective agencies who are investigating allegations of child abuse. DPS is in discussions with the Department of Family and Protective Services for how that access will be implemented, but it will likely involve direct on-line access to persons within DFPS who have received appropriate training and background screening.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The TCIC Audit Unit establishes a triennial schedule to audit all agencies (935) in the cycle that closed in October 2006. With the three-year schedule and our current staff, we have been able to visit 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. The auditors then travel to the agencies and interview the Terminal Agency Coordinator, 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. They compile their findings into a report, which is mailed 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 TCIC Training function is fulfilled through direct classroom instruction by Crime Records trainers, as well as through the associate trainers that we train through “train the trainer” classes. We have set a goal of 1,000 students trained per month, but that is not directly tied to any calculation of total persons needing to be trained, and is more a function of our staff’s capacity.

The TCIC Control Room is a physical location within the Crime Records Service with 24-hour staff that answers 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 where one law enforcement agency has a person in custody who appears to be the subject of a warrant entered into

TCIC by another agency. 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.

The CJIS Security Office is just getting started on its work, and the present emphasis is on reviewing the “Security Packets” that are being submitted by agencies wanting to convert to the upgraded Texas Law Enforcement Telecommunications System (TLETS). CRS is working in partnership with the DPS Information Management Service to ensure that each agency has met the CJIS security requirements before they move to the new TLETS. This will constitute the first cycle of security audits, which are a new requirement by the FBI, in addition to the TCIC / NCIC program compliance audits we already perform. Following the conversion of all TLETS agencies to the new system, the CJIS Security Office will perform field audits on the agencies in coordination with the current TCIC program field auditors.

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 06-01-05 and its primary source of funding is State Highway Fund 0006 in the amount of \$1,108,006. This program also had Appropriated Receipts of \$630,702.

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

TCIC is the only statewide repository of this critical information. All criminal justice agencies know that TCIC and NCIC provide this statewide and nationwide service. The service is “duplicated” at the local and regional level only in that certain counties or regions have created similar systems to serve a smaller area. These local and regional systems complement rather than duplicate the TCIC / NCIC 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.

Each TLETS agency signs a *TLETS User’s 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.

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.

Local agencies enter their data and access the file in compliance with DPS training and FBI policy.

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

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

This program spent \$867,322 in contracted expenses in 6 contracts. The major purposes of these contracts were for the payment of pass thru funds to Federal Government, vehicles and office supplies.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain.

None.

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

TCIC and NCIC form a critical part of the state and national infrastructure in support of law enforcement and criminal justice agencies in the performance of their duties. These systems directly serve officer safety and public safety every day.

N. 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.

None.

O. 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.

N/A

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

Name of Program or Function	Criminal History Access & Dissemination
Location/Division	Austin/Administration
Contact Name	Mike Lesko, Deputy Administrator
Actual Expenditures, FY 2006	\$1,539,575
Number of FTEs as of August 31, 2006	26

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

The Access and Dissemination Bureau (A&D) oversees the non-criminal justice access to the DPS Computerized Criminal History system (CCH) and facilitates access to the FBI's Interstate Identification Index (III) system for non-criminal justice purposes.

The major activities associated with this program include the oversight of the Fingerprint Applicant Services of Texas (FAST), Secure and Public Criminal History Websites, the Applicant Clearinghouse and the Non-criminal Justice Training and Audit 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 performance measures that best convey the effectiveness and efficiency of this function or program.

FAST – The Fingerprint Applicant Services of Texas is the livescan fingerprint network that serves as the front end for non-criminal justice fingerprint searches of the CCH and the III. DPS has contracted with the company L-1 Identity Systems to field and man livescans across the state for applicant use. The FAST locations capture the fingerprint images, photograph and demographic information about an applicant and subsequently transmit that information to the DPS to facilitate the criminal history check process. The A&D bureau works with applicant agencies to establish specific FAST processes that address the specific needs of that agency.

Secure and Public Criminal History Website – The DPS supports a website that has a mirror image of the data that is contained in the CCH system. While law enforcement access CCH via the Texas Law Enforcement Telecommunications System (TLETS), non-criminal justice agencies and the public utilize the DPS Criminal History Website to access the CCH data. A&D assigns access rights to the website based upon an entities legislatively authorized access rights and vetts the individual agency users to ensure they are qualified to access the site.

The Applicant Clearinghouse – Passage of SB 9, by the 80th Legislative Session, authorized the DPS to establish an applicant clearinghouse. The goal of the clearinghouse is to establish a low cost, fingerprint supported methodology of sharing applicant related criminal history information with authorized entities. Through a one time cost at the time of enrollment in the clearinghouse, an applicant can forego the costs associated with an additional fingerprint based background check when they move from job to job within the same industry, yet those agencies will be able to access the applicant’s criminal history information.

The Non-criminal Justice Training and Audit Program – The use of criminal justice data is governed by state and federal law. Traditionally, the DPS has provided training to criminal justice agencies and subsequently audited their use of criminal history data. Over time, more and more users have been authorized to access criminal history data for non-criminal justice purposes, but DPS did not have the resources to adequately train nor audit this expanding use of the CCH data. During the 80th Legislature, DPS was given additional personnel to address this void in non-criminal justice training and auditing. Through this program, DPS employees will train users on the use and care of criminal history data and will subsequently audit these agencies to assess their compliance with applicable rules and laws governing the use of criminal history information.

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.

None.

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 authorized non-criminal justice users of criminal history information authorized by statute as well as members of the general public who wish to access criminal history data that has been classified as “public”.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The program is administered as described above, under the following authority:

FAST – Chapter 80.001 of the Human Resource Code includes the requirement for law enforcement agencies to provide fingerprinting services. The law also sets the fee for that service.

Secure and Public Criminal History Website and the Non-criminal Justice Training and Audit Program – Non-criminal justice access to CCH is overseen by the Access and Dissemination Bureau under the authority of Ch. 411, Subchapter F, Texas Government Code and Title 28, Chapter 1, Part 20 of the Code Federal Regulations.

The Applicant Clearinghouse – The clearinghouse is established in Section 411.0845, Texas Government Code.

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 06-01-05 and its primary source of funding is State Highway Fund 0006 in the amount of \$1,105,538. This program also had Appropriated Receipts of \$434,037.

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

The FBI maintains the Integrated Automated Fingerprint Identification System (IAFIS) and the Interstate Identification Index (III), which serve as the Federal counterpart of the AFIS and CCH respectively. Both of the systems utilize fingerprint identification as a means to access to criminal history information. The major difference between the systems is that the FBI system 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.

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 FBI requires that all Texas records be identified and recorded in Texas prior to submission to the IAFIS and III. The FBI systems maintain a synchronization process with the Texas systems and the systems periodically reconcile any discrepancies. 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.

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 criminal history information checks are initiated with state agencies and other entities that have express authority under Chapter 411 of the Texas Government Code to access that information. The A&D bureau works individually with each agency to establish a procedure that will fulfill the criminal history needs of that agency. The DPS also works closely with the FBI's Access Integrity unit to insure that Texas users that access the FBI records are properly authorized to gain access to those federal records.

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

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

This program spent \$510,151 in contracted expenses in 8 contracts. The major purposes of these contracts were for the payment of FBI fingerprint services, building rent and office supplies.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain.

The statutory authority for FAST to collect applicant fees on behalf of the applicant agency would simplify billing issues for both DPS as well as the applicant agency. The fee collection can be done through the Texas e-pay system and would not result in an additional charge to the applicant nor the applicant agency.

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

N/A

- N. 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.

None.

O. 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.

N/A

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

Name of Program or Function	Uniform Crime Reporting
Location/Division	Austin/Administration
Contact Name	Randy Batten, Manager
Actual Expenditures, FY 2006	\$1,306,314
Number of FTEs as of August 31, 2006	27

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

The objective of this program is to provide an accurate statistical picture of crime in Texas. That objective is accomplished by gathering data on crimes known to police departments and sheriffs' offices across the state. That data is then processed and published in an annual report entitled *Crime in Texas*.

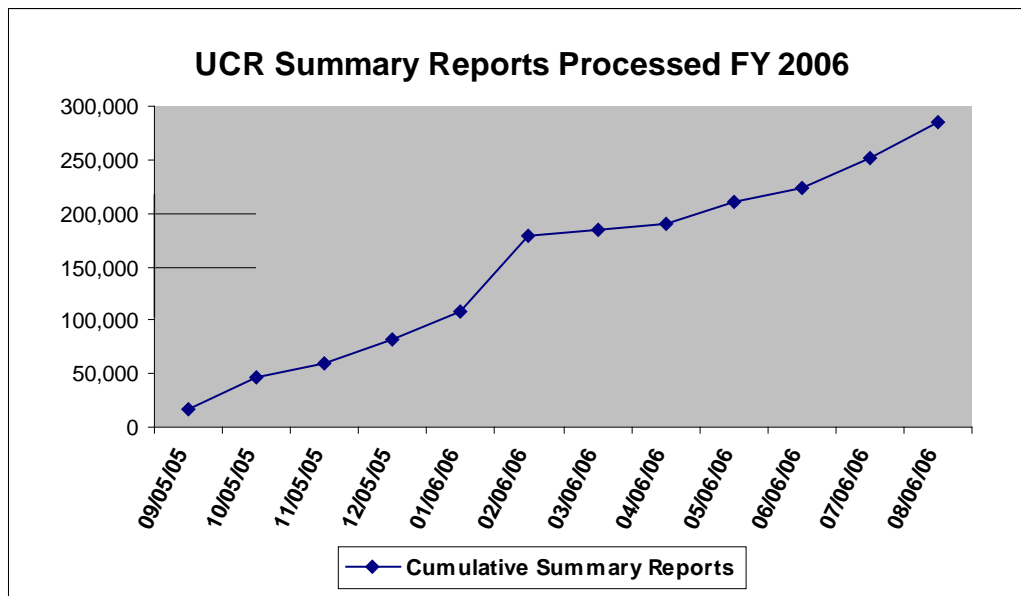
The FBI has been promoting a shift to a more detailed "incident based" reporting process rather than the traditional "summary based" submissions which just accumulate totals of offenses. Under the National Incident Based Reporting System (NIBRS), local agencies submit detailed information on each qualifying crime incident. Under the summary report, they simply indicate that a single offense has occurred. The move to NIBRS has been very slow nationally because of a perceived lack of

value by law enforcement executives. While a nationwide conversion would greatly enhance the statistical picture of crime, the belief among executives is that it would not necessarily provide law enforcement agencies with tactical or strategic information beyond that already generated from their own records management systems.

Major activities in UCR include field liaison support, data entry and quality control of the data received, education regarding program requirements for data reporting, responding to requests for statistics, publication of the data, and coordination with FBI on program implementation. The Texas NIBRS agencies are supported through these same activities.

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

The Texas UCR program began in 1976. Since that time, we have published an annual *Crime in Texas* book reflecting the statewide crime data. The same data is available semi-annually, but not formally published. The program is voluntary, and local agency participation is always very high, with reports from agencies whose jurisdictions represent more than 99% of the states population. The number of summary reports processed for FY 2006 is represented below:



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 UCR program began in 1929 with a resolution of the International Association of Chiefs of Police. It was quickly passed to the FBI in 1930 after Congress authorized them to collect the data. The data has been collected since that time as a summary of the number of “Part I” offenses reported to police: Murder, Rape, Robbery, Aggravated Assault, Theft, and Motor Vehicle Theft. Arson has

also been added. Over time the program began counting the number of arrests for Part I and Part II (an expanded list of crimes), as well as detailed data on murders, juvenile arrest data, the number of employees at law enforcement agencies, law enforcement officers killed, and more recently, hate crime and family violence. The addition of NIBRS as a means of collection of data in 1988 is significant because of its potential to revolutionize data collection, but even more remarkable for its failure to gain acceptance.

A more recent development may be very illustrative on this point. The FBI is currently under contract to create a law enforcement incident sharing system named the Law Enforcement National Data Exchange (N-DEx). That system will in fact collect the same incident data anticipated by NIBRS, but actually will collect all of the personally identifiable information and investigative data in addition to the statistically relevant data on those incidents. One stated condition from the major law enforcement associations for their endorsement of N-DEx is that it will not be used as a statistical system. They do not want the NIBRS data to be automatically derived from the N-DEx data.

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 UCR data is used by many individuals and entities. The Governor's Office uses it to allocate funds in different grant programs. Policy makers use it to establish priorities and measure results of programs. The media use it for publication and to describe cities, states, and regions of the country. Academics use it to study crime and criminals, to try to understand the causes and the effects of crime. The general public uses it to evaluate living conditions and quality of life in different areas. The FBI uses the Texas data to include in the national *Crime in the US* publication. The information is public at all levels and available to any requestor.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

Traditionally, the UCR program has provided paper reporting forms on a monthly schedule to remind the agencies of the need to report regularly. A major challenge is obtaining monthly reports, because the agencies know they can "catch up" at the end of the reporting period and that we will even help in some instances. Some agencies have automated the "summary" reporting to DPS from their Records Management Systems. They create printed reports that appear in the same format as our forms. That consistency aids our data entry process.

We are just finishing a major enhancement to the summary reporting system that will allow agencies to report on-line via a secure internet site. Those agencies who have automated the forms will be able to send the data to us electronically without having to print it out.

The UCR staff also answers many special requests for statistics that are usually answered from pre-

prepared reports. With the new system we will have much greater flexibility in answering these ad hoc requests with a more flexible report generator.

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 06-01-05 and its primary source of funding is State Highway Fund 0006 in the amount of \$1,194,934. This program also had Interagency Contracts of \$111,380.

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

This is the only statewide law enforcement crime statistics program. The FBI national Uniform Crime Reporting Program publishes the nationwide data from reports submitted by the states.

There is also a national crime statistics survey program administered by the Department of Justice called the National Crime Survey. The major differences are that the UCR program is a highly structured, standards-based statistics gathering process, whereas the National Crime Survey is a nationwide survey of citizens to find out if they have been victimized by crime. The advantages of the Crime Survey are that it takes into account the unreported crimes by speaking to persons who may have been victimized but not reported it to the police. The advantages of the UCR program is that it is a highly standardized reporting process that is comparable from year to year.

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.

Since the two activities described in Question H are administered in different manners with distinguishable goals, there is not a conflict between them. There is a need to be clear in presentation of the different sets of results as to how they are developed and what they represent. The introduction to the Crime in Texas is clear in that regard.

Since the program is totally voluntary, there are no memoranda of understanding between DPS and the local agencies that relate to the UCR 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 program is totally dependent upon the voluntary cooperation of the local law enforcement agencies. The relationship is one of cooperation and coordination between the reporting agencies and DPS.

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

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

This program spent \$1,830 in contracted expenses in 4 contracts. The major purposes of these contracts were for the payment of office supplies and postage.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain.

None.

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

None.

N. 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.

None.

O. 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.

N/A

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

Name of Program or Function	Criminal History Record Information
Location/Division	Austin/Administration
Contact Name	Angie Klein, Manager
Actual Expenditures, FY 2006	\$15,331,222
Number of FTEs as of August 31, 2006	131.5

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

The Criminal History Information Processing Bureau manages the operations of the statewide repository of Texas criminal history data and the statewide automated fingerprint identification system. Both systems are comprised entirely of data reported to the 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 more than 5 million non-criminal justice licensing and employment screening inquiries per year. A number of these fingerprint based criminal history checks are retained in the fingerprint system to allow for subsequent arrest notification or “rap back” service to the entities conducting the search.

The major activities associated with this program include the oversight of the Computerized Criminal History (CCH) system, the Automated Fingerprint Identification System (AFIS) and the Electronic Arrest and Electronic Disposition Reporting (EAR / EDR) services.

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

CCH – The CCH compiles the Criminal Histories for all individuals arrested in the State of Texas for Class “B” misdemeanors and above. Currently, the CCH contains records for some eight million individuals. These records are used by criminal justice 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. For FY 2006, CCH was able to provide 5,040,000 name based non-criminal justice checks, 8,474,100 name based criminal justice checks, 286,849 non-criminal justice fingerprint checks and 836,133 criminal justice arrest fingerprint checks. Due to recent legislation (SB9), the number of non-criminal justice fingerprint checks will increase by approximately 350,000 per year.

AFIS – The AFIS allows DPS to process over 1 million fingerprint based identifications per year, which could not be accomplished with current staffing. Additionally, the AFIS provides the functionality of being able to assist with the identification of “latent” fingerprints left behind at the scene of a crime. To date, AFIS has been able to assist Texas law enforcement with the identification of 41,709 latent fingerprints – solving crimes that would have gone unresolved without this important tool.

EAR / EDR – Through the implementation of EAR and EDR, the Department has been able to foster the electronic submission on nearly 80% of the criminal history information reported to DPS as required by Chapter 60, CCP. EAR and EDR enable the automated update of CCH which increases the accuracy and timeliness of the updates, without having to devote additional staff for the manual data entry of CCH information.

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 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.

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 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.

There are special qualifications associated with the ability to utilize the latent features associated with the AFIS. AFIS latent users must be qualified latent examiners and have to receive specific training on the use of the latent equipment.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

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 representatives to assist local users concerning the submission, updating and dissemination procedures associated with the criminal history information maintained by the Department.

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 06-01-05 and its primary source of funding is Appropriated Receipts in the amount of \$11,135,763. This program also had Federal Funding of \$3,991,034 and State Highway Fund 0006 of \$204,425.

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

The FBI maintains the Integrated Automated Fingerprint Identification System (IAFIS) and the Interstate Identification Index (III), which serve as the Federal counterpart of the AFIS and CCH respectively. Both of the systems utilize fingerprint identification as a means to access and update criminal history information. The major difference between the systems is that the FBI system 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.

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 FBI requires that all Texas records be identified and recorded in Texas prior to submission to the IAFIS and III. The FBI systems maintain a synchronization process with the Texas systems and the systems periodically reconcile any discrepancies. 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.

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 criminal history information is initiated by fingerprints submitted by the local level (police and sheriff office). Subsequent disposition information is generated and forwarded to the DPS by local prosecutors as well as the courts. The DPS forwards the data submitted by the locals to the FBI for inclusion in III.

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

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

This program spent \$8,106,812 in contracted expenses in 17 contracts. The major purposes of these contracts were for the payment of criminal history services, AFIS, computer programming, office supplies and postage.

Criminal History Record Information Processing:

- a. Deliverables based contract for Computerized Criminal History Program enhancements \$423,100. Deliverable approval based upon complete operating capability and project sign off plan from project manager, budget manager, and business case managers.
- b. Maintenance and support contract for AFIS Ten-print and Latent print System \$898,896. Vendor performance determined upon total functionality of website must be maintained 24 x 7.
- c. Maintenance and support contract for Document Image Archive System \$581,611. Vendor performance determined upon total functionality of website must be maintained 24 x 7.

These are three contracts procured following all DPS procurement procedures. We are not currently experiencing any contracting problems.

L. What statutory changes could be made to assist this program in performing its functions? Explain.

None.

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

N/A

N. 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.

None.

O. 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.

N/A

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

Name of Program or Function	Sex Offender Registration
Location/Division	Austin/Administration
Contact Name	Randy Batten, Manager
Actual Expenditures, FY 2006	\$1,149,131
Number of FTEs as of August 31, 2006	16

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

The objective of the Texas Sex Offender Registration Program (SOR) is to track registered sex offenders through a statewide information system and provide all requestors accurate, timely and valid information regarding registrants in Texas. The major activities are to receive sex offender registrations and verifications from the local law enforcement agencies with the responsibility to register and verify sex offenders in Texas and to compile that data into a statewide repository. All data in the repository is available to the criminal justice community, and a subset of the data is available to the public via a free website. Through field staff, we train local agencies on reporting requirements and procedures. We also respond to many sex offender registration policy questions from local law enforcement agencies, state and national criminal justice agencies, offenders, policy makers, the media, and the public.

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

The high public interest in sex offender registration results in a large volume of inquiries into the public website, and we are servicing those requests with almost no unscheduled downtime. A larger challenge is the timeliness of the updates by local agencies to the website. Various news reports have focused on the fact that the statewide website is not always up to date with the status in the local records. The 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).

A key service we have provided to enhance that timeliness is the secure sex offender website. Through that 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:

Average number of verifications via the web for the past 12 months:	6,573
Average number of registrations via the web for the past 12 months:	536
Total number of update transactions processed via the web (Address, Occupation, Photo, Relative) for past 12 months:	433,286

These are all transactions that would previously have required DPS data entry resources.

In FY 2006 the average number of Sex Offender records viewed by the public monthly was approximately 875,000, with a peak of 1.2 million.

We are undergoing a major enhancement to the sex offender registration database and website that will incorporate upgrades requested by the users and will lay the foundation for Texas' compliance with the Adam Walsh Child Protection Act of 2006.

In addition, the recent legislative session approved three additional field service representatives in addition to the three that already perform field liaison on sex offender registration issues.

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 general, the program has evolved in a piecemeal fashion over time as the Texas Legislature has added and modified statutory provisions. The applicability of the incremental requirements proved especially confusing. The recent legislative session tried to address that complexity in SB 1740 which would have brought Texas into substantial compliance with the Adam Walsh Child Protection and Safety Act of 2006 and at the same time would have simplified the overall statute. That bill failed, but Senator Shapiro has indicated she will pursue similar language in the next 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.

The Texas Sex Offender Registration Program affects the victims, the offenders, the registration agencies, the criminal justice system, and the general public, among others. The public makes almost one 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. The registration agencies are seriously

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.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The Crime Records Service is charged with the management of the statewide registration database; we are not involved in the enforcement of non-compliance or the investigation of missing offenders. The SOR 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 updates. Normally, the offender is initially registered by the Texas Department of Criminal Justice or Texas Youth Commission upon released from incarceration or the local probation officer upon being placed on community supervision. That registration must include a fingerprint submission to Crime Records to establish positive identification within the Computerized Criminal History (CCH). The CCH and SOR systems are interfaced so that the fingerprint card establishes the base identification record in the SOR file. Normally, the registration information is then manually entered into SOR by the SOR staff. From that point, verifications of registration and status changes or updates to the file can be accomplished by submission of a form to the SOR Unit for manual entry, or the information can be entered directly into the file through the secure website.

The staff of three (six after 9/1/2007) SOR field service representatives assist local agencies with understanding the SOR requirements and with expediting their reporting and updating information. Data quality is a priority, and the SOR staff spend significant resources to communicate with registering agencies regarding the accuracy of data submissions.

We are charged with making determinations regarding whether offenses from other states are “substantially similar” to Texas offenses, which invokes the requirement to register and the associated length of duty to register. These determinations are made by the Crime Records Legal staff after significant evaluation of the elements of the out of state offense as compared to elements of Texas sex offenses.

We also have to send a mail notification to each address within a one mile radius when a sexual predator or high risk offender moves into a rural area or within three city blocks if a sexual predator or high risk offender moves into or within an urban (subdivided) area. This function is accomplished through a contract with a private vendor. We provide the vendor with the new addresses of sexual predators or high risk offenders and they produce and mail post card notifications that include all public registration data and picture of the offender.

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 06-01-05 and its primary source of funding is State Highway Fund 0006 in the amount of \$1,093,253. This program also had Appropriated Receipts of \$55,878.

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

Numerous local agencies have agency-level sex offender registries that also publish data on the internet for public access and track offenders locally. These systems are not duplicative, but are rather the local presentation of the data they send to the DPS for statewide aggregation.

The FBI has a central sex offender file 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'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 has created a National Sex Offender Public Registry (NSOPR) that is a public website with the public sex offender records from each state. 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.

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 coordination with local agencies is through the field service representatives, Sex Offender Registration Conferences, correspondence and phone calls. There is no conflict with the local agencies regarding the DPS system or website because it is statutorily designated as the state file and the agencies provide the updates. There are no MOUs for the agencies to submit data to the DPS because they are statutorily mandated to do so.

The coordination with FBI and the Department of Justice (DOJ) for the national files is through normal channels for those agencies, 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 a replication of the data. We have a users agreement with 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 NSOPR file updated with Texas data.

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 Sex Offender Registry is comprised of data from local agencies and the data is forwarded to the FBI. The information is also provided to DOJ for inclusion in NSOPR.

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

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

This program spent \$4,288 in contracted expenses in 4 contracts. The major purposes of these contracts were for the payment of office supplies and postage.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain.

As discussed above, the statutory changes needed are those that would bring the Texas Sex Offender Registration Program into compliance with the Adam Walsh Child Protection and Safety Act of 2006. Senator Shapiro has indicated she will file that bill again next session.

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

None.

N. 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.

None.

O. 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.

N/A

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

Name of Program or Function	Training
Location/Division	Austin/Administration
Contact Name	Albert Rodriguez, Commander
Actual Expenditures, FY 2006	\$4,771,290
Number of FTEs as of August 31, 2006	53

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

The Training Bureau staff provides an array of training courses to the Department's commissioned and non-commissioned employees, in addition to officers from other law enforcement agencies at local, state and federal levels of government. The bureau also coordinates motorcycle and bicycle safety training to the public.

LAW ENFORCEMENT OFFICER TRAINING - The Training Academy staff conducts basic recruit schools and in-service schools for DPS personnel and specialized schools for law enforcement officers in Texas. The recruit school encompasses 27 weeks and provides 1,250 hours of training. In addition to meeting the basic police course requirements set by the Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE), the recruit school provides training to enable the recruits to qualify for the intermediate certification.

The In-Service training program is designed to renew certification of the Department's law enforcement officers, to keep the officers up to date with new information, tactics, and techniques, and to meet the state requirement for all Texas peace officers to complete at least 40 hours of in-service training every two years.

The Training staff also provides a specialized, comprehensive training program for state, county, and municipal law enforcement officers. These schools cover all aspects of law enforcement, ranging from fingerprinting to firearms training. These courses are conducted through the Texas Police Association.

EMPLOYEE TRAINING – The Department provides job-related and employee enhancement training to our non-commissioned staff through the Administrative Training Unit. This Unit was created to provide personal, professional, technical, and managerial training for DPS employees. DPS employees and trainers from other state agencies with specialized knowledge, skills, and abilities assist in teaching 60 different classes ranging from first aid training to supervisory and management skills courses.

THE BICYCLE SAFETY EDUCATION PROGRAM – This program uses certified safety instructors throughout the state to provide bicycle safety training for children under age 10. The program provides for the distribution of informational brochures and videos to public schools, Boy Scouts, parent-teacher organizations, law enforcement agencies, and military police.

SCHOOL BUS TRANSPORTATION UNIT - This unit is responsible for coordinating the statewide public school bus transportation program in consultation with local education agency officials, state legislators, private vendors and the general public. The staff also assists with the development and evaluation of driver safety course materials, oversees the certification of all school bus drivers in the state, and works with local education agency officials, private vendors, and manufacturers in establishing statewide school bus specifications.

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

FY 2006:

- Number of Student Training Contact Hours – 397,089

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 78th Texas Legislature moved Texas School Bus Specifications from the Texas Building & Procurement Commission to the Department's School Bus Transportation Unit. The School Bus Transportation Unit organized a committee of school district representatives from across the state and manufacturer representatives to review and suggest modifications to the school bus specifications. The 2004 Texas School Bus Specifications was completed and posted to the school transportation section of the Department's website.

The Training Academy's Firearms Facility in Florence opened on June 1, 2003. This state of the art firearm training facility is used on a daily basis to train DPS commissioned officers as well as other federal, state, and local law enforcement officers. The Department also utilizes the site to certify concealed handgun instructors from throughout the state.

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

- All DPS commissioned officers; other state, local and federal law enforcement officers
- Concealed handgun instructors.
- DPS non-commissioned personnel.
- Other state and local non-commissioned personnel.
- Public schools and students
- School districts, drivers, manufacturers.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

Training Academy is operated under the direction of a commander. The captain over the training program has three lieutenants responsible for Recruit School, TPA Specialized Schools and In-Service Schools, and Firearms Training. Bicycle staff works with local schools and clubs to provide training material; records training activities.

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 06-01-07 and Strategy 06-01-08. Its primary source of funding is State Highway Fund 0006 in the amount of \$4,233,969. This program also had Appropriated Receipts of \$537,321.

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

Parks & Wildlife Department has training academy; major cities and sheriff departments have law enforcement training academies; there are some colleges that offer criminal justice curriculums that lead to peace officer certification.

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 (MOU's), interagency agreements, or interagency contracts.

The Training Academy primarily serves DPS employees. Training courses are also offered to local law enforcement 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.

None.

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

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

This program spent \$50,280 in contracted expenses in 6 contracts. The major purposes of these contracts were for the payment for State Office of Risk Management, enterprise agreement, office supplies and postage.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain.

None.

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

None.

N. 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.

None.

O. 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.

N/A

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

Name of Program or Function	Motorcycle Operator Training
Location/Division	Austin/Administration
Contact Name	Clifton R. Burdette, Program Supervisor
Actual Expenditures, FY 2006	\$963,551
Number of FTEs as of August 31, 2006	6

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

The Motorcycle Safety Unit is assigned to the Texas Department of Public Safety Training Bureau. The unit's primary responsibilities are administering the Texas Motorcycle Operator Training and Safety Program and the ATV Education and Certification Program. Additional related programs are the Helmet Exemption Sticker Program, the Moped Certification program and the RiderCoach Training and Approval program.

- The Motorcycle & ATV Safety Training Unit staff provides training through private and public entities under contract with or licensed by the Department. Training courses offered consist of the following Motorcycle Safety Foundation approved courses as adopted by the Department:
 - The MSF Basic RiderCourse - basic motorcycle operator training course;
 - The Experienced RiderCourse Skills Plus (ERC) element of the MSF Experienced RiderCourse Suites - advanced motorcycle operator training course; and
 - The MSF RiderCourse Preparation Course - RiderCoach (instructor) preparation course.

- The Unit also licenses specialized training course providers who offer training courses requested by the public that the Motorcycle Safety Unit is unable to provide. Licenses are available for courses designed to teach knowledge and skills which are not addressed, or only lightly addressed, in standard motorcycle operator training courses but are considered by the Department to be beneficial to public safety. These courses may include, but are not limited to, teaching the operation of trikes (i.e. three wheeled motorcycles), sidecar rigs, towing trailers behind motorcycles or sidecar rigs, and higher speed street skills taught on racetracks or courses specific to a particular motorcycle brand, manufacturer, distributor, or dealership.

The purpose of the All-Terrain Vehicle (ATV) Operator Education and Certification Program is

to:

- provide basic training and safety skills relating to the operation of all-terrain vehicles to the public; and,
- issue safety certificates to operators who successfully complete the educational program requirements or pass a test established under the program.

The Department accomplishes the training under this program through a letter of agreement with the All-Terrain Vehicle Safety Institute (ASI). The ASI trains their instructors, schedule the courses, conduct the courses, collect student data, and pay the instructors. In addition, the ASI electronically transmits the student data to the Motorcycle Training Unit. The role of the unit in this program is to:

- evaluate the ASI instructors and approve those meeting the criteria necessary for teaching in Texas; and,
- provide ATV Safety Course completion certificates to students identified by the ASI as having successfully completing the ATV RiderCourse.

The Motorcycle & ATV Safety Training Unit is additionally responsible for:

- The Helmet Exemption Program in which our employees process helmet exemption sticker applications (nearly 5,500 applications in 2006) for applicants wishing to ride a motorcycle without a helmet.
- The Moped Certification program. Our employees review affidavits from moped manufacturers and/or US distributors and determine which vehicles meet qualifications for placement on the approved Moped Certification List.

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

FY 2006:

- **Number of Motorcycle and All-Terrain Students Trained** – 31,123
- **Number of Motorcycle and ATV Items Produced** – 346,000
- **Number of Motorcycle & ATV Public Information and Education Materials Distributed** – 317,110

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 Motorcycle Operator Safety Training Program was created in 1983 in response to statistics showing that motorcycles were over represented in crashes, injuries, and fatalities. The current program consists of contracted and licensed providers of motorcycle training courses.

From 1983 to 2000, the Motorcycle & ATV Safety Training Unit was the Motorcycle Safety Bureau under Staff Support Service. In 2000, the Motorcycle Safety Bureau was moved under the Training Bureau.

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.

Programs administered by the Motorcycle & ATV Safety Training Unit are for Texas citizens desiring Motorcycle and ATV Safety training.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The Motorcycle & ATV Safety Training Unit is operated under the direction of a Program Supervisor III. The unit's employees include:

- Two Training Specialist III Training Officers that are responsible for coordinating activities, reviewing progress, and evaluating performance of and assisting training sites in all aspects of the motorcycle operator training program.
- Two Mobile Unit Training Officers that are responsible for conducting motorcycle safety training in rural parts of Texas.
- One Administrative Assistant that manages the day to day operation of the Helmet Exemption Sticker Program and the ATV Operator Certification and Education Program.
- One Clerk responds to internal and external customer inquiries, database maintenance, and preparing material supply requests from course sponsors and the general public for shipment, inventory control of the vast quantities of training and promotional materials.

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 02-01-05 and its primary source of funding is State Highway Fund 0006 in the amount of \$949,460. This program also had Appropriated Receipts of \$14,091.

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

The Motorcycle & ATV Safety Training Unit is the only entity responsible for Motorcycle and ATV Safety Training and associated programs.

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.

None.

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.

None.

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

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

This program spent \$200,771 in contracted expenses in approximately 6 contracts. The major purposes of these contracts were for the purchase of training motorcycles and office supplies.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain.

None.

M. Provide any additional information needed to gain a preliminary understanding of the program

or function.

None.

N. 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.**

- **Why the regulation is needed?** Laws require that motorcycle safety training be made available for all Texas citizens. Administrative rule allows the unit to contract or license training providers.
- **The scope of, and procedures for, inspections or audits of regulated entities.** The unit contracts for at least one Quality Assurance Visit to be conducted at each training provider.
- **Follow-up activities conducted when non-compliance is identified.** Follow-up visits are made to ensure corrective actions are in place.
- **Sanctions available to the agency to ensure compliance.** Administrative rules allow for suspending or disapproving a contractor for violation of contractual requirements.
- **Procedures for handling consumer/public complaints against regulated entities.** When complaints are received, the unit requires that the training entity review and provide corrective actions to resolve the complaint. If corrective actions are repeated, the unit is allowed by Administrative Rule to suspend or disapprove a contractor.

O. 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.

**Texas Department of Public Safety
 Motorcycle Operator Training & Safety Program
 Exhibit 12: Information on Complaints Against Regulated Persons or Entities**

Fiscal Years 2005 and 2006		
	FY 2005	FY 2006
Total number of Rider Coaches	425	450
Total number of Sponsors	70	75
Total number of Sponsors Inspected	10	30
Total number of complaints received from the public	5	7
Total number of complaints initiated by agency	4	5
Number of complaints pending from prior years	0	0
Number of complaints found to be non-jurisdictional	0	0
Number of jurisdictional complaints found to be without merit	6	7
Number of complaints resolved	9	12
Average number of days for complaint resolution	21	21
Complaints resulting in disciplinary action:	0	0
administrative penalty	0	0
Reprimand	4	5
Probation	0	0
Suspension	0	0
Revocation	0	0
Other	0	0

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

--	--

Name of Program or Function	Human Resources
Location/Division	Austin/Administration
Contact Name	Paula Kay Logan, HR Director
Actual Expenditures, FY 2006	\$1,585,184
Number of FTEs as of August 31, 2006	43

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

HUMAN RESOURCES – The Human Resources Bureau is responsible for training and advising Department management staff and employees regarding human resources policies and procedures. The staff ensures compliance with the Family Medical Leave Act (FMLA), Fair Labor Standards Act (FLSA), Americans with Disabilities Act (ADA), State Workers’ Compensation Act, and the State Classification Act. Staff also administers the Department’s Sick Leave Pool and other extraordinary leave programs, the Mandatory Drug Testing Program, the Bilingual Testing Program, and handles the printing and forwarding of Employee Service Certificates and Retirement Plaques. The bureau is the custodian of Department personnel records.

HEALTH AND SAFETY - The Health and Safety Section is responsible for assisting those individuals who are injured in the course and scope of their employment at DPS, acting as the coordinator between the injured employee and the State Office of Risk Management (SORM). The Risk Manager conducts safety inspections to identify ways to reduce injuries, conducts training classes and performs ergonomic assessments to help employees prevent injuries.

RECRUITING – The Recruiting Office provides an active, ongoing recruiting effort to attract and develop qualified applicants to the Department for commissioned and non-commissioned positions. This office coordinates a structured field recruiting program that includes tracking methods and follow-up individual evaluations. The Recruiting Office also oversees the law enforcement hiring process and coordinates the law enforcement physical readiness program.

LAW ENFORCEMENT PROMOTIONAL SYSTEM - The Law Enforcement Promotional System oversees the promotional process for commissioned officers and the civilian supervisory positions in the Motor Vehicle Inspection and Communications Services. This office is responsible for preparing announcements for promotional examinations, writing promotional examinations, administering and securing promotional tests, and maintaining records of the testing procedures.

EMPLOYMENT AND COMPENSATION – The Employment and Compensation Section oversees the non-commissioned application and hiring process. The section is responsible for the compensation

and job classification function for the agency. The section is also responsible for non-commissioned applicant testing and orientation at Headquarters, the writing of all job descriptions and the posting of all agency job announcements.

PERSONNEL RECORDS - The Personnel Records Section is responsible for maintaining personnel files on all agency employees and for processing all personnel actions, including transfers, promotions, hiring, terminations, name changes, etc.

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

In FY 2006, the bureau was the custodian for personnel records of 7,795 current employees and 3,608 former employees; tested 423 applicants to staff two recruit schools, ultimately calling 268 of those applicants to the schools; administered 1,187 separate promotional examinations for the positions of sergeant, lieutenant and captain in all divisions; processed a total of 419 workers compensation claims resulting in lost time from work or medical expenses and completed 23 work station ergonomic assessments to help employees prevent wrist, shoulder, hand, arm and back pain; completed job analyses and evaluations on 186 new and pre-existing positions throughout the agency and wrote or revised approximately 620 job descriptions; processed and posted 986 headquarters and field job announcements and transfers; processed 16,378 applications; 12,863 applicant exams and 685 new hires; and responded to 62 salary surveys from federal, state and local entities.

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.

None.

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

All DPS employees and applicants.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The Human Resources function at the Department is decentralized due to the agency's structure.

Field employees make up approximately 75% of the Department's employees. These employees are stationed in all 254 counties and, in most cases, in multiple cities within each county. As a result, many Human Resources functions are given to first line supervisors such as work related to leave

requests, performance evaluation and job applicant screening, testing, interviewing and background investigation and/or criminal history checks. Salary or personnel actions such as demotions, promotions and transfers are generally initiated at the regional level, approved at the Division level and then processed by the Human Resources Bureau. The Human Resources Bureau is responsible for keeping HR policies and procedures up to date, ensuring compliance with employment laws, training and answering questions related to HR policies and procedures, reviewing HR practices for compliance with rules. The Human Resources Bureau also coordinates field related HR activities and acts as the custodian of Human Resources records.

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 06-01-01 and its sole source of funding is State Highway Fund 0006 in the amount of \$1,585,184.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. 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.

None.

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.

None.

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

- the amount of those expenditures in fiscal year 2006;

- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

This program spent \$16,480 in contracted expenses in approximately 5 contracts. The major purposes of these contracts were for the payment of office supplies and postage.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain.

None.

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

None.

N. 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.

None.

O. 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.

N/A

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

--	--

Name of Program or Function	Psychological Services
Location/Division	Statewide/Administration
Contact Name	Frances Douglas, Manager
Actual Expenditures, FY 2006	\$584,933
Number of FTEs as of August 31, 2006	10

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

The Psychological Services Bureau provides services to DPS employees and their families and to victims of crime. The mission of the Psychological Services Bureau is to minimize the effects of job-related or personal stress and enhance the functioning of employees of the Department of Public Safety and to improve the lives of crime victims and communities affected by crime.

The DPS Staff Psychologist is the manager of the Psychological Services Bureau and has specialized training and experience with the mental health issues of law enforcement employees and their families. Within this context, the Staff Psychologist provides confidential, short-term psychological interventions including individual, marital, and family therapy; alcohol assessment, treatment and referral; child and family consultations; and training, assessment, treatment and educational interventions for stress and trauma with individuals and groups. These services are available free of charge to DPS employees and their families. Services are also available to other law enforcement agency employees lacking access to such services within their own agency, as resources allow.

The Staff Psychologist provides clinical and/or administrative supervision to three volunteer programs that service DPS employees, their families, and other first responder agencies - the Employee Assistance Program, the Critical Incident Response Team and the Chaplain Program. The Employee Assistance Program provides referral information and support to employees experiencing a range of personal and work related stress or life-problems. There are 24 employee volunteers in the Employee Assistance Program. The Critical Incident Response Team provides support and interventions to employees experiencing personal and work related traumatic stress. The Critical Incident Response Team is comprised of 180 volunteer DPS employees, two Game Wardens, and five spouses of DPS employees. The Chaplain Program provides support and spiritual coping assistance to DPS employees, their families, victims of crime, and other first responders. There are 46 chaplains in the DPS Chaplain program.

The Victim Services Director, Victim Services Counselors, volunteers, and DPS chaplains directly support DPS law enforcement and other law enforcement emergency personnel across the state in

providing assistance to victims and survivors to recover from the trauma of crime victimization, as required by Chapter 56 of the Texas Code of Criminal Procedures. Services provided include crisis counseling and follow-up; shelter referrals; general information and referral; justice support and legal advocacy; referral to emergency financial assistance; assistance in filing compensation claims; personal advocacy; and notification of victims' rights. The Victim Services staff also provides training to DPS employees on victim issues.

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

FY 2006:

- The Staff Psychologist provided 226 individual psychotherapy sessions to employee staff and family; psychological screenings for applicants to the SWAT Team; and training to Trooper Trainees, Criminal Law Enforcement Basic Investigators, Motor Vehicle Theft In-Service, new DPS supervisors, and the Basic Polygraph School.
- The Employee Assistance Specialists provided referral assistance to 32 employees and family members.
- The Critical Incident Response Team provided assistance for 88 critical incident events.
- Responded to 3 DPS line of duty deaths, providing support services to family, co-workers, and other first responders affected by these deaths.
- The Victim Services Director and regional Victim Services Counselors assisted 3,748 crime victims and provided follow up assistance to 1,565 victims. The DPS Chaplains contributed 1,602.5 hours to assist crime victims. Approximately 150 victims returned satisfaction surveys to Victim Services indicating satisfaction with Victim Services which included the following areas: assistance with crime victims' rights, crime victims' compensation, and locating social services resources. They also reported that the DPS Victim Services counselors were responsive to their questions and sensitive to their needs.

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 Employee Assistance Program began in response to the Federal Drug Free Workplace Act. The program was initially staffed by Safety Education Troopers from the Traffic Law Enforcement Division under supervision of the Chief, Staff Support Services. Victim Services was established in 1997 with the hiring of a Victim Services Director. The position of Staff Psychologist was first filled in 1998.

The Psychological Services Bureau was established in 1999 by combining Victim Services with Psychological Services and moving supervision of the Employee Assistance Program to the Staff Psychologist. When the bureau was established, a major goal was to develop a Critical Incident

Response Team to assist DPS employees and their families with critical incident stress. This program was also placed under the supervision of the Staff Psychologist.

The DPS Chaplain Program, comprised of volunteer chaplains, began as part of the Critical Incident Response Team to provide assistance to DPS employees and their families following traumatic events. However, many chaplains were experienced in providing services to victims and began assisting victims as well as employees. The Victim Services staff also provided additional training in victim services to the chaplains.

In January 2002, DPS hired Victim Services Counselors for our regional offices in Garland, Corpus Christi, and Lubbock through funding from a VOCA grant. In June 2002, DPS hired Victim Services Counselors for our regional offices in Houston, Waco, and Midland through funding from a VADG grant. In September 2004, DPS hired a Victim Services Counselor for our McAllen regional office to cover those counties along the Texas/Mexico border. With these additional staff positions, the program has been able to significantly increase the number of victims served as well as improving the quality of those services.

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

The bureau services are available to all DPS employees and their families. The Critical Incident Response Team services are also available to other law enforcement and first responder agencies without their own resources. The Staff Psychologist will provide critical incident stress interventions to other law enforcement agencies lacking these resources. Officer involved shootings and line of duty death interventions are typical incidents in which the agency might assist. Victim Services provides services to any victim of crime in Texas. DPS Victim Services will provide services to victims served by other law enforcement lacking those resources upon request.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The DPS Staff Psychologist is the bureau manager of the Psychological Services Bureau. The Staff Psychologist supervises the Victim Services Director and the Administrative Technician providing administrative support to the bureau. In addition to providing psychological intervention to DPS employees and family members, the Staff Psychologist also oversees the EAP, CIRT, and Chaplain programs. The Victim Services Director supervises the eight Victim Services counselors who office in each of the Regional Headquarters. Requests for services for the EAP, CIRT, Chaplain, and victim services programs are handled through the field communication dispatchers with follow-up notification to the Psychological Services Bureau.

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 06-01-01 and its sources of funding are State Highway Fund 0006 in the amount of \$174,997, Criminal Justice Grants of \$135,364 and Federal Fund of \$274,572.

Funding for Psychological Services Bureau staff, with the exception of the grant funded victim services positions, comes from the general appropriation for DPS. The activity of those DPS employees who volunteer for the Critical Incident Response Team and the Employee Assistance Program comes from their respective Division budgets. There is no funding for the activity of spouse volunteers on the Critical Incident Response Team or for the activity of the Chaplains.

Victim Services is funded through two grants. The Victims of Crime Act grant, which is funded through the Criminal Justice Division of the Governor's Office funds four Victim Services Counselor positions. The Other Victim Assistance Grant through the Attorney General's Office funds three Victim Services Counselor positions.

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

The Department of Health operates a program that provides critical incident stress interventions to first responders throughout the state of Texas. However, there are no programs providing critical incident response intervention specific to the Department of Public Safety other than the services provided through the Psychological Services Bureau. Some of the members of the DPS Critical Incident Response Team belong to local teams that provide services to first responders at the request of the Department of Health. The Health Department requested assistance from the DPS Team during Hurricane Katrina. There is no formal or written agreement between the agencies.

There is no other program that provides chaplain services specific to DPS other than the program operated by the Psychological Services Bureau. The International Conference of Police Chaplains (ICPC) will provide services to law enforcement agencies similar to those provided by the DPS Chaplain Program. Most of the DPS Chaplains are also members of the ICPC.

DPS Victim Services both collaborates with and has working cooperative agreements with many state, county, and local agencies in order to better serve crime victims throughout the state of Texas. DPS Victim Services also works with many of the victim services related task forces in 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 (MOU's), interagency agreements, or interagency contracts.

Bureau personnel work in cooperation and collaboration with other critical incident response teams, law enforcement chaplains and victim services.

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.

None.

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

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

This program spent \$5,884 in contracted expenses in approximately 7 contracts. The major purposes of these contracts were for the payment of enterprise agreement and office supplies.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain.

None.

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

None.

N. 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.

None.

O. 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.

N/A

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

Name of Program or Function	Fleet Operations
Location/Division	Austin/Administration
Contact Name	Jerry Newbury, Manager
Actual Expenditures, FY 2006	\$2,574,666
Number of FTEs as of August 31, 2006	73

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

under this program.

Fleet Operations, comprised of the Fleet Office, Automotive Shop, Communications Shop, and Parts Unit, is responsible for the acquisition, installation, maintenance, and disposal of vehicles, two-way communications and emergency equipment.

Automotive: The bureau manages a fleet of approximately 3492 vehicles consisting of black & white patrol units, unmarked law enforcement and supervisory units, and administrative vehicles. Fleet Operations is responsible for purchasing new vehicles, installing the required emergency equipment, issuing the vehicles to the field, providing maintenance and repair and disposing of the surplus vehicles. The bureau maintains a full service Automotive Shop on the headquarters complex that is capable of performing any major mechanical or body repair. The bureau also provides statewide wrecker service. A satellite shop was opened in 2003 at the Houston Regional Office. The bureau also works with the Office of Vehicle Fleet Management (OVFM) within the Texas Building & Procurement Commission to report mileage, vehicle usage, and other data as required by statute.

Communications: The bureau is also responsible for engineering, procuring, issuing, installing, maintaining, and disposing of all the fixed and mobile two-way radio communications equipment that makes up the Department's communication system. This system provides vital internal communications for the law enforcement operations of the agency as well as a vital link to most other local, state, and federal public safety entities. The Department operates approximately 153 radio tower sites, 256 base stations and repeaters, 3700 mobile radios and 4700 portable radios. The Communication Shop also coordinates the FAA and FCC licensing for all frequencies and locations used by the Department.

Parts Unit: This unit supports headquarters and field technicians and other agency personnel by maintaining a revolving inventory of automotive and communications parts and supplies with an approximate value of \$1,035,513. They are also responsible for maintaining the fuel supply for the headquarters complex.

Fleet Office: The Fleet Office is responsible for vehicle titling & registration, issuing license plates, processing and maintaining monthly car books, documentation of employee related information, time and leave recording, and other related office activities.

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

In FY 2006, Fleet Operations purchased and issued 855 new vehicles at a cost of \$18,278,455. Fleet Operations also purchased approximately \$3,554,788 worth of communications equipment.

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.

None.

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.

DPS law enforcement personnel and fleet drivers.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The Fleet Operations Manager reports to the Chief, Staff Support Services. The Automotive Shop at the Houston Regional Office also falls under the responsibility of the Fleet Manager. There are also 10 Communication Electronic Technicians assigned to the Communications Shop but stationed strategically throughout the state in our field offices.

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 06-01-09 and its primary source of funding is State Highway Fund 0006 in the amount of \$2,423,038. This program also had Appropriated Receipts of \$151,628.

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

While there are a number of state agencies that are capable of performing limited maintenance and repairs to automobiles and communication systems, there are no programs that provide the same level or range of services and functions as the Fleet Operations Bureau.

There are many commercial vendors that provide maintenance and repairs for both automotive and communications applications. In fact, we routinely utilize many of these vendors. The primary shortcoming to utilizing private vendors as the primary strategy for maintaining or repairing our

vehicles and equipment is the lack of immediate access and control over the service/function. The agency would be at the mercy of the vendor. As an emergency response agency, it is critical to have access to and control of the maintenance and repair service/function. The last hurricane was a primary example. Fleet Operations had a team of automotive and communications technicians on site within hours to support the influx of emergency response personnel and equipment. These technicians were vital to the mission of not only DPS, but all public safety personnel that converged on the area.

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.

It is quite common to utilize private vendors for the maintenance and repair of vehicles and, to a much lesser extent, the communications system. Although our Automotive Shop is capable of performing virtually any repair to a vehicle, they have historically been utilized primarily for the major or more costly repairs such as engine/transmission replacement. It is the field supervisors' responsibility to consider all the associated issues to make a determination if it is more cost effective to obtain the repair in the field, or bring the vehicle to Austin Headquarters.

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 Communication Shop works with most of the local, regional, and federal units of government on communications issues. This effort has increased even more than usual in recent years due to the effort to expand interoperable communications.

We also deal with a significant number of local law enforcement agencies seeking to purchase our surplus vehicles and equipment.

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

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

This program spent \$24,101 in contracted expenses in 3 contracts. The major purposes of these contracts were for the payment for State Office of Risk Management, office supplies and postage.

This program has oversight of all vehicle purchases by the agency, expensed in various programs.

This is methodology used to ensure funding and performance.

1. Every year prior to placing the vehicle order, the Chief of Finance provides confirmation on the funding that will be available for that year's vehicle purchase.
2. A meeting is held with the Directors and the Division Chiefs to determine their vehicle needs for the year.
3. Specifications and purchase memorandums are prepared.
4. Once the specifications and purchase memorandums (with estimated costs) are finalized, approvals/signatures from the Chief of Administration and the Directors are secured prior to submitting the paperwork to Accounting for processing.
5. Once the bids are tabulated and actual pricing is obtained, then a meeting of the Directors and Division Chiefs is called to determine which vehicle models will be purchased and in what quantities.
6. Purchase recommendations along with delivery schedules are then submitted to Accounting for processing so P.O.'s can be issued.
7. Once we have confirmed with the dealers that they have received their P.O.'s, we stay in contact with them regarding the manufacturer's build schedules and planned delivery times.
8. As vehicles are delivered, they are inspected and received by the Automotive Supervisor who signs and prepares the paperwork, invoices, etc. for submission to Accounting for payment.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain.

None.

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

None.

N. 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.

None.

O. 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.

N/A

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

Name of Program or Function	Building Program
Location/Division	Austin/Administration
Contact Name	Andrew Mokry, Manager
Actual Expenditures, FY 2006	\$2,788,160
Number of FTEs as of August 31, 2006	80

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

under this program.

The Building Program Bureau (BPB) is responsible for working with Department employees, the Texas Building and Procurement Commission (TBPC), architects, engineers, contractors and regulatory agencies to coordinate building design, renovation and new construction projects, as well as the purchase of land. The bureau staff is also responsible for maintaining approximately 1.9 million square feet of floor space consisting of 133 state-owned office buildings and leases 44 facilities at the Headquarters complex and across the state.

The bureau staff also manages telephone services and equipment, Tex-An service and billing, coordinates Headquarters recycling efforts and assists field offices with major repairs and utility cost monitoring. Additionally, the bureau cleans and upgrades underground storage tanks, addresses indoor air quality issues and abates asbestos in 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 performance measures that best convey the effectiveness and efficiency of this function or program.

FY 2006:

- Number of Department Buildings Maintained - 263
- Number of Square Feet Per Occupant - 130

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.

None.

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.

All DPS employees and the general public that come to our offices for the services provided.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The bureau operates under the direction of a manager and assistant manager. On new construction of DPS offices – managers work with Texas Building & Procurement Commission staff to hire

architect/engineer firm; work with team to design building and oversee the construction; Renovations – depending on the scope and cost of renovations, managers will work with TPBC or get delegated authority from TBPC to perform renovations. Routine maintenance and repairs are processed on a priority basis depending on the request. The bureau has five program managers responsible for routine maintenance; heating, air conditioning and electrical; telephone; headquarters grounds keeping; and special projects.

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 06-01-11 and its primary source of funding is State Highway Fund 0006 in the amount of \$2,774,469. This program also had Federal Funding of \$11,571 and Appropriated Receipts of \$2,120.

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

Texas Building & Procurement Commission - Facility maintenance and construction
 Department of Information Resources - Telephone
 Texas Commission on Environmental Quality - Underground storage tanks

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.

- All work is performed on DPS properties or leases with owner's consent.
- Bureau staff coordinates work activity with other agencies when necessary or required.

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.

None.

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

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

This program spent \$8,523 in contracted expenses in 1 contract. The purpose of this contract was for

the payment to the State Office of Risk Management.

This program oversees the AT&T telecommunication contract which is expensed under Physical Plant. The only problem the bureau is experiencing is with AT&T's telecommunication service contract as the company is slow to respond to requests. The problem did not exist until after Southwestern Bell purchased AT&T. AT&T's annual maintenance contract is very expensive.

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Change Chapter 2166 of the Government Code to exempt DPS from TBPC oversight. This would save the state money and expedite DPS construction projects.

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

None.

- N. 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.

None.

O. 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.

N/A

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

Name of Program or Function	General Services
Location/Division	Austin/Administration
Contact Name	Lula B. Schuler, Manager
Actual Expenditures, FY 2006	\$2,167,453
Number of FTEs as of August 31, 2006	54

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

The General Services Bureau is comprised of the Office Staff, General Stores and Supply Warehouse, Mail Operations, and the Reproduction and Printing.

The Office Staff is assigned the responsibility to manage publication sales, including various forms and books that are used by the public and other law enforcement entities. This office is also responsible for the management of the Interlocal Contracts which include the sale of Breath Testing Supplies such as the Intoxilyzer mouthpieces, Alcohol Blood Test Kits and Syringe Transport Tubes that are used by other law enforcement agencies. These employees are also responsible for the issuance and distribution of Department manuals and revisions to the manuals.

General Stores and Supply Warehouse employees are responsible for purchasing, receiving, and distributing approximately \$3 million of inventory annually. This inventory consists of various supplies such as firearms, ammunition, uniforms, body armor, and leather gear for our commissioned officers as well as a variety of office supplies for our administrative employees. They also handle over four million pounds of incoming freight annually consisting of paper products, furniture, computers, filing cabinets, desks, credenzas, and chairs.

Mail Operations employees are responsible for handling approximately 170,000 pieces of incoming and outgoing mail per month for the Department.

Reproduction and Printing employees operate one of only six approved franchise state print shops. The Reproduction and Printing area is comprised of the Print Shop, Bindery Section, Graphic Arts, Camera Shop, and Quick Copy services. The staff produces a variety of work that supports the agency, including approximately 2,000 numbered forms annually, pamphlets, driver handbooks, criminal bulletins, promotional exams, brochures, books, posters, decals, business cards, and informational literature.

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

FY 2006:

- Amount of inventory purchased and distributed - \$3,049,811
- Number of supply orders processed – 17,500
- Number of printing work orders processed – 2,499
- Pieces of mail processed – 10,994,649
- Print Shop Efficiency – number of impressions = 52,753,885
- Total work billed = \$1,353,821.31
- Total expense = \$970,693.85

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.

None.

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.

DPS employees; local law enforcement officers throughout the state and the general public through the sale of publications.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The Bureau Manager reports to the Chief, Staff Support Service. With the exception of the office staff, each of the other units is headed by a supervisor responsible for coordinating the work activity. All employees are assigned to the Austin Headquarters. Supplies to the field offices are shipped via agency mail trucks.

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 06-01-11 and its primary source of funding is State Highway Fund 0006 in the amount of \$2,158,467. This program also had Appropriated Receipts of \$8,986.

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

- Texas Industries for the Blind & Handicapped (TIBH) – Warehousing general commodities only
- Texas Building & Procurement Commission - mail
- Other state franchise print shops and private vendors - printing

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 Reproduction and Printing Shop has been designated by the Council on Competitive Government (CCG) as one of six franchise print shops for the state. However, all of the printing services provided by this unit directly support DPS end-users. Printing jobs requiring multiple

colors (4 or more) are handled through an interagency contract with the Department of Aging and Disabilities. Private vendors are used to produce driver handbooks (automotive and motorcycle) due to the number of copies printed annually.

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.

This office sales supplies such as the Intoxilyzer mouthpieces, Alcohol Blood Test Kits and Syringe Transport Tubes to local law enforcement agencies through an Interlocal Contract.

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

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

This program spent \$393,709 in contracted expenses in 10 contracts. The major purposes of these contracts were building rent, enterprise agreement, office supplies and the payment to the State Office of Risk Management.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain.

None.

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

None.

N. 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.

None.

O. 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.

N/A

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

Name of Program or Function	Equal Employment Opportunity (EEO) Officer
Location/Division	Austin/Administration
Contact Name	Lester Mills, Assistant Chief
Actual Expenditures, FY 2006	\$36,865
Number of FTEs as of August 31, 2006	1

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

The Equal Employment Opportunity (EEO) Officer is part of the Staff Support Service. The EEO Officer is responsible for ensuring compliance with the federal and state statutes governing employment law, discrimination, and sexual harassment. The EEO Officer receives and processes EEO-related complaints from employees and applicants and works in cooperation with the Employee Relations Office, Office of General Counsel and management to attempt to resolve the complaints.

The EEO Officer also provides EEO training to all new employees at the headquarters complex and works with the field offices to ensure training is provided to all new employees in field locations. The EEO Officer provides employment law and related Department policy training to Department staff during in-service schools and supervisory training courses.

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

FY 2006:

- Number of new employees receiving EEO training: 657
- Number of EEO complaints received and completed: 34

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.

None

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.

All DPS employees and applicants.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

Program is handled by the EEO officer under the direction of the Chief, Staff Support Service.

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 06-01-01 and its sole source of funding is State Highway Fund 0006 in the amount of \$36,865.

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

All state agencies should have a similar program also, the Civil Rights Division of the Texas Workforce Commission addresses similar concerns.

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.

Some training activity is coordinated with the Civil Rights Division of the Texas Workforce Commission.

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.

None.

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

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

None.

L. What statutory changes could be made to assist this program in performing its functions? Explain.

None.

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

None.

N. 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.

None.

O. 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.

N/A

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

Name of Program or Function	Radio Frequency
Location/Division	Austin/Administration
Contact Name	Robert Pletcher, Program Director
Actual Expenditures, FY 2006	\$176,151
Number of FTEs as of August 31, 2006	3

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

The Unit’s program includes four specific functions – (1) Radio Interoperability; (2) Interoperability Standards; (3) Interoperability Reporting; and (4) Radio Frequency Coordination.

Radio Interoperability - The Radio Frequency Unit’s primary role is to facilitate statewide radio interoperability among first responder emergency entities by developing operational, technical and spectrum requirements for meeting federal, state and local public safety communication

requirements

Interoperability Standards – The RF Unit also coordinates the activities of Texas Statewide Interoperability Executive Committee (TSIEC), a committee established by the Department consisting of the Executive Directors of the seven state agencies listed above and their technical staff, to administer and facilitate the use of all designated interoperable radio channels within the state. The TSIEC developed and issued the Texas Interoperability Channel Plan (TICP) which provides public safety agencies at the local, county, regional, state and federal levels with common interoperability channels within the limits of their respective equipment. The TICP has become the standard that is used by the Governor’s Office of Texas Homeland Security.

Interoperability Reporting - The RF Unit is required by the 78th Legislature, Article IX, Section 11.25 (f) and Section 11.26 (d) to report quarterly to the Governor and the Legislative Budget Board action taken to address communications interoperability by the Texas Parks and Wildlife Department, Texas Department of Transportation, Texas Youth Commission, Texas Alcoholic Beverage Commission, Texas Department of Public Safety, Texas Department of Criminal Justice and Texas Forest Service.

Radio Frequency Coordination – One member of the RF Unit serves as the Radio Frequency Coordinator for the State of Texas through the Association of Police Communication Officials (APCO). This position is responsible for coordinating the use of the radio frequencies in all bands for law enforcement agencies in the state, approving new applications for radio frequencies, conducting promulgation studies, and ensuring that frequencies are available and properly licensed with the Federal Communication Commission.

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

Quarterly Radio Interoperability Report – 100%

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.

SB 9, passed by the 79th Legislative Session moved the responsibility for radio interoperability in Texas to the Governor’s Office.

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

Federal, state, regional, and local public safety emergency first responders.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The Radio Frequency (RF) Unit was created in 2002 as a result of Rider 46 to the agency's Appropriation to coordinate radio issues between the department and other state and local governmental agencies in regard to frequency exchanges, support for frequency installation, consolidation of dispatch services, improvement of radio coverage, and possible consolidation of radio towers. The initial charge included the Texas Parks and Wildlife Department and the Texas Department of Transportation. Subsequent legislative sessions expanded the scope to include the Texas Youth Commission, Texas Alcoholic Beverage Commission, Texas Department of Criminal Justice and, the Texas Forest Service.

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 *06-01-01* and its sole source of funding is State Highway Fund 0006 in the amount of \$176,151.

H. Identify any programs, internal or external to your agency that provides identical or similar services or functions. 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 (MOU's), interagency agreements, or interagency contracts.

None.

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 Radio Frequency Unit also provides technical assistance to the Governor's Office of Texas Homeland Security by reviewing proposed regional interoperability plans produced by each Council of Government (COG) in an effort to provide a specific level of interoperability within each COG.

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

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;

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

This program spent \$1,179 in contracted expenses in 2 contracts. The major purposes of these contracts were for software enterprise agreement and office supplies.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain.

N/A

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

The goal of the Texas Interoperability Channel Plan is provide guidance to enhance functionality and allow improved interoperable communications through the managed use of the NPSPAC mutual aid radio channels for Texas.

The recommended approach minimizes costs and avoids a major system redesign and/or relocation of existing equipment. Re-tuning and reprogramming of existing equipment may be required and dispatch centers may require equipment upgrades and/or additional equipment. In the case of some of

the non-urban area counties, where 800 MHz systems are not in use, radio equipment will have to be implemented so that the 800 MHz radio units responding to an incident in the area can maintain communications with each other and the local agencies. Additionally, new equipment will have to be procured for some of the urban area agencies that currently do not operate these mutual aid channels, but have been selected to be primary operators.

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

N/A

- O. 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.**

N/A

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

Name of Program or Function	Office of General Counsel
Location/Division	Austin/Director's Staff
Contact Name	Mary Ann Courter, General Counsel
Actual Expenditures, FY 2006	\$1,208,057
Number of FTEs as of August 31, 2006	22

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

The Office of General Counsel (OGC) advises 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. Generally, OGC activities consist of the following:

- Monitors DPS related legislation during legislative sessions;
- Coordinates litigation and claims for damages with the Office of the Attorney General as provided under an interagency contract that is required by General Appropriations Act, Article V, Department of Public Safety Rider 42 (79th Legislature);
- Processes public information requests and subpoenas that require legal review;
- Drafts and reviews legal documents such as administrative rules, manuals, policies, contracts, and grants;
- Represents the Department in various administrative hearings;
- Reviews personnel matters and firearms discharges;
- Provides instruction at the DPS Training Academy;
- Coordinates both the administrative rule process and the Department's manual revision process.

OGC also publishes and coordinates DPS legal publications. On a monthly basis it publishes the DPS Legal Bulletin, an electronic newsletter that addresses issues affecting day-to-day law enforcement operations. On a biannual basis it publishes the Laws Affecting DPS, a collection of new laws passed during the most recent legislative session. Also on a biannual basis, OGC contracts with private publishers to provide Department personnel with the Texas Criminal and Traffic Law Manual, a bound compilation of current law enforcement statutes. Electronic versions of all of these publications are maintained on the Department Intranet.

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

During calendar year 2006, OGC oversaw 136 active lawsuits; processed 2,940 open records requests; reviewed 292 contracts and grants; assisted in handling 109 subpoenas; processed 124 claims against the agency; reviewed 65 firearms discharges; reviewed 129 personnel matters; and processed 109 contested cases.

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.

On September 1, 2006, OGC assumed responsibility for the records management program 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.

OGC operates to provide legal advice to the divisions and management of the agency. Attorneys are licensed to practice law. Legal assistants hold appropriate certifications.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

OGC performs support functions to the agency. It performs standard state agency general counsel functions, but also performs functions as provided by agency policy. As provided in agency policy and procedures, personnel matters are reviewed within 28 days under General Manual Chapter 7, Section 07.44.02; firearm discharges are reviewed within 28 days as provided by General Manual Chapter 5, Section 05.96.09; internal discrimination investigations are reviewed within 5 business days as provided under General Manual Chapter 18, Section 18.25.10; reports of custodial deaths are submitted to the attorney general within 30 days as provided by Code of Criminal Procedure Article 49.18; lawsuits are referred to the attorney general within 10 days after service as provided in General Manual Chapter 5, Section 05.26.00; reports of property damage claims are submitted to the attorney general within 2 working days as provided by Appropriation Act, Article 9, Section 6.22 (79th Legislative Session).

OGC is located at headquarters. There are no field/regional offices.

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 06-01-01 and its primary source of funding is State Highway Fund 0006 in the amount of \$1,155,782. This program also had federal funding of \$52,275.

H. Identify any programs, internal or external to your agency, that provide identical or similar

services or functions. Describe the similarities and differences.

There are no internal programs that provide identical services for agency-wide general legal counsel. However, some divisions conduct specific legal activities that are unique to the division's program function but are similar to OGC services:

- Administrative case prosecutions are conducted by the Administration, Driver License, and Highway Patrol divisions.
- Certain specialized legal work that is specific to a particular program area is conducted by legal staff that are assigned to those specific programs: driver license issues are evaluated by specific attorneys in Driver License Division, concealed handgun and private security board legal issues are routinely handled by Regulatory License Service; crime records issues are handled by the Crime Records Service, specialized criminal law issues are handled by an attorney in Criminal Law Enforcement; motor carrier penalty reviews are conducted by an attorney assigned to the Highway Patrol.

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.

Specialized legal advice handled by attorneys in specific program areas is coordinated with OGC when it is of broad significance to the program or has long term impact or significant risk or impact on other programs.

The Office of Attorney General provides legal representation for the Department for litigation. An interagency contract is executed with the Attorney General as required by Article 1, Office of the Attorney General, Rider 19 (80th Legislative Session), and Article V, Department of Public Safety, Rider 40 (80th 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.

OGC coordinates activities with other local, regional, or federal units on a case-by-case basis as part of the activity of providing legal advice to the Department.

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

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;

- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

This program spent \$10,153 in contracted expenses in 3 contracts. The major purposes of these contracts were for the payment of office supplies.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain.

- Evaluation of the legal requirement for a biannual contract with the Office of the Attorney General for the provision of legal representation. The terms of the current mandatory interagency contract with the Attorney General are contained in Article 1, Office of the Attorney General, Rider 19 (May 21, 2007), and Article V, Department of Public Safety, Rider 40 (May 21, 2007). Elimination of the contract is recommended.
- Evaluation of the role and function of the provision of legal services to the Governor's Division of Emergency Management under Executive Order RP-32. Statutory clarification of roles and services would enhance legal representation.

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

N/A

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

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

N/A

O. 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.

N/A

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

Name of Program or Function	Records Management
Location/Division	Austin/Director's Staff
Contact Name	Patricia Holmes, Inspector
Actual Expenditures, FY 2006	\$54,912
Number of FTEs as of August 31, 2006	1

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

The objective of this program is to maintain an effective records management system by making certain all records created by Department personnel are kept in accordance with the minimum requirements of the approved record retention schedule. The schedule provides for the Department to retain records for specific periods of time in specific forms (paper, electronic) and for the destruction of certain records at the end of the useful life of the record.

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

The Department has an approved retention schedule on file with the Texas State Library and Archives 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.

On September 1, 2006, the records management duties and responsibilities were transferred from Information Resource Management to the Office of General Counsel.

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.

All Department record systems and personnel are affected.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

Each Division has at least one designated liaison and one alternate who are responsible for the coordination of records management within their respective Divisions. Training was provided to all liaisons and alternates. Under Government Code Section 441.184, the records management officer must report to the agency director or to a person with a title functionally equivalent to deputy executive director.

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

This program is accounted for in Strategy 06-01-01 and its sole source of funding is State Highway Fund 0006 in the amount of \$54,912.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. 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.

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.

None.

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

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

None.

L. What statutory changes could be made to assist this program in performing its functions? Explain.

None.

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

An internal website is available to records management liaisons and their alternates via the Department's intranet: <http://ogc/sites/recordsmanagement/default.aspx>.

- N. 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.

This is not a regulatory program.

- O. 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.**

None

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

Name of Program or Function	Internal Affairs
Location/Division	Austin/Director's Staff
Contact Name	David Outon, Captain
Actual Expenditures, FY 2006	\$693,423
Number of FTEs as of August 31, 2006	8

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

Internal Affairs conducts investigations of complaints made against DPS employees as assigned by the Director, Assistant Director, or Public Safety Commission. The unit is staffed by a captain, five lieutenants who serve as investigators, and two administrative assistants.

Department personnel investigations may take the form of an Administrative Inquiry or a Personnel Complaint investigation. Department supervisors conduct the majority of personnel investigations; however, Internal Affairs coordinates all complaint investigations not conducted by the unit. In conjunction with the Department's Employee Relations Office, Internal Affairs also investigates internal complaints relating to the Department's policy prohibiting discrimination and sexual harassment. All employee firearm discharges resulting in injury or death are investigated by Internal Affairs. Investigations not conducted by Internal Affairs must be forwarded to this office for review. Internal Affairs maintains databases on all administrative inquiries, personnel complaints, firearm discharges, and criminal investigations of employees. These databases are used to track the investigations and provide monthly, quarterly, and annual reports to agency management and the Public Safety Commission.

Upon request, Internal Affairs provides assistance to the Office of General Counsel in matters that have, or could result in litigation against the agency and its employees, complaints to the Equal Employment Opportunity Commission (EEOC) or Texas Commission on Human Rights (TCHR), administrative appeals of disciplinary matters, and Open Record requests. Personnel are also available to provide assistance to the Attorney General's Office in matters involving litigation against the department and its employees.

Internal Affairs is also the Department's designated investigative body for fraudulent workers compensation claims. When fraud is suspected, Internal Affairs is available to conduct investigations in cooperation with the Department's Health and Safety Administrator and the State Office of Risk Management.

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

Calendar Year – 2006

Total Personnel Complaints:	234
Investigated by IA:	7
Investigated by supervisors:	227
Total Administrative Inquiries:	91
Investigated by IA:	15
Investigated by supervisors:	76
Total Discrimination/Sexual Harassment Investigations	45
Investigated by IA:	3
Investigated by other personnel:	42
Total Firearm Discharge incidents:	54
Investigated by IA:	7
Investigated by supervisors:	47

Total Office of General Counsel assistance:	245
EEOC/TCHR:	1
Litigation:	1
Administrative Appeal:	1
Open Record requests:	242

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.

Internal Affairs was originally established in 1978 for the purpose of investigating complaints against DPS personnel and firearms discharges involving injury and death. Since that time, the role of Internal Affairs has expanded to include providing assistance to the Office of General Counsel, the Employee Relations Office, and the office of Health and Safety.

In addition, as a result of changes enacted in 1999 by the 76th Legislature, Government Code, Section 411.244, was amended giving Internal Affairs original jurisdiction over all complaints. The statute specified Internal Affairs shall coordinate, but need not conduct all investigations. Since that time, Internal Affairs has taken a more active role in coordinating and reviewing all personnel investigations conducted within the agency.

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.

- All DPS employees
- Any person desiring to file a complaint against a member of the Department

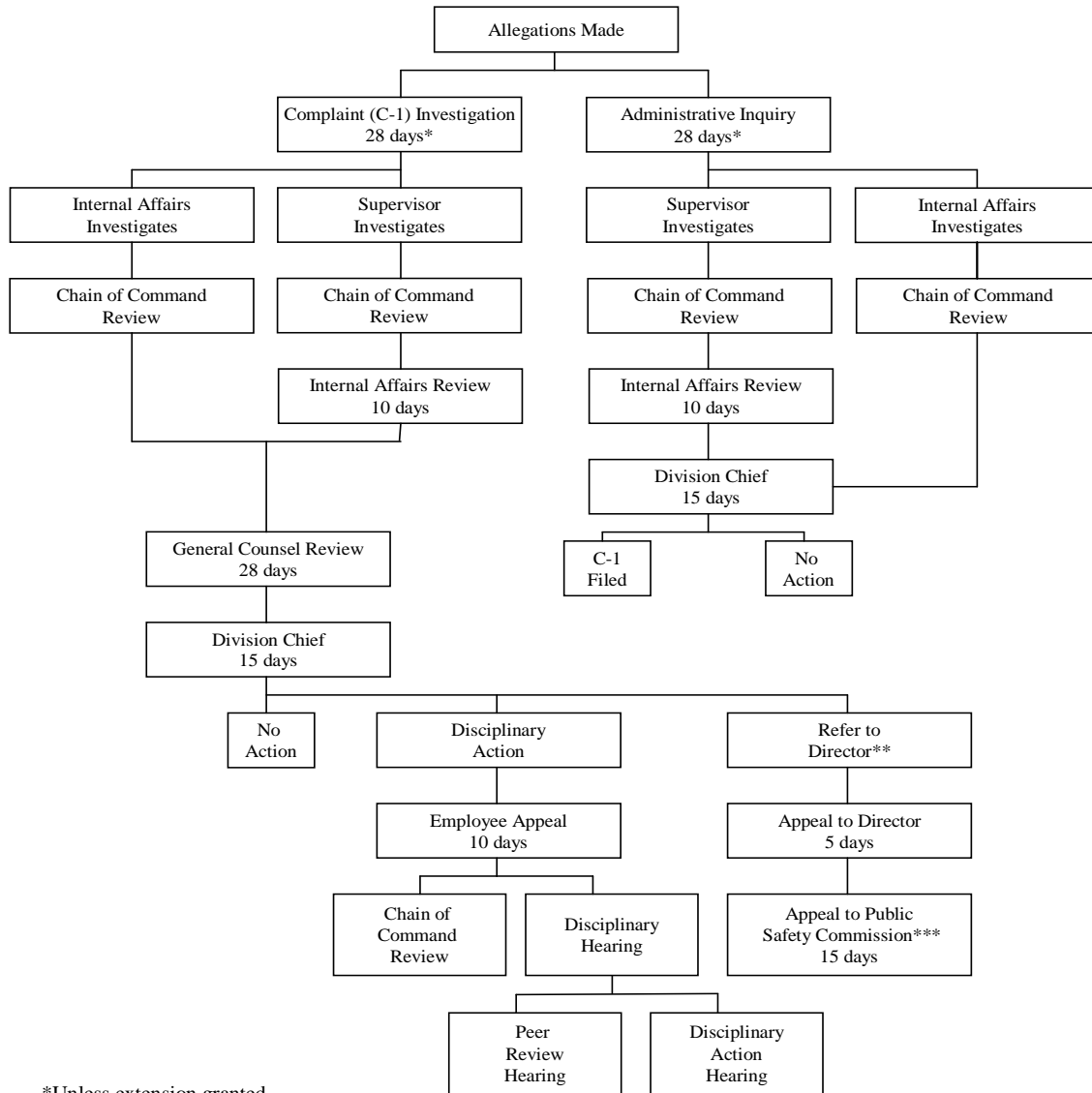
F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

All Internal Affairs personnel are stationed at Headquarters in Austin. However, personnel investigations may be investigated by field supervisors located throughout the state.

When a supervisor receives a complaint on one of their employees, they contact Internal Affairs for a tracking number and under certain criteria, must consult with the Internal Affairs captain. The captain may approve of the investigation being conducted by a supervisor or request the Director’s office assign the investigation to Internal Affairs. If a supervisor conducts the investigation, upon completion it is forwarded to Internal Affairs for review. In the case of an injury or death firearm discharge, the unit responds statewide to interview participants and witnesses, gather evidence, review any criminal investigation conducted, and prepare a comprehensive report for review by the

employee’s supervisors and DPS management. Firearm discharges not resulting in injury or death are investigated by the employee’s immediate supervisor and, like complaint investigations, must be forwarded to Internal Affairs for a detailed review.

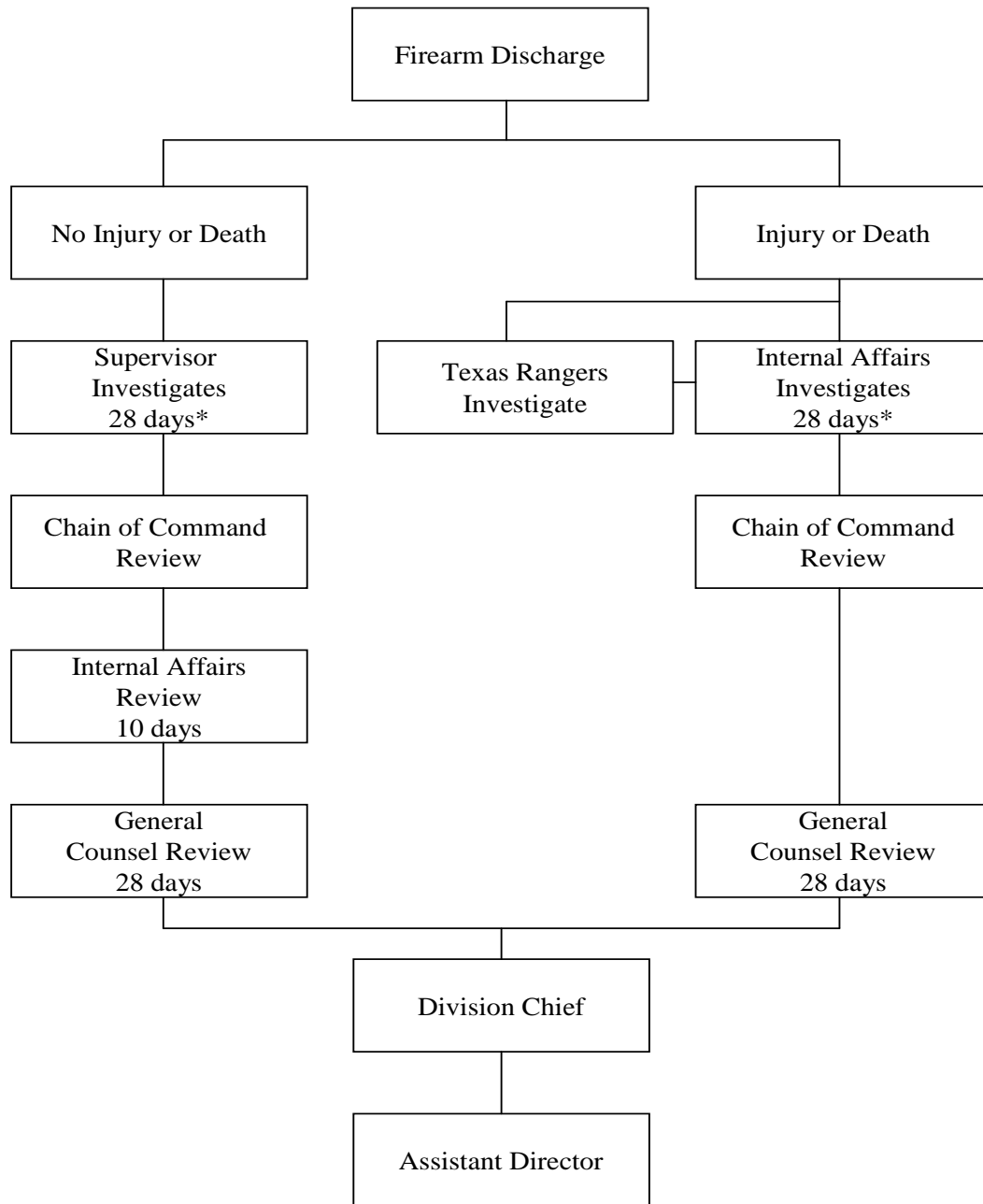
PERSONNEL COMPLAINTS AND ADMINISTRATIVE INQUIRIES



*Unless extension granted
 **Discharge Cases
 ***Non-probationary Employees

Revised 07-16-07

FIREARM DISCHARGE INVESTIGATIONS



*Unless extension granted

Revised 07-12-07

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 06-01-01 and its sole source of funding is State Highway Fund 0006 in the amount of \$693,423.

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

Personnel investigations may be conducted by other supervisors within the agency, but are coordinated and reviewed by Internal Affairs. However, all firearm discharges resulting in injury or death are investigated by Internal Affairs.

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.

Supervisors must contact Internal Affairs for tracking numbers for all inquiries, complaints, and firearm discharge investigations conducted within the agency. These investigations are then tracked to completion by Internal Affairs through the use of this tracking number.

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.

While this office does not routinely interact with local, regional, or federal units of government, Internal Affairs does interact and coordinate with other governmental agencies as needed regarding internal and criminal investigations of employees.

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

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

None.

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Texas Government Code, section 411.0074, states that before commissioning an applicant as a peace officer or employing an applicant for a police communication operator position, the Department shall require the applicant to submit to a polygraph examination and shall use the results to determine suitability for employment. The Department is also authorized under section 411.00741, to require a polygraph examination of an officer or employee if the employee is assigned to work with a federal agency on national security issues, but the employee may refuse to submit to the examination. This is in accordance with Government Code section 411.007, which states an officer may not be may not be suspended, terminated, or subjected to any form of discrimination by the Department because of the refusal to take a polygraph examination.

The General Appropriation Act also states “none of the funds appropriated to the Department of Public Safety may be expended for polygraph testing of commissioned law enforcement officers of the Department, unless requested by the officer.”

Therefore, once a person is commissioned as a peace officer, the Department is prohibited from requiring an officer to submit to a polygraph examination, even if the employee is accused of serious allegations of misconduct.

The Director of the Department should have the ability to order an employee to submit to a polygraph examination in an administrative inquiry or complaint investigation of allegations of serious misconduct in order to assist the Department in determining the employee’s suitability for *continued* employment. In the event the employee refuses to comply with the order of the Director, the Department should be able to discipline the employee for refusing that order.

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

None.

- N. 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.

None.

O. 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.

N/A

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

Name of Program or Function	Public Information
Location/Division	Austin/Director's Staff
Contact Name	Tela Goodwin Mange, Chief of Media Relations
Actual Expenditures, FY 2006	\$433,385
Number of FTEs as of August 31, 2006	5

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

The Public Information Office (PIO) represents the DPS to the media and public. PIO is made up of three media relations professionals, an occupant safety coordinator and an administrative assistant. Staff members serve as media liaisons with local, state and national media, distributing news releases, organizing news conferences, conducting television and radio interviews and fielding media inquiries that relate to all aspects of the Department.

A public information officer is available to assist the news media and members of the Department 24 hours a day, seven days a week. The PIO also provides internal communication venues for agency employees.

Other PIO/Media Relations activities include:

- Coordinating advertising, often with the Texas Department of Transportation, on campaigns related to driver license issues and safety awareness through billboards, radio and television campaigns;
- Publishing a monthly newsletter (the DPS Chaparral) for almost 8,000 DPS employees, the annual report for the Texas Legislature and a bi-weekly media clip pack highlighting DPS and safety related news;
- Serving as the Department's liaison with the entertainment industry on TV and motion picture projects, and maintaining archives of information and photographs;
- Operating a media information phone line and internal phone line for DPS employees;
- Assisting with Amber Alerts activated on a regional or statewide basis;
- Providing about 500 driver license photos of deceased persons annually to the media;
- Assisting in open records requests in conjunction with the DPS General Counsel.

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

In 2006, PIO fielded the following phone calls and e-mails:

2006 yearly totals:

Calls from the public: 17,823

Calls from the media: 6,957

After-hours calls: 295

E-mails to the public and media: 17,486

2006 monthly averages:

Calls from the public: 1,485

Calls from the media: 580

After-hours calls: 25

E-mails to the public and media: 1,457

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.

PIO deals primarily with the news media and members of the general public. PIO also assists DPS employees in dealing with inquiries from the public about DPS programs.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

PIO works closely with 31 troopers across the state who assist the media in their respective areas. PIO provides counsel to these troopers and other DPS personnel in regard to a wide variety of media issues. Many of the most sensitive issues facing the Department are handled through PIO or in consultation with PIO.

PIO media relations training is in high demand within the Department and in the general law enforcement community. DPS recruits, DPS personnel and the Texas Police Association are among those who take advantage of this training.

The occupant safety coordinator oversees traffic safety programs concerning airbags, car seats and safety belts, and teaches courses related to child safety seat installation.

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 06-01-01 and its sole source of funding is State Highway Fund 0006 in the amount of \$433,385.

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

DPS PIO works closely with the PIO from the Governor's Division of Emergency Management (GDEM). GDEM is a major division within DPS, as well as part of the Texas Governor's 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.

DPS PIO and GDEM PIO meet often to coordinate safety messages as well as media services during major natural disasters such as hurricanes.

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.

DPS PIO is available to provide media relations services to local police departments and sheriff's offices during major incidents upon request. DPS PIO provides media relations training to local and state law enforcement officers, mostly through the Texas Police Association.

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

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

None.

L. What statutory changes could be made to assist this program in performing its functions? Explain.

N/A

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

N/A

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

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

N/A

O. 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.

N/A

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

Name of Program or Function	Employee Relations
Location/Division	Austin/Director's Staff
Contact Name	Kevin S. Casey, Employee Relations Officer
Actual Expenditures, FY 2006	\$173,354
Number of FTEs as of August 31, 2006	2

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

The objective of Conflict Management and Dispute Resolution is to provide employees and management assistance in managing and resolving conflict in the workplace. The major activities include conflict coaching, facilitations, mediations, and training.

The objective of Discrimination and Sexual Harassment Complaint Investigations is to investigate allegations of discrimination, sexual harassment, and retaliation.

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

- Percent of disputes resulting in agreed resolutions – 85%
- An independent study was conducted by a graduate student at St. Edward's University in 2006 which concluded this program was effective and efficient.
- Average length of investigations 21 days.
- Average length of time a file is open is 43 days.

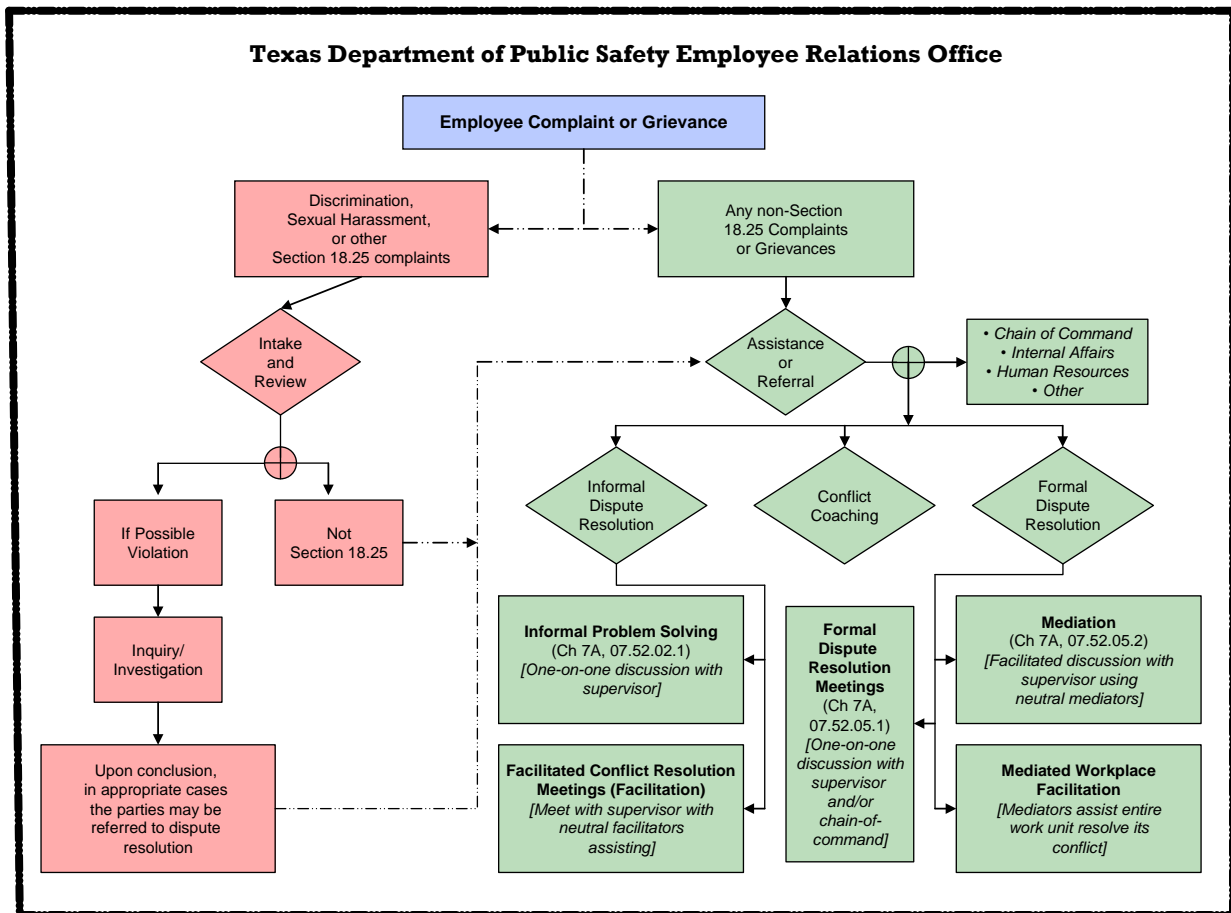
D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

The Employee Relations Office was created as a result of passage of Senate Bill 370, 76th Legislative Session, which required the Department to establish additional procedures for handling employment-related grievances. The program started with two formal procedures and has since added a number of informal processes.

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.

All DPS employees.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.



June 2006

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).

State Highway Fund 6 - \$173,354.

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

Employees may file complaints of discrimination, sexual harassment, and retaliation with the Texas Commission on Human Rights/Texas Workforce Commission or with the Equal Employment Opportunity Commission. The similarities are that all look at whether federal law has been violated. The differences are that the Department also looks at whether policy has been violated, the Department can take action against an employee found in violation, and the Department's turnaround time is much faster.

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 no conflict with either TCHR or EEOC, while they are looking for violations of law; the Department is looking at both potential violations of law and of policy.

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 is part of the Texas Intergovernmental Shared Neutrals Program which is an inter-agency program sharing trained facilitators and mediators at no cost to the respective agencies. Current members include the Department, the State Office of Administrative Hearings, the City of Austin, the Austin Independent School District, and the Center for Public Policy Dispute Resolution at the University of Texas School of Law.

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

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

None.

L. What statutory changes could be made to assist this program in performing its functions? Explain.

None.

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

None.

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

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

N/A

O. 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.

N/A

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

Name of Program or Function	Accounting & Budget Control
Location/Division	Austin/Director's Staff
Contact Name	Oscar Ybarra, Chief of Finance
Actual Expenditures, FY 2006	\$6,518,076
Number of FTEs as of August 31, 2006	122

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

The Accounting and Budget Control provides a full range of financial services which includes:

- responsibility for the receipt and depositing of all revenue
- accounting for all revenue and expenditures
- preparing legislative appropriations requests and agency operating budgets
- purchasing all supplies, equipment and services
- coordinating the Historically Underutilized Business (HUB) program
- maintaining property records for all fixed assets
- preparing the payroll and maintaining related records and reports
- preparing financial and other reports
- processing vouchers for accounts payable
- providing budget analyses and service
- maintaining the general ledger
- advising individual employees regarding the TexFlex program and health, dental, life and disability options.

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

Utilizing automated systems, the section audits and codes items received for processing. The section's activities are coordinated with those state agencies involved in accounting for state revenues, expenditures, purchases, and budgets, as well as federal agencies, as appropriate. In FY 2006, the section supported 7,795 Department employees, processed 1,218,420 revenue items, received and deposited \$63,723,346.54, and processed 3,600 purchase orders and 130,000 invoices and travel vouchers.

The legislative appropriation for FY 2006 was \$467,827,678 plus riders, salary increases, and other adjustments which brought the total appropriation to \$521,646,738. In addition to appropriated funds, federal grants, drug seizure funds and reappropriated receipts were expended. The appropriation is accounted for through approximately 200 program cost accounts; revenues and expenditures are maintained through approximately 725 internal budgetary units.

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.

This program affects 7,795 Department employees and all vendors who either pay or receive payment from the agency.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The chief financial officer reports to the Director of DPS. This program is administered centrally at Headquarters in Austin.

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 06-01-01 and its primary source of funding is State Highway Fund 0006 in the amount of \$6,324,753. This program also received Federal Funding of \$161,496 and Appropriated Receipts of \$31,827.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. 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.

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:

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

This program spent \$63,495 in contracted expenses in approximately 6 contracts. The major purposes of these contracts were for the payment of computers, enterprise agreement, office supplies and postage.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain.

None.

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

None.

- N. 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.

None.

- O. 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.**

N/A

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

Name of Program or Function	Audit and Inspection
Location/Division	Austin/Public Safety Commission Staff
Contact Name	Farrell Walker, Director of Audit and Inspection
Actual Expenditures, FY 2006	\$1,455,283
Number of FTEs as of August 31, 2006	23

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

The Office of Audit and Inspection conducts independent, objective audits and inspections of all Department programs and operations. The major activities of OAI include:

- evaluating and making recommendations about the adequacy and effectiveness of the Department’s internal control structure
- promoting economy, effectiveness, and efficiency
- preventing and detecting fraud, embezzlement, theft, waste and abuse in Department programs and operations and recommend controls to prevent or detect such occurrences
- assessing compliance with written policies and procedures
- evaluating the reliability of accounting and reporting systems and procedures
- verifying the existence of assets and ensure proper safeguards for their protection
- reviewing computer security procedures
- advising in the development and evaluation of the Department’s performance measures
- reviewing actions taken by the Department to improve program performance and making recommendations for improvements
- reviewing and making recommendations to the Commission, Director, and the legislature regarding rules, laws and guidelines relating to Department programs and operations
- keeping the Commission, the Director and the legislature fully informed of problems in Department programs and operations
- ensuring effective coordination and cooperation with the state auditor’s office, legislative oversight committees, and other governmental bodies while attempting to avoid duplication of effort.

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

Over 90% of our audit and inspection recommendations are implemented by Department management.

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 Office of Audit and Inspection (OAI) was established by statute, Government Code 411.241 – 411.243. In addition to the duties outlined in those statutes, OAI has been assigned various administrative duties including the Awards Program, the Fleet Program, Performance Measures reporting, coordinating the compilation of the Department’s Strategic Plan. During legislative sessions, OAI performs bill analysis and coordinates the preparation of fiscal notes. These additional duties take less than approximately 18% of our time over any given biennium.

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 is required by Government Code 411.241 to audit and/or inspect all Department programs and operations.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

OAI develops an annual audit plan using risk assessment techniques in collaboration with the Public Safety Commission, the Director, and Division Management. Staff inspections are conducted on a scheduled basis, established by the Director of OAI. Each calendar year two regional field services inspections and three headquarters function inspections are completed.

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 06-01-01 and its sole source of funding is State Highway Fund 0006 in the amount of \$1,455,283.

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

The State Auditor’s Office has a similar program. However, our inspection program differs in its focus on compliance with federal and state statutes, Department policies and procedures, evaluation of morale within Department operations and the quality of the leadership within those operations. Internal audit also differs from the SAO in its focus on Department business processes and the internal controls within those processes and in its focus on information resources management and

control. Often our internal audit program compliments that of SAO and has never duplicated its service to 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.

OAI makes an effort to find out what SAO plans to audit each year.

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.

OAI works closely with the Legislative Budget Board during legislative session and in strategic planning updates.

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

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

This program spent \$4,626 in contracted expenses in 3 contracts. The major purposes of these contracts were for the payment of office supplies.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain.

None

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

None

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

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

N/A

O. 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.

None

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

Name of Program or Function	Information Management
Location/Division	Austin/Director's Staff
Contact Name	James W. Brubaker, Chief
Actual Expenditures, FY 2006	\$ 26,154,188
Number of FTEs as of August 31, 2006	216.5

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

The Information Management Service (IMS) provides technical services to DPS in networking, mainframe, desktop/server support, technical support, data processing, web applications, and policy and procedures, and project management. Included in the IMS responsibilities are Strategic Planning, Data Security, and Biennial Operation Planning for Information Technology. In addition to supporting DPS, other law enforcement agencies benefit from the technical services provided by IMS by using our satellite network and data services to meet their individual agency mission.

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

- Support of 150,000 Law Enforcement users of the Texas Law Enforcement Telecommunication Switch (TLETS) and the Hughes Satellite communication systems. The TLET system has experienced 99.99% uptime in past 12 months while managing more than 1,136,890,129 messages to law enforcement entities.
- Core network availability continues to reach the target of 99.9% availability.
- Network Security has disallowed a virus infection on the network over the past 12 months.
- IMS review teams have identified more than \$81,000 in network service billing errors in the past year.
- IMS implemented the agency Depot to manage the procurement of information technology for the agency. One function of the Depot is to consolidate IT purchases across the agency. In the past 12 months through the use of consolidated purchasing the Depot has successfully negotiated a reduction in cost over several consolidated purchase orders of more than \$255,000 below the Texas Department of Information Resources contract prices.

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 original data processing section provided limited support for simple data processing needs. The Information Management Service now provides IT services across the entire enterprise from desktop computer support to mainframe operations to applications development.

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 Information Management Service provides complete IT support for all Department employees.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The Chief of IMS is responsible for providing the leadership in technical support to DPS in various hardware and software applications and ensuring the Department is effectively managing its information technology resources including strategic planning and management.

The two Assistant Chiefs are responsible for supporting the operations and policy management of the information technology systems deployed within the agency.

IMS is logically divided into seven areas; each led by an area manager. The following is a brief description of each area:

Plans and Controls Section – The Plans and Controls Section consists of our Customer Account Representatives (CARs), a project standards group, Disaster Recovery, Planning, and Policy.

Overall, this group provides support for policy, project, and disaster recovery planning. The CARs act as 2-way advocates between IMS and the customer area. They provide consulting in terms of technical solutions and project development for the business customer. The project standards group supports change management, project planning, project reporting, and our project management methodologies. They also provide technical writing services.

Applications Section – This section provides custom application development and support for applications that are housed on the enterprise server (mainframe). In addition, this group provides database support for the large databases (DB2 and M204) that run on the mainframe. The applications supported include Computerized Criminal History (CCH), Texas Crime Information Center (TCIC), National Crime Information Center (NCIC), the Distributive Driver License (DDL) system and the Department's fiscal and human resources systems. These applications provide critical information to the Department, as well as all law enforcement agencies across the state and nation.

Client/Server Applications Section – In the client/server environment there is usually a mix of custom developed applications and purchased applications. This is true for this agency. This group develops and supports custom and purchased applications. This includes the Department’s website and related applications. This section also provides administrative support through the applications that run in this environment, which are growing in importance for the critical business of the Department.

Operations Section – This area operates, monitors, and maintains the enterprise mainframe and associated equipment. This section also provides support for the operating system and related software that runs on the mainframe. Capacity planning and performance monitoring are also functions of this group. Thousands of programs execute daily in support of the Department’s online and batch processes. In addition, this area prints more than 1.5 million pages a month in support of such things as driver license issuance, criminal history rap sheets, and triplicate prescription forms for controlled substances.

Telecommunications Section – This group has responsibility for the networks that attach to external customers, including all law enforcement agencies in the state and federal agencies such as the FBI. These connections are mainly through the Texas Law Enforcement Telecommunications System (TLETS) and the National Law Enforcement Telecommunications System (NLETS). TLETS handles more 1.1 billion transactions a year (more than 3 million transactions a day). Most of this traffic is running on our satellite network that provides broadband service to even the most remote locations in the state. This area also maintains the core network routers that support additional wide area connections to the DPS network. There is 24x7x365 support for the users connected to our network.

Information Technology Services Section – This section provides desktop support and server support for the Department. They maintain agency wide mission critical applications including the Department’s Exchange E-mail servers.

System Technology Services Section - This section provides the services and support for the Enterprise Depot, Training, and the Enterprise Help Desk.

The Depot leverages best practices in procurement and deployment of information technology resources across all divisions of the agency including the purchase, setup and deployment of workstations, laptops, and servers. The training group provides training on common software tools as well as training for Project Management and other custom solutions. The Enterprise Help Desk serves as the focal point for all information technology questions and issues.

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 06-01-02 and its primary source of funding is State Highway Fund 0006 in the amount of \$26,149,102. This program also had Appropriated Receipts of \$5,086.

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

The Department of Information Resources provides some similar function in its data center consolidation project. However, the Department is exempt from this requirement due to Criminal Justice Information Services security requirements from the Federal Bureau of Investigation.

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 of Information Resources provides oversight to all IT services provided by or to all state agencies.

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 Information Management Service maintains and supports the networks that attach to external customers, including all law enforcement agencies in the state of Texas and federal agencies such as the FBI. These connections are mainly through the Texas Law Enforcement Telecommunications System (TLETS) and the National Law Enforcement Telecommunications System (NLETS).

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

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

This program spent \$8,848,363 in contracted expenses in 28 contracts. The major purposes of these contracts were for the payment of information resources infrastructure for the agency.

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

Contract Number 06-314422

United Parcel Service is a Department of Public Safety approved account for mailing high-volume items in a cost effective and efficient way. IMS uses this innovative way to mail bulk items or peripheral equipment to Department of Public Safety employees in other cities across the State of Texas.

Contract Number C2-2080

Northrop Grumman provided disaster recovery services to the Department to establish a process of regaining access to the data, hardware and software necessary to resume critical business operations after a disaster.

Contract Number C3-9016

Payment to Austin Project Group for settlement of a lawsuit.

Contract Number C4-1013

Austin Ribbon and Computer is a vendor that provided computer hardware for upgrades and replacement of Department owned computers, servers and peripherals.

Contract Number C5-5014DP

Contract with Extensity Corporation to provide software for the Department's Accounting Division Programs that provides access to budgetary data stored on the Mainframe Computer utilized to perform necessary accounting functions.

Contract Number C5-6134

SHI Government Solutions, Inc. as a Texas Department of Information Resources' commodity software contract vendor provided the software licenses for Department owned software.

Contract Number C5-9005

EMC Corporation provided DASD maintenance which houses key data for the State of Texas Law Enforcement.

Contract Number C5-9020

RFP Consultants provided training in the Texas Law Enforcement Telecommunications System (TLETS) sections (Network Operations, VSAT, Network Management Services and Programmers) consisting of HUB operations, remote site monitoring and maintaining support. This training is critical in order to meet the State of Texas Law Enforcement mandates.

Contract Number C6-105DP

Vendor Compuware Corporation provided general purpose software that contains the operating system for the Mainframe Computer servicing the State of Texas Law Enforcement agencies.

Contract Number C6-3008A

Getronics contract is a yearly maintenance contract that provides repairs for all DPS Drivers License Equipment across the State of Texas; this contract includes Preventable and Remedial Maintenance which includes equipment that is covered on a time and materials basis. The Remedial Maintenance included items such as NCR, AT&T, Hewlett Packard, Okidata and IBM Netfinity servers that were not covered under the contract due to life expectancy of hardware. The yearly preventative maintenance is completed in quarterly increments and Department of Public Safety Technicians have access to the vendor's database in order to track all repairs on a daily basis.

Contract Number C6-3018

Xerox Corporation provided services to print key data for the State of Texas Law Enforcement agencies and the Department.

Contract Number C6-8101

SHI Government Solutions, Inc. as a Texas Department of Information Resources' commodity software contract vendor provided the IBM Tivoli Identity Manager software and licensing for the Department.

Contract Number C6-8165

Austin Ribbon and Computer is a vendor that provided computer hardware for upgrades and replacement of Department owned computers, servers and peripherals.

Contract Number C9-4265

Listed as Motorola and should be Hughes Network Systems who provided general purpose services for ordering installation, moves, changes or deletions of remote satellite sites as well as hub related work.

Contract Number P5-9132

Contract with PSI Group to utilize a national network of Presort Mail Operating Centers that utilize a standard "Operating Platform" for mail operations. The PSI Network hubs allow for the transporting of mail between Operating Centers meeting all USPS requirements.

Contract Number P6-1001

Texas Industries for the Blind and Handicapped (TIBH) is a centralized store for State Agencies to purchase consumables items ranging from office supplies to furniture etc.

Contract Number TX5-8202

Contract with IBM Corporation to provide general purpose software that contains the operating system for the Mainframe Computer servicing the State of Texas Law Enforcement which enables Law Enforcement agencies to retrieve and enter information to support their job.

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

All contracts were processed according to TBPC guidelines regarding procurement methods utilizing competitive bidding procedures. All contracts and subsequent purchases were reviewed and monitored for compliance and completion dates.

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

The only recognized problem with any contract vendor is TIBH; they are regularly out of stock on needed items and their printer cartridges are of substandard/inferior quality.

L. What statutory changes could be made to assist this program in performing its functions? Explain.

None.

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

N/A

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

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

N/A

O. 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.

N/A

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

Name of Program or Function	Aircraft Operations
------------------------------------	---------------------

Location/Division	Statewide/Director's Staff
Contact Name	Bill C. Nabors Jr., Captain
Actual Expenditures, FY 2006	\$9,054,141
Number of FTEs as of August 31, 2006	31

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

To provide operationally safe aircraft and professionally trained police pilots for the timely, suitable, and responsive support of all divisions of the Texas Department of Public Safety and local law enforcement 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 performance measures that best convey the effectiveness and efficiency of this function or program.

For the FY 2006, the DPS Aircraft Section operated 17 aircraft for a total flight time of 6,267 hours in support of public safety missions. The pilots assisted in 2,226 criminal investigations that resulted in 714 felony arrests and the seizure of 36 million dollars worth of narcotics and the recovery of 3.3 million dollars worth of property.

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.

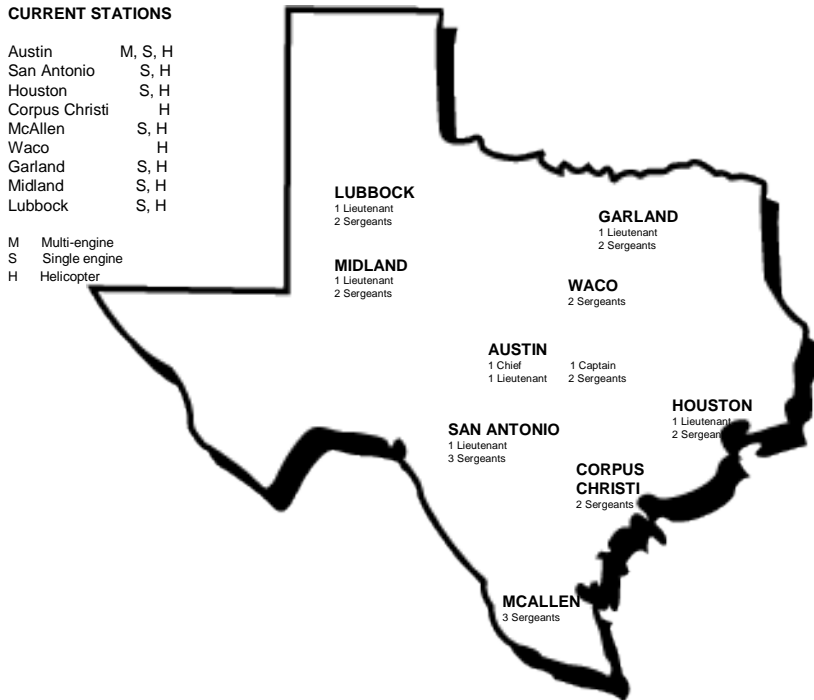
None.

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 Aircraft Section supports other divisions, bureaus, services, and sections of the Department of Public Safety and local governmental agencies in their endeavors to enhance public safety, provide for the prevention and detection of crime, and to assist in the apprehension of criminals.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The section is headquartered in Austin, with aircraft in eight other locations. A chief, captain and lieutenant are located in Austin with field lieutenants located in Garland, Houston, San Antonio and Midland.



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 06-01-10 and its primary source of funding is State Highway Fund 0006 in the amount of \$2,655,789. In Fiscal Year 2006, this program purchased aircraft in Rider 3 and Rider 57 from Federal Seized funds. Federal Funds and Federal Seized Funds totaled \$6,397,320 for this program. This program also had Appropriated Receipts of \$1,032.

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

The Texas Department of Transportation operates twin-engine aircraft for the transportation of state employees and the Texas Parks and Wildlife Department operates two helicopters and two single engine airplanes for the enforcement of game laws and codes.

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

This Aircraft Section will if requested by TX DOT transport state agency personnel who are in need of a specific mission that requires a helicopter. TPWD specifically is utilized by agencies relating only to game enforcement. During public disaster events both TPWD and the DPS Aircraft Section work with Division of Emergency Management to assist as directed.

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 of the nine duty stations has an area of responsibility that covers approximately 30 counties. An available crew is either standing-by or available for callout (depending on time of request) to assist in any public safety / law enforcement mission. Generally, the requesting agency is involved in law enforcement activities; city police department, county sheriff, DPS or Homeland Security.

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

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

This program spent \$5,481,744 in contracted expenses in approximately 8 contracts. The major purposes of these contracts were for the payment of helicopters, computers, enterprise agreement, office supplies and postage.

This is the procedure used to ensure funding and performance of the helicopter purchases.

The helicopters came from the factory. Specs were established, bids were received, and award was made. Aircraft Chief Pilot went to factory checked and flew the helicopters. Then the Receiving Reports were submitted to the Accounting Department. Each helicopter is equipped with the needed

police equipment and has a two year warranty.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain.

None.

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

None.

N. 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.

None.

O. 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.

N/A

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

Name of Program or Function	GDEM-State Administrative Agency
------------------------------------	----------------------------------

Location/Division	Austin/GEMD
Contact Name	Edwin Staples, Manager
Actual Expenditures, FY 2006	\$91,834,198
Number of FTEs as of August 31, 2006	24

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

In 2005, the Governor assigned the Division of Emergency Management (GDEM) responsibility as the State Administrative Agency (SAA) for homeland security grants, an administrative function required of each state by the U.S. Department of Homeland Security (DHS). The SAA Section administers more than a dozen different DHS grant programs intended to enhance state, regional, and local response capabilities and protect critical infrastructure. Homeland security sub-grants can be awarded to cities, counties, school districts, regional authorities, state agencies, and other authorized entities for planning, equipment, training, exercises, and organization. The primary focus of these grant programs is terrorism preparedness and prevention, but grants are intended to be used to enhance state and local capabilities to deal with all types of hazards. The SAA section includes a Grant Operations Unit, an Audit & Compliance Unit, and a Business Operations Unit. A contractor operates a secure online grants management system used by the SAA staff, regional entities, and local grant recipients for project monitoring, financial management, and to develop required grant progress and financial reports.

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

FY 2006:

- The Grant Operations Unit processed 322 grant applications, 488 grant contracts and contract modifications, 1,969 equipment requests, and 383 project change requests during 2006.
- The Business Operations Unit processed 1,318 grant payment vouchers totaling \$54,146,038.11.
- The Audit and Compliance conducted on-site inspection of 82 sub-grantees and prepared a similar number of compliance reports; the Unit also conducted 21 follow-up monitoring visits.

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

In May 2005, the Governor transferred the SAA function for homeland security grants from the Texas Engineering Extension Service (TEEX) to the EMD. A number of existing TEEX grants were

de-obligated and reissued to EMD, while TEEEX retained responsibility for closing out some of the older homeland security grants.

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.

Homeland security grant programs potentially affect all 1,206 cities, 254 counties, 3 tribes, 24 regional planning commission and councils of government, other local governmental entities and many state agencies in Texas. As all grant recipients have to meet certain federal and state eligibility requirements, the number of actual clients served is obviously somewhat less. For example, for local governments to be eligible for the Homeland Security Grant Program, they must have completed the emergency planning required for a basic level of planning preparedness, have adopted and be implementing the requirements of the National Incident Management System (NIMS), and participate in a mutual aid program or system such as the Texas Regional Response Network (TRRN).

F. Describe how your program or functions is administered. Include flowcharts, timelines or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The grant process varies somewhat depending on the grant involved, but the general process is:

1. Local governments, urban areas, and other eligible entities propose homeland security projects that support the state homeland security strategy, which are submitted to, evaluated, and ranked by regions (regional planning commissions and councils of government). Multi-agency and regional projects may also be proposed. State agencies and educational institutions submit their projects to the state Office of Homeland Security for approval.
2. When DHS grant guidance is issued, the SAA uses the approved state and local/regional project information to develop the state grant application and supporting documents.
3. When DHS makes its grant awards, the State has a limited time to make state grant allocations to regions using a funding formula; urban area grant amounts are determined by DHS. The regions, in turn, allocate funds to local and regional projects. The state Office of Homeland Security determines allocations for state projects. There is never enough funding to carry out all proposed projects. The Homeland Security Grant program requires that 80% of most of its major grants be allocated to local governments; 15 to 17% may be used for state projects, and 3 to 5% is used for grant management and administration.
4. When regions have notified the SAA of the projects selected for funding, the SAA issues grant awards to the organization or agency that will be carrying out the project with appropriate terms and conditions, which must be formally accepted by grant recipients.
5. Once the awards are in place, recipients may begin using grants funds for planning projects, to purchase equipment or training, conduct exercises, or for other authorized uses.
6. As authorized project expenses are incurred, grantees provide documentation of expenses to the SAA and are reimbursed. The SAA grants management system provides the SAA,

regions, and individual grantees near-real-time information on project purchases and grant financial status.

7. The SAA monitors grant-funded projects throughout the grant period and conducts periodic audit and compliance inspection to ensure grantees are complying with grant conditions. The SAA also renders required progress and financial reports to DHS.

Most homeland security grants, although they indicate a fiscal year in the grant description, are not awarded on a fiscal year basis. These grants also typically have multi-year periods of performance which extend from the grant award date, not the beginning of a fiscal year. Hence, some grantees may be managing project funds from several different grant years, which may have somewhat different rules regarding eligible expenses. Additionally, it is important to note that for most of the grants in the Infrastructure Protection Program cluster, DHS or the US Coast Guard selects the grant recipients and the amounts they will be awarded, not the State. There are also a number of direct application DHS grant programs, which the SAA provides information about but does not control.

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, fee/dues).

This program is accounted for in Strategy 04-01-01, and its sole source of funding is Federal Funds in the amount of \$91,834,198.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. 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.

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 SAA works with hundreds of local governments, including cities, counties, school districts, regional authorities, state agencies, and other entities recognized as elements of local government. The SAA also works with state agencies, which are eligible for homeland security grants. The SAA coordinates the administration of homeland security grant funding with the FEMA National

Preparedness Directorate and other federal agencies that have a role in some grant programs.

The State must pass through at least 80 percent of State Homeland Security Program (SHSP), Law Enforcement Terrorism Prevention Program, (LETPP) and Urban Areas Security Initiative (UASI) grant funding to local units of government. For any programs involving pass-through of funds, the State may retain some or all of a local government's or Urban Area's allocation of grant funds for expenditures made by the State on behalf of the local unit of government or Urban Area. This may occur only if requested in writing by that local government or Urban Area. States holding grant funds on behalf of local units of government or Urban Areas must enter into a formal MOU with the local unit of government or Urban Area specifying the amount of funds to be retained by the State and the intended use of funds.

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

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; &
- a short description of any current contracting problems.

This program spent \$35,603,037 in contracted expenses in approximately 38 contracts. See the 2006 EMD Contract & HS Grant Expenditures spreadsheet

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain

None.

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

None.

N. 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.

None.

O. 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.

N/A

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

Name of Program or Function	GDEM-Field Response
Location/Division	Statewide/GDEM
Contact Name	Frank Cantu, State Coordinator
Actual Expenditures, FY 2006	\$1,504,041
Number of FTEs as of August 31, 2006	25

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

performed under this program.

The objective of this program is to provide direct advice and assistance to local jurisdictions for all phases of emergency management, including emergency planning, hazard mitigation, emergency response, disaster recovery and homeland security.

The Field Response Section currently includes 26 Regional Liaison Officers (RLOs) stationed throughout the State and two Field Response supervisors. Two of the RLO positions, for Victoria and Mineral Wells, were added this fiscal year. Field response personnel are the eyes and ears of the Division around the state. They educate local elected officials on emergency management responsibilities and programs, assist local officials in local and regional emergency planning, teach a variety of emergency management courses, and represent the State during emergency exercises and drills. During major emergencies and disasters, GDEM RLOs work hand in hand with local governments to assess damages, identify urgent needs, advise local officials on available assistance, and help coordinate state emergency resource support.

RLOs are also charged with keeping the State's 22 Disaster District Committee (DDC) Chairs informed of emergency management and homeland security programs, plans, and policies and assisting them in identifying, activating, and deploying state resources to respond to emergency needs of local governments and state 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 performance measures that best convey the effectiveness and efficiency of this function or program.

The Field Response Section coordinates state activities to assist local governments in dealing with emergencies by working closely with local elected officials and emergency management coordinators for the 1,206 cities and 254 counties in Texas, as well as state agencies and volunteer groups. During FY 2006, the Field Response Section handled 7,063 requests for state assistance and RLOs responded to 784 major incidents that required on-site state response coordination.

RLOs also teach a variety of courses relating to emergency response, such as Debris Management, and the National Incident Management System (NIMS), which are part of the Division's emergency management training curriculum and are counted in the Division's overall measure of hours of emergency management instruction provided.

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

The corps of RLOs has increased since 2002 from six (one per DPS Region) to 26. The early RLOs were responsible for covering 40+ counties and could hardly visit each city and county in the district once per year. Today, RLOs are equipped with a variety of communications devices and are available at all times to provide advice and emergency assistance to local elected leaders and emergency management coordinators in dealing with emergency situations. It is the general practice of the section to assign an RLO with each county judge and mayor in areas that have experienced a

major disaster and also deploy RLOs to coordinate such critical functions as mass care for disaster victims.

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 Field Response Section collects information from and provides emergency management and homeland security program information on a daily basis to city and county senior elected and appointed officials, emergency management coordinators, city and county law enforcement personnel, fire service personnel, representatives of volunteer groups active in disasters, the staff of regional planning organizations, and a variety of state and federal agencies. During FY 2006, the section made approximately 125,306 assistance visits, calls, and other contacts with local officials to provide information, respond to questions, or solve problems.

F. Describe how your program or functions is administered. Include flowcharts, timelines or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

Two program specialists oversee operations the Field Response Section, each supervising 13 RLOs. The Field Response Administrator North is based in Garland, while the Field Response Administrator South is based in Houston. Their jobs require frequent travel to participate in emergency preparedness, response and recovery activities.

In addition to supervision of RLOs, the supervisors often interface directly with selected local, state, federal and non-governmental agency officials to determine emergency management and homeland security needs, roles, and missions and to facilitate interagency planning, drills and exercises, and emergency management program implementation

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, fee/dues).

This program is accounted for in Strategy 04-01-02, and it is funded with \$161,207 of General Revenue Dedicated Fund 0099 and \$1,342,834 of State Highway Fund 0006.

Field Response Section is funded by a combination of state appropriated general revenue and federal Emergency Management Performance Grant (EMPG) funds. Fleet vehicles driven by all 28 of the section members are provided by DPS. Federal disaster grant funding is used to pay some allowable disaster response and recovery expenses

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. 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.

None.

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 Field Response Section works closely with the following agencies to develop and implement emergency preparedness, mitigation, response, and recovery programs:

- Senior elected and appointed officials for cities and counties.
- Councils of government and regional planning commissions.
- State river authorities.
- Other state agencies, particularly the Department of State Health Service, the Texas Engineering Extension Service, the Department of Transportation, to coordinate preparedness programs and emergency response and disaster recovery actions,
- Non-governmental organizations (NGOs), including the American Red Cross, the Salvation Army, faith-based relief agencies, amateur radio organizations, and volunteer organizations active in disaster response and relief.
- Federal agencies, including the FBI, US Department of Homeland Security, the Federal Emergency Management Agency, the Transportation Security Administration, the National Weather Service, and the Department of Defense.

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

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; &
- a short description of any current contracting problems.

This program spent \$1,325 in contracted expenses in approximately 4 contracts. The major purposes of these contracts were for the purchase of office supplies, enterprise agreement and postage.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain

None.

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

None.

N. 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.

None.

O. 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.

N/A

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

Name of Program or Function	GDEM-Operations
Location/Division	Austin/GDEM
Contact Name	Gisela Ryan-Bunger, Section Administrator
Actual Expenditures, FY 2006	\$2,996,892
Number of FTEs as of August 31, 2006	22

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

performed under this program.

The objective of this program is to provide emergency warning, monitoring, notification, coordination, command and control and to ensure a secure international border.

Activities include:

- Operate the State Operations Center (SOC)

The SOC serves as the State's Primary Warning Point to provide critical emergency notifications and warning information to local, state, and federal officials and monitors the State for impending threats, analyzes the impacts of those threats, and coordinates the state's emergency response to those threats. The SOC also serves as the state's principal command and control facility and the workplace for the Emergency Management Council, which consists of 33 state agencies and 2 volunteer organizations and a number of private industry partners, when the Council is activated to provide a rapid, coordinated, effective and efficient response to natural and man-made disasters, and terrorist events. The SOC is staffed and operates 24 hours a day, 7 days a week. The SOC also receives and disseminates a variety of homeland security products and information in order to keep law enforcement officials, critical infrastructure private industry partners, and other information sharing local, state, and federal centers informed of suspicious activity reports and other pertinent homeland security information to ensure maximum situational awareness. The SOC coordinates directly with the DPS Intelligence Center and the Border Security Operations Center as needed and serves as a dissemination point for intelligence information as well.

- Maintain & Activate the AMBER Alert Network

The SOC is responsible for maintaining and activating the State's AMBER Alert Network 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 an alert across the state when a child abduction 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 of emergency activations to determine how plans, processes, and procedures should be improved. The Operations Section has a grant-funded AMBER Alert Program Coordinator whose duties and responsibilities include

promoting AMBER Alert awareness and regional program development statewide, supporting network coordination activities with federal, state, regional, local, public and private entities through a state training program, steering committee, after-action review process, and serving 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.

- Manage the State Radio Amateur Civil Emergency Service (RACES) Program

The Operations Section manages and coordinates the State's RACES program which is a part of the Amateur Radio Service and utilizes this service's radio frequencies in support of official emergency communications. The FCC defines RACES as a radio service in support of Civil Defense (Emergency Management) organizations during periods of local, regional or national civil emergencies. The State RACES program coordinates Amateur Radio operations in support of the State's 22 Disaster Districts. The program is comprised of civilian volunteers, state agencies that have amateur radio equipment, FEMA, and Military Auxiliary Radio Service (MARS) communications assets and personnel. The state RACES program conducts communications training, and provides equipment and personnel to Disaster Districts during exercises and disasters. In 2006, the state RACES program became a member of the Army MARS program and currently provides an active radio / computer interface, which 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.

- Operate a Border Security Operations Center (BSOC)

The objective of the BSOC is to plan, coordinate, implement, and evaluate interagency border security operations to counter the threat of organized crime, terrorism, and the flow of contraband and human trafficking to ensure a secure border region. In addition to coordinating interagency operations, the BSOC provides operational planning and information support for border security operations. The BSOC is developing a Texas plan to integrate a variety of communications systems, technologies, and databases into an interoperable system to facilitate federal, state, local interagency operations. This plan will lay the foundation for the technologies in the Texas Border Security Initiative (TBSI) and must sustain multi-year phased programs to eliminate gaps in fixed and mobile radio coverage along the border. This plan will also provide for integrating technologies to improve mobile operations for law enforcement and integrate databases among various agencies operating in the border region.

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

- During FY 2006, the SOC coordinated 7,063 emergency incidents, provided emergency assistance to 800 local governments, and disseminated 16,205 severe weather related messages to local, state, and federal agencies and officials.
- Since inception in September 2002, the SOC has processed over 191 requests for activation of the Amber Alert network. However, only 32 of those requests met the State criteria for network activation. AMBER Alert local/regional programs have been established in 15 areas around the State, which is a huge increase from the original three programs that were in existence in 2002.
- 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 normal communications. Amateur radio operators also provide support to local jurisdictions that have temporarily lost 911 service or local law enforcement communications. Amateur radio communications have been used during virtually every major disaster that has occurred in this State.

- Operation RIO GRANDE, conducted during 4 months of the summer of 2006, successfully reduced crime during the course of five interagency operations conducted along the Texas-Mexico Border Area. The operations focused on the development and implementation of interagency intelligence and operations procedures to facilitate common situational understanding and timely decision-making. Techniques and procedures were emphasized, rather than the employment of sophisticated technology, with most operations focused on massing patrol units at critical places and times necessary to thwart criminal activities.

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

In 2002, the Governor, by Executive Order, directed the creation of a State AMBER Alert program and network. The SOC was assigned the responsibility for developing and managing the program and assumed operational responsibility for issuing approved AMBER Alert Network activations.

In 2003, substantial technological improvements were made to the SOC to enhance its communications, audio-visual systems, coordination systems, and data management capabilities in order to transition the facility to a more capable 24 hour/7 day a week operational center. Responsibilities of the SOC were substantially increased to include more extensive threat and incident monitoring, increased situation reporting, and collection and dissemination of homeland security information to law enforcement agencies and local, state, and federal officials.

In 2006, the Governor assigned EMD the responsibility for coordinating state and local border security operations with federal border security activities. A SOC border security operations team was developed and this has evolved into the current Border Security Operations Center.

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 SOC coordinates/disseminates critical warning and threat information to state and federal agencies and some 1,460 cities and counties. It coordinates the state response to disasters or other emergency events that potentially affect people throughout the State. It administers the AMBER Alert program that supports the efforts of more than 2,000 law enforcement agencies and provides information on missing children to the public throughout the State of Texas. The RACES program provides organized emergency communications support by over 360 amateur radio operators

throughout the State when activated.

The BSOC provides direct support in the development, implementation and coordination of interagency border security operations plans and provides intelligence analytical support to local, state, and federal law enforcement agencies along the Texas-Mexico border region. Information is provided to other federal law enforcement agencies as well to include FBI, DEA, ATF, USBP, and various joint task forces comprised of local, state, and federal law enforcement entities

F. Describe how your program or functions is administered. Include flowcharts, timelines or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The SOC provides response to requests for assistance from local jurisdictions through the 22 TXDPS Highway Patrol Disaster Districts (DDCs). State response is provided when the resources needed to deal with an emergency exceed the capabilities available to cities and counties. When requested assistance exceeds the State's capabilities, the SOC coordinates with the Governor's Office to requests federal assistance from the Federal Emergency Management Agency or from other states.

The AMBER Alert Program is administered by the Operations Section. When a child is believed to have been abducted, local law enforcement agencies submit requests for activation of the State AMBER Alert Network to the SOC, which coordinates the activation of the various public and private systems which compose the network. The SOC coordinates the Amber Alert verification process with the DPS Missing Persons Clearinghouse to ensure state Amber Alert criteria have been met before alerts are issued.

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, fee/dues).

This program is accounted for in Strategies 04-01-01, 04-01-02 and 04-01-03. Its primary source of funding is Federal Funds of \$1,911,252. This program also had \$932,394 of State Highway Fund 0006 and \$153,246 and General Revenue Dedicated Fund 0099.

Staffing and operation of the SOC is supported by a combination of state general revenue

appropriations and federal Emergency Management Performance Grant (EMPG) funds. One Operations position is funded through a criminal justice grant for the Amber Alert program from the state Criminal Justice Division (CJD). Operations of the BSOC and projects to enhance the capabilities of the SOC have been supported by federal homeland security grant funding and criminal justice grants. The Operations Section also uses funds provided by other agencies for specific projects, such as \$1,824,000 provided by the Department of State Health Services to procure cots for emergency sheltering of evacuees and individuals with special needs.

Major Operations contracts are summarized in the EMD Contract and HS Grant Expenditures spreadsheet.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. 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.

None.

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 SOC provides critical warning and threat information and coordinates State emergency assistance to the 1,460 local jurisdictions in Texas, to state agencies, and to other states. State response is coordinated through the Emergency Management Council, which consists of 33 state agencies, two volunteer organizations, and private sector industry partners. The SOC also coordinates with various federal agencies to obtain information or resources, or coordinate emergency actions. These federal agencies include FEMA, the US Department of Homeland Security, the US Department of Defense, the Centers for Disease Control, the US Army Corps of Engineers, and other federal entities.

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

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; &
- a short description of any current contracting problems.

This program spent \$2,850,350 in contracted expenses in approximately 11 contracts. The major purposes of these contracts were for the purchase of IT related items for TBSOC and TDEX, database records maintenance, office supplies and postage.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain

None.

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

None.

- N. 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.

None.

O. 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.

N/A

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

Name of Program or Function	GDEM-Recovery
Location/Division	Austin & Houston/GDEM
Contact Name	Joan Haun, Section Administrator
Actual Expenditures, FY 2006	\$794,564,892
Number of FTEs as of August 31, 2006	8

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

The objective of this program is to enhance disaster recovery efforts in Texas. The Recovery Section conducts activities before, during, and after a disaster to facilitate disaster recovery for both individuals and families and state and local government entities. Prior to a disaster, the section offers disaster recovery training to local governments and assists those governments in developing the Recovery Annex to local emergency management plans; the section also participates in conferences and workshops to explain the recovery process and programs. The section publishes the *Texas Disaster Recovery Manual*, which is updated annually and distributed to local governments to help them understand the disaster recovery process.

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

The Recovery Section has been responsible for administering programs that have assisted thousands of individuals, local governments, and state agencies that became disaster victims and disbursed millions of dollars to those who have suffered losses from disasters. Within days of a Presidential declaration, individuals that suffered losses due to a disaster are issued financial assistance to provide housing, clothing and other essential items. In the last three years, 81,886 individuals have been provided funds of more than \$96 million in assistance to repair their homes and replace essential items. Over 5,400 PA projects have been approved for federal funding and more than \$855 million in PA project funding has been disbursed in the last 3 years. In addition, the Recovery Section processed 504 requests for agricultural assistance from 2005 to the present, resulting in 490 USDA agricultural disaster declarations.

Texas averages one Presidential disaster declaration per year, and 10-15 disaster events that do not reach the level needed to qualify for a Presidential disaster declaration. The Recovery Section responds to conduct damage assessments on a majority of these events and evaluates the need for assistance programs. In the case of a major disaster declaration, the Recovery Section deploys staff to a temporary Joint Field Office (JFO), where state and federal agency representatives coordinate disaster assistance programs. Staff members may work in the JFO for weeks or months. In the last eight months alone, the Recovery staff has implemented recovery programs for three federally-declared disasters in the State, as well as conducting training and damage assessments. Recovery staff members have been deployed for 166 of the last 180 days.

Recovery conducts no less than two Disaster Recovery Courses per year in Austin and additional courses are conducted in local facilities on a request basis. In the first six months of 2007, the Recovery staff presented five Recovery Courses and two Damage Assessment Courses.

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

The programs administered by the Recovery Section are authorized by the Robert T. Stafford

Disaster Relief and Emergency Assistance Act and have existed in more or less their present form for more than 15 years.

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.

Recovery Programs:

- The IA program benefits individuals and families who have suffered damages to homes, vehicles, and personal property. Recipients must be in a county declared in a Presidential declaration for Individual Assistance and have uninsured or underinsured losses. Assistance in repair homes is limited to primary residences.
- The PA program benefits local governments, private non-profit agencies, state agencies, and tribal organizations. Recipients must be in a county declared in a Presidential declaration for PA and have uninsured or underinsured losses; PA projects must be determined to be eligible by FEMA guidelines.
- The USDA Assistance loan program benefits farm and ranch owners. Recipients must be in a county declared by the US Secretary of Agriculture and are subject to eligibility requirements of the USDA as interpreted by the local Farm Service Agency. Business owners who are dependent on agricultural production and suffer economic injury due to products or services not being available due to a disaster are also eligible for assistance.

Recovery Training:

Recovery training aids local government representatives in performing damage assessments, understanding the scope of and limits on recovery programs, familiarizing them with the forms and record keeping required for disaster recovery projects, and understanding the reimbursement process.

F. Describe how your program or functions is administered. Include flowcharts, timelines or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

When a disaster occurs, the Recovery staff deploys to affected areas to conduct a damage assessment with local officials and, if the situation warrants, the Federal Emergency Management Agency (FEMA). For major disasters, the President may approve a federal disaster declaration, and implement the Individual Assistance (IA) and Public Assistance (PA) programs. The IA program provides financial assistance to individuals and business owners who have suffered losses to their homes and personal property, provides counseling services for disaster victims, and provides loans to

businesses affected by disasters. The Section processes requests for U.S. Department of Agriculture loans and Small Business Administration loans. The PA program provides funding to local governments, school districts, state agencies, and eligible public non-profit entities that have sustained damages to public facilities and equipment to repair or reconstruct those facilities and replace equipment that has been destroyed. The PA program develops and implements individual projects to restore facilities and replace equipment.

PA projects may involve extensive debris removal and repair or demolition, design, and reconstruction of buildings, levees, bridges, and roads; hence, PA projects typically take several years to complete. The Recovery staff works closely with the affected local governments and state agencies to monitor progress on these projects, is responsible for authorizing progress payments, and carries out required reporting to FEMA until projects are completed.

The federal government provides funding for IA and PA programs, the State administers these programs, and the State and local governments are responsible for a program cost share.

Because disaster recovery activities require a large number of people with specialized knowledge in the initial stages, GDEM has organized and trained a cadre of disaster reservists who are on call to be deployed to disaster sites to carry out PA, IA, mitigation, and emergency public information program duties. These reservists are paid at a daily rate depending on their qualifications and experience when they are activated by GDEM. The Recovery Section provides oversight of the reservist program, supervises all work performed by reservists and provides necessary training. In the last three years, almost 100 reservists have been activated to assist in managing six major disasters.

The State IA staff works from DPS Headquarters in Austin. The State PA staff operates from facilities in Austin and Houston.

Individual Assistance Program:

- Housing Assistance – funded & administered by FEMA, GDEM has oversight.
- Other Needs Assistance (ONA) – administered by the Health & Human Services Commission. GDEM initializes funding from FEMA, oversees of program through closeout, and audits programs upon completion.

- Crisis Counseling – services are administered by the Department of State Health Services. GDEM secures and disburses funding, oversees program, and audits upon completion.
- Small Business Administration (SBA) Loan program – SBA administers program. GDEM is responsible for damage assessment, determining eligibility, and overseeing program

U.S. Department of Agriculture Loan Program:

County judges request this assistance through GDEM. GDEM makes recommendation and

sends to USDA for determination. If loan programs are approved, loans are granted through the Farm Service Agency.

Public Assistance Program:

PA program is administered by GDEM. GDEM is responsible for initiating funding, monitoring projects, conducting project site visits, processing project payments, quarterly reports to FEMA, and closeout of all projects.

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, fee/dues).

This program is accounted for in Strategies 04-01-01, 04-01-02 and 04-01-04. Its primary source of funding is Federal Funds of \$792,955,057. This program also had \$1,594,479 of State Highway Fund 0006 and \$15,356 of General Revenue Dedicated Fund 0099.

The GDEM Recovery Section has a cadre of eight permanent staff members who are supported by a combination of appropriated state general revenue and federal Emergency Management Performance grant funds. The Recovery Section also has a group of temporary employees who are hired and released based on disaster recovery program needs. The temporary staff is supported by disaster management and administrative funds allocated for each federal major disaster. Management funds pay personnel costs for the temporary employees and operating expenses, while administrative funds support travel and overtime.

When the President issues a major disaster declaration for an event, the following applies:

IA Programs:

- Housing Assistance is 100% federally funded.
- Other Needs Assistance (ONA) is funded at a 75% federal/25% state rate.
- Crisis Counseling Immediate Services & Regular Services programs are 100% federally funded.

PA Programs:

- PA is generally funded at a 75% federal/25% local or state rate, although this can vary depending on the extent of the disaster

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

The Texas Department of Housing & Community Affairs (TDHCA) can provide funds to local governments in the form of 5-year forgivable loans to help repair or rehabilitate single family, owner occupied homes. Eligibility is based on homeowner income level and whether city/county is eligible under TDHCA guidelines. This program is available with or without a Presidential disaster declaration; however, it cannot duplicate assistance provided under the PA program.

The Office of Rural Community Affairs (ORCA) can provide assistance to non-entitlement local governments for repairs to infrastructure (clearance of debris, demolition, reconstruction of essential water, sewer, electrical and other facilities, etc). This program is available with or without a

Presidential disaster declaration; however, it cannot duplicate funds provided under the PA program. ORCA may help local governments with their 25% cost share.

Natural Resource Conservation Service (NRCS) can provide assistance to local governments for drainage projects.

Volunteer agencies, such as the American Red Cross (ARC), The Salvation Army, and other local volunteer groups can provide assistance in the form of vouchers for food, clothing and essential items. This program is the quickest source of help for citizens and is available with or without a Presidential declaration; however, those who receive assistance from volunteer groups cannot request similar assistance under the IA program.

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.

TDHCA programs can be implemented if a damage assessment warrants and a Presidential disaster declaration is not requested **OR** if 90 days after date of Presidential declaration, there are still individuals with unmet needs. TDHCA coordinates with the Recovery staff to determine if they can offer assistance to individuals after the 90-day waiting period and to check for duplication of benefits.

ORCA coordinates with the Recovery staff to determine if they can offer assistance to local governments and to avoid duplication.

NRCS coordinates with the Recovery staff to determine if they can offer assistance to local governments and avoid duplication.

Volunteer agencies provide assistance immediately following a disaster. FEMA works with established volunteer groups to avoid duplication of benefits.

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 Recovery staff interacts with a wide variety of individuals and organizations to accomplish recovery efforts, including:

- Mayors, County Judges, County Commissioners, City/County Auditors. These are key officials that GDEM works with every day to schedule training, damage assessments, and site visits and discuss project progress and quarterly reports.

- FEMA is the primary source of general guidance and funding for IA and PA programs. The Recovery staff works closely with FEMA to plan and implement Joint Field Office activities, administer the IA and PA programs, and address policy and program issues for both the IA and PA programs.
- Volunteer Groups that provide a wide variety of assistance to disaster victims.

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

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; &
- a short description of any current contracting problems.

This program spent \$128,469 in contracted expenses in approximately 9 contracts. The major purposes of these contracts were for the purchase of a communications tower, office supplies, enterprise agreement and postage.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain

If the Legislature appropriated funding for the state Disaster Contingency Fund on a regular basis, this would allow GDEM to assist more local governments in recovering from disasters that may be locally devastating, but are not declared federal disasters. When there is no federal disaster declaration, the state has relatively little to provide in the way of recovery assistance.

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

None.

N. 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.

None.

O. 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.

N/A

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

Name of Program or Function	GDEM-Mitigation
Location/Division	Austin/GDEM
Contact Name	Gregory Pekar, Section Administrator
Actual Expenditures, FY 2006	\$45,270,313
Number of FTEs as of August 31, 2006	6

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

The objective of the Mitigation Section is to reduce the costs, measured in lives and dollars, of the natural hazards that impact the State. This is accomplished by constantly advocating State and local governments undertake mitigation programs to eliminate hazards or reduce the impact of hazards that cannot be eliminated. Three methods are used to accomplish this objective:

- **Cooperation:** GDEM cooperates with other state agencies as a member in the State Hazard Mitigation Team (SHMT); the Mitigation Section Administrator chairs that group. The SHMT is composed of representatives of fifteen state agencies that have an interest in mitigation or a capability to carry out hazard mitigation programs. The SHMP meets quarterly or as required.
- **Outreach:** The Mitigation Section teaches four formal hazard mitigation classes a year; and participates in three other GDEM classes which discuss mitigation, each of which are taught twice a year. The Mitigation staff also presents mitigation workshops at several conferences each year.
- **Incentive Grants:** The Mitigation Section administers three federally-funded mitigation grant programs for the State. The projects typically funded by the grants include buyouts of flood prone property, small flood control projects, individual tornado shelters, and community tornado/hurricane shelters.

The Mitigation Section also prepares and maintains the State Mitigation Plan. Federal law requires that states and local governments have a Mitigation Plan approved by FEMA in order to obtain mitigation grant funding.

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

The outreach function helps qualify agencies and organizations for incentive grant programs. Mitigation training focuses on the pre-planning required for a community to be eligible for the grants, and also on how to create an application and administer the grants.

The mitigation grant programs provide large financial resources to the State and its local governments, while eliminating or reducing the potential impact of natural hazards. Mitigation grants provided \$42.7 million in federal funds to the State in 2004, \$56.6 million in 2005, and \$44.5 million in 2006.

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

The principal federally-funded mitigation grant, the Hazard Mitigation Grant Program (HMEP), was established by the Stafford Act of 1988 (Public Law 93-288). The Mitigation Section was established the next year in response to that law. In 2002, a new annual pre-disaster mitigation grant program was implemented for cities and counties that had a federally approved Mitigation Action Plan. The section was assigned responsibility for that grant; the Mitigation Section now devotes

considerable resources to training local governments on how to write Mitigation Action Plans, and then reviews local Mitigation Plans as they are submitted. Another mitigation grant program became available in 2005 and the section was also assigned to administer that grant as well.

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 applicants for mitigation grants are principally cities and counties. The people who attend the formal mitigation training courses offered by GDEM and GDEM-sponsored conferences and workshops are typically city and county officials, generally from emergency management, public works, or floodplain management. A jurisdiction wishing to apply for one of the incentive grants must have a State-approved Emergency Management Plan and a FEMA-approved Hazard Mitigation Plan.

F. Describe how your program or functions is administered. Include flowcharts, timelines or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The Mitigation Section includes only eight personnel. The Mitigation Section Administrator supervises and evaluates the performance of his subordinates and his work is overseen by the State Coordinator for Administration.

The Grants Officer principally runs the Hazard Mitigation Grant Program. The grant eventually results in dozens of project applications. Once a project application is selected, it is handed off to a 'project officer' to administer through to completion and closeout. Each of the mitigation specialists is a project officer for between 5 and 32 projects; the Grants Officer retains responsibility for a handful of projects, typically the most complex. The Grants Officer also deploys to the field in the event of a federally declared disaster to provide information on post-disaster mitigation programs. The Grants Officer is the course manager for the 16-hour Mitigation Grants course that the Mitigation Service delivers.

The Plans Officer principally reviews local Mitigation Plans, and manages the annual Pre-Disaster Mitigation Grant. This grant is smaller than HMGP, and results in a smaller number of projects. Once selected, they may also be handed off to a project officer. Due to the volume of work in reviewing local plans, one mitigation specialist is principally assigned to assist the Plans Officer in these reviews. The Plans Officer also is the course manager for the 16-hour G-710 Mitigation Plans

course that Mitigation teaches.

Three Mitigation Specialists serve as project officers to track progress on dozens of ongoing mitigation projects. There are currently 106 mitigation projects under management, with an additional 45 pending approval, so the project management workload is currently sizeable. Good outreach before a disaster results in more accurate and complete grant applications and less project management work after the disaster. One complex and delicate task handled mostly by the mitigation specialists in their project officer role is verifying the completion of mitigation project work and authorizing payments to applicants.

Six members of the state Mitigation staff are based in Austin and two Mitigation specialists are stationed in Houston.

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, fee/dues).

This program is accounted for in Strategies 04-01-01 and 04-01-03. Its primary source of funding is Federal Funds of \$45,059,453. This program was also funded by \$205,614 of State Highway Fund 0006 and \$5,246 of General Revenue Dedicated Fund 0099.

The four permanent Mitigation staff members are supported by a combination of state appropriation general revenue and federal Emergency Management Performance Grant (EMPG) funding. The four employees in temporary positions are paid from a management allowance for hazard mitigation grants, which is typically one to two percent of the mitigation grant award amount. The management allowance is based on a 75% federal/ 25% state cost share. Section travel and overtime are covered an mitigation grant administrative allowance of about 1% of the mitigation grant amount, which does not require a state cost share.

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

The Flood Mitigation Assistance (FMA) grants that are administered by the Texas Water Development Board (WDB) are functionally identical to the Pre-Disaster Mitigation (PDM) grants that the Mitigation Section administers. The only difference is that FMA is a much smaller grant, and can only address flood hazards, while PDM can address any natural hazard.

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 representative from the WDB sits on the State Hazard Mitigation Team, and votes on project selection. Thus, the WDB has knowledge of what projects are selected under the GDEM-administered mitigation grants. The demand for assistance for flood control projects from local jurisdictions far exceeds the available funding in both agencies.

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 Mitigation Section works hand-in-hand with city and county governments and with the FEMA Region VI office in Denton. This is necessary because, while the State selects projects, our federal partners must verify that the projects are technically feasible, environmentally sound, and cost effective before federal dollars are spent on the project. This requires extensive coordination between our offices. Any city or county government that requests a grant also becomes a partner. After grants have been awarded, project reviews are conducted and the Mitigation Section processes a constant stream of quarterly reports and payment requests.

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

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; &
- a short description of any current contracting problems.

This program spent \$1,472 in contracted expenses in approximately 8 contracts. The major purposes of these contracts were for the purchase of office supplies and postage.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain

None.

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

None.

N. 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.

None.

O. 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.

N/A

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

Name of Program or Function	GDEM-Preparedness
Location/Division	Austin/GDEM
Contact Name	Johnna Cantrell, Section Administrator
Actual Expenditures, FY 2006	\$8,206,837
Number of FTEs as of August 31, 2006	25

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

The Preparedness Section of the Governor’s Division of Emergency Management (GDEM) has the responsibility of managing emergency preparedness programs for the State of Texas. The Preparedness Section manages the programmatic aspects of Emergency Management Performance Grant (EMPG) sub-grants to support local and interjurisdictional emergency

management programs and is also responsible for state hurricane preparedness activities.

The Policy and Plans Unit is responsible for the developing and maintaining the *State of Texas Emergency Management Plan* and its associated annexes. The Unit also coordinates development of specialized planning documents, such as the *Drought Contingency Plan* and the *State Hurricane Evacuation and Sheltering Plan*. The Policy and Plans Unit GDEM promulgates state planning standards for local emergency management plans and assists local jurisdictions in developing such plans. The Policy and Plans Unit also coordinates with state and federal homeland security agencies on program issues relating to critical infrastructure/key resource protection, continuity of operations planning, and other preparedness programs.

The Technological Hazards Group carries out preparedness activities for technological and radiological threats. A US Department of Energy (DOE) grant-funded contract supports training, and planning activities along I-20 in Texas for shipments of US DOE transuranic waste that transit the State en route to the Waste Isolation Pilot Plant in New Mexico and also funds electronic monitoring of such shipments. A second US DOE grant-funded contract provides funding for planning, coordination, monitoring, training, drills and exercises, and warning systems to enhance state and local capabilities to deal with emergencies that might occur at the DOE Pantex nuclear weapons plant in Carson County.

The Terrorism Preparedness Unit is responsible for the coordinating, scheduling, and monitoring grant-funded regional and state-level emergency exercises conducted for the Division by the National Emergency Response and Rescue Training Center (NERRTC) to test emergency plans, procedures, interagency coordination, training, and equipment and provide feedback for improvement in these items.

The Training and Exercise 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 Exercise Group provides assistance to local governments in designing, conducting, and evaluating exercises, reviews local exercise reports, and maintains data on exercise accomplishment. The Hazardous Materials Training Group 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. NERRTC conducts this training for EMD pursuant to a training contract. The grant also provides a limited amount of funding to Local Emergency Planning Committees to further planning and public education relating to hazardous materials.

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

that best convey the effectiveness and efficiency of this function or program.

FY 2006:

- The Preparedness Section updated the *State of Texas Emergency Management Plan* to incorporate the requirements of the National Incident Management System (NIMS). It also updated the state planning standards for local emergency management plans and plan and annex template.
- The Policy and Plans unit reviewed more than 3,000 local emergency management planning documents.
- At the end of FY 2006, 88.1% of local governments had achieved a basic level of planning preparedness.
- The Training and Exercise Unit provided 54,927 hours of emergency management and hazardous materials training hours during fiscal year 2006.
- GDEM sponsored 12 regional homeland security exercises for local governments and state agencies to test plans, procedures, training, equipment, and facilities.
- Local governments reported conducting 109 emergency exercises to test plans, procedures, training, equipment, and facilities.
- The Technological Hazards Group monitored 75 radiological waste shipments transiting through the State.
- EMPG grants funds were awarded to support more than 115 local and interjurisdictional emergency management programs.

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

The Preparedness Section has recently been assigned additional responsibilities, including serving as the state coordinator for NIMS implementation and overseeing the state critical infrastructure protection program and related database. Preparedness personnel also organize the two major

conferences conducted by GDEM, the State Homeland Security Conference and the annual State Hurricane Conference.

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.

Emergency preparedness programs managed by the Preparedness section serve and affect the State's 254 counties, 1,206 cities, and three tribes, as well as the 24 regional planning commissions and council of government, more than 30 state agencies, and a large number of volunteer groups active in disasters.

F. Describe how your program or functions is administered. Include flowcharts, timelines or other illustrations as necessary to describe agency policies and procedures. List any

field or regional services.

The State Coordinator for Preparedness and Operations oversees the work of the Preparedness and Operations Section. The Preparedness Section Administrator manages the Preparedness Section, directly supervising three unit supervisors and three administrative personnel. The unit supervisors have group leaders that supervise specific programs.

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, fee/dues).

This program is accounted for in Strategy 04-01-01, and its primary source of funding is Federal Funds of \$5,939,803. This program was also funded by \$1,986,795 of State Highway Fund 0006 and \$280,239 of General Revenue Dedicated Fund 0099.

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

Some of the training courses provided through the Preparedness Section are offered in a somewhat similar format by the Texas Engineering Extension Service (TEEX). The GDEM courses are provided to state and local officials and volunteer groups without charge in Austin and at selected sites areas around the State. TEEX charges fees for their classes, but delivers many courses at the requester's location and also provides their training to private industry -- a sector that GDEM does not train.

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 Preparedness Section works closely with TEEX to make sure that course offerings complement each other and are not duplicative.

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 in the preparation of plans, training, exercises, and in the administration of the EMPG and HMEP grant programs. The Preparedness Section also works directly with a number of state agencies that assist in developing and updating state emergency planning documents. The Preparedness Section also works with representatives of DHS, FEMA and US DOT in the administration of federal grants. The Preparedness Section's technological hazards staff works with FEMA, DOE, the Environmental Protection Agency, and the Nuclear Regulatory Commission.

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

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; &
- a short description of any current contracting problems.

This program spent \$2,996,896 in contracted expenses in approximately 20 contracts. The major purposes of these contracts were for the purchase of database maintenance, cots, office supplies, enterprise agreement and postage.

No current contract problems.

L. What statutory changes could be made to assist this program in performing its functions? Explain

During the most recent legislative session, a bill was passed that requires the Division to provide emergency management training to appointed state and local officials, including a distance learning version of that training. No state funding or FTEs were authorized to carry out this work.

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

During major emergencies and disasters, normal work of the Preparedness Section has often been halted and the staff reassigned to round-the-clock shifts in the State Operations Center to augment the Operations staff. This emergency work is necessary, but it can seriously disrupt on-going preparedness programs, particularly those on tight schedules.

N. 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.

None.

O. 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.

N/A

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

Name of Program or Function	GDEM-Support Services
Location/Division	Austin /GDEM
Contact Name	Loren Behrens, Section Administrator
Actual Expenditures, FY 2006	\$1,456,844
Number of FTEs as of August 31, 2006	16

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

The objective of the Support Services Section is to provide business services for the Governor's Division of Emergency Management (GDEM). Major activities include financial management, purchasing, resource management, contract & grant management, human resources management, accounting, and auditing. The Support Services staff includes purchasers, a human resources (HR) clerk, grant and contract specialists, accountants, and auditors. The purchasers, HR clerk, and accountants are based at DPS Headquarters in Austin, while GDEM auditors are stationed in Austin and at field offices in Houston and Dickinson.

This section provides accounting, payment, and audit support for federal disaster recovery grants to

local governments and state agencies administered by GDEM, federal hazard mitigation grants administered by the GDEM, the Emergency Management Performance Grant (EMPG) program, border security program contracts, and for a number of specialized federal grants and contracts.

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

During FY 2006:

- Number of disaster recovery and mitigation program payments: 3,359
- Amount of disaster recovery and mitigation program payments: \$829,100,353.23
- Average time to process payment: 5 days
- Number of disaster recovery and mitigation program audits performed: 166

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

None.

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.

Entities affected by Support Services financial management activities include: cities, counties, state agencies, educational institutions, regional planning commissions and councils of government, school districts, public hospitals, drainage districts, and other public non-profit entities, who are potential recipients of grants administered by GDEM.

F. Describe how your program or functions is administered. Include flowcharts, timelines or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

Personnel

- Purchasers obtain bids and prepare purchase requests for the specialized needs of GDEM. GDEM purchasers work with DPS Purchasing staff.
- Accountants maintain budgets and track expenditures for various programs, projects, and contract, coordinating as required with project officers and program managers.
- Auditors audit some projects before the participants are paid and also perform field audits after program or project payments have been made to entities. GDEM auditors are located in Austin, Houston, and Dickinson.

- The Grants & Contracts staff works with GDEM program managers and the DPS grants management staff to develop grant applications, process grant awards, maintain grant budgets, monitor expenditures, approve payments, and render required financial reports.
- The HR clerk works with DPS Human Resources to support GDEM personnel requirements, such as hiring, evaluations, and time accounting,

Processes

- Disaster and Mitigation program payments are approved by Recovery or Mitigation project officers and then processed by Support Services Section.
- Grant payment requests are first reviewed by the SAA Grant Operations staff. Once approved, the Support services section processes payment.
- The Preparedness Section Administrator reviews and approves local EMPG progress reports; the EMPG auditor receives financial reports and requests for reimbursement and processes payments when authorized by the Preparedness 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, fee/dues).

This program is accounted for in Strategies 04-01-01, 04-01-02 and 04-01-03. Its primary source of funding is Federal Funds of \$1,046,353. This program was also funded by \$37,430 of State Highway Fund 0006 and \$373,061 of General Revenue Dedicated Fund 0099.

Nine permanent Support Services employees are funded through a combination of state general revenue appropriations and EMPG grant funding. Temporary staff members, primarily auditors, are funded through disaster recovery, mitigation, or homeland security grant management and administrative funds or criminal justice grant indirect cost allowances. The number of temporary personnel working in Support Services at any given time varies depending on the accounting and auditing workload, which is largely determined by the number of disaster recovery and mitigation projects underway. One accountant is funded by a US Department of Transportation hazardous materials planning and training grant.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. 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.

None.

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 Support Services Section processes pass thru federal grants, audits grant programs, reviews program reports from sub-grantees and issues payments to cities, counties, Council of Governments (COGS), numerous state agencies, regional planning commissions, school districts, public hospitals and other public non profit entities.

This section is handling accounting, payment, and audit functions for federal grant programs funded by:

1. the Federal Emergency Management Agency (FEMA)
2. the U.S. Department of Homeland Security (DHS)
3. the U.S. Department of Transportation (USDOT)
4. the U.S. Department of Energy (DOE)
5. the Governor's Criminal Justice Division (CJD)

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

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; &
- a short description of any current contracting problems.

This program spent \$94,502 in contracted expenses in approximately 9 contracts. The major

purposes of these contracts were for the purchase of office supplies, enterprise agreement and postage.

No current contract problems

L. What statutory changes could be made to assist this program in performing its functions? Explain

The Uniform Statewide Accounting System (USAS) does not allow for direct allocation of personnel costs to more than one budget based on the time an individual spends working on projects supported by different program budgets. Allocating costs for a number of different support employees who work on multiple projects is very time consuming and prone to error because of this deficiency.

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

None.

N. 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.

None.

O. 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.

N/A

VIII. Statutory Authority and Recent Legislation

A. Fill in the following chart, 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 2003 - 2007, or earlier significant Attorney General opinions, that affect your agency’s operations.

Texas Department of Public Safety Exhibit 13: Statutes/Attorney General Opinions	
Statutes	
1). Codified Statutory Provisions	
Citation/Title	Authority/Impact on Agency

<p>AGRICULTURE CODE</p> <p>CHAPTER 12. POWERS AND DUTIES. SEC. 12.0012. NOTICE OF QUARANTINE.</p> <p>CHAPTER 71. GENERAL CONTROL. SEC. 71.0101. DEPARTMENT OF PUBLIC SAFETY TO COOPERATE.</p> <p>CHAPTER 144. MARKS AND BRANDS: SUBCHAPTER E. REGISTRATION OF ANIMAL TATTOO MARKS. SEC. 144.103. DEPARTMENT OF PUBLIC SAFETY TO ADMINISTER.</p> <p>CHAPTER 161. GENERAL DISEASE AND PEST CONTROL. SEC. 161.051. MEMORANDUM OF UNDERSTANDING ON ENFORCEMENT OF COMMISSION POWERS.</p>	<p>DPS to be notified of quarantines.</p> <p>DPS assist Texas Department of Agriculture in enforcement matters.</p> <p>DPS administers program of animal registration of tattoo marks.</p> <p>DPS to execute MOU with Animal Health Commission.</p>
---	---

<p>ALCOHOLIC BEVERAGE CODE</p> <p>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.</p> <p>CHAPTER 109. MISCELLANEOUS REGULATORY PROVISIONS. SEC. 109.532. CRIMINAL HISTORY BACKGROUND CHECKS.</p>	<p>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.</p> <p>Alcoholic Beverage Commission authorized to obtain criminal history information from DPS.</p>
---	---

<p>CIVIL PRACTICE & REMEDIES CODE</p> <p>TITLE 5. GOVERNMENTAL LIABILITY. CHAPTER 101. TORT CLAIMS. SUBCHAPTER A. GENERAL PROVISIONS. SEC. 101.065. NEGLIGENCE OF OFF-DUTY LAW ENFORCEMENT.</p>	<p>Chapter does not apply to wrongful act or omission or negligence by officers commissioned by DPS.</p>
---	--

<p>CODE OF CRIMINAL PROCEDURE</p> <p>CHAPTER 2. GENERAL DUTIES OF OFFICERS. ART. 2.12. WHO ARE PEACE OFFICERS. ART. 2.121. RAILROAD PEACE OFFICERS.</p> <p>CHAPTER 5. FAMILY VIOLENCE PREVENTION. ART. 5.05. REPORTS AND RECORDS.</p> <p>CHAPTER 17. BAIL. ART. 17.293. DELIVERY OF ORDER FOR</p>	<p>DPS criminal law enforcement procedures and practices are subject to requirements stated in Code of Criminal Procedure.</p> <p>DPS director appoints certain peace officers.</p> <p>Family violence offense records are submitted to DPS.</p> <p>Court orders for emergency protection that suspend a concealed handgun are submitted to</p>
--	---

<p>EMERGENCY PROTECTION TO OTHER PERSONS.</p> <p>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.</p> <p>CHAPTER 38. EVIDENCE IN CRIMINAL ACTIONS. ART. 38.35. FORENSIC ANALYSIS OF EVIDENCE; ADMISSIBILITY.</p>	<p>DPS.</p> <p>DPS is authorized to use a variety of intercept devices.</p> <p>Certain forensic analyses are inadmissible unless conducted by a crime laboratory accredited by DPS director.</p>
---	--

<p>CHAPTER 42. JUDGMENT AND SENTENCE. ART. 42.016. SPECIAL DRIVER'S LICENSE OR IDENTIFICATION REQUIREMENTS FOR CERTAIN SEX OFFENDERS.</p> <p>CHAPTER 45. JUSTICE AND MUNICIPAL COURTS.</p> <p>CHAPTER 49. INQUESTS UPON DEAD BODIES. SUBCHAPTER A. DUTIES PERFORMED BY JUSTICES OF THE PEACE. ART. 49.04. DEATHS REQUIRING AN INQUEST.</p>	<p>Special driver license or identification for sex offenders issued by DPS.</p> <p>Reports of certain judgments and sentences are submitted to DPS; availability of driving records to courts; defensive driving and driving safety courses.</p> <p>Certain deaths reported to DPS missing children clearinghouse and national crime information clearinghouse within 10 working days.</p>
--	---

<p>CHAPTER 51. FUGITIVES FROM JUSTICE. ART. 51.12. SHERIFF TO REPORT.</p>	<p>Fugitive reports are submitted to DPS by sheriffs.</p>
<p>CHAPTER 55. EXPUNCTION OF CRIMINAL RECORDS.</p>	<p>DPS participates in criminal records expunction matters.</p>
<p>CHAPTER 59. FORFEITURE OF CONTRABAND.</p>	<p>DPS is notified of forfeiture matters. DPS utilizes forfeiture statutes.</p>
<p>CHAPTER 60. CRIMINAL HISTORY RECORD SYSTEM. ARTS. 60.01— 60.21.</p>	<p>DPS maintains comprehensive criminal history record system.</p>
<p>CHAPTER 61. COMPILATION OF INFORMATION PERTAINING TO CRIMINAL COMBINATIONS AND CRIMINAL STREET GANGS.</p>	<p>DPS establishes and maintains a specialized database.</p>
<p>CHAPTER 62. SEX OFFENDER REGISTRATION PROGRAM.</p>	<p>DPS administers sex offender registration program.</p>
<p>CHAPTER 63. MISSING CHILDREN AND MISSING PERSONS.</p>	<p>DPS administers missing children and missing persons clearinghouse.</p>
<p>CHAPTER 64. MOTION FOR FORENSIC DNA TESTING.</p>	<p>DPS performs forensic DNA testing based on court order.</p>
<p>CHAPTER 102. COSTS PAID BY DEFENDANTS. ART. 102.016 COSTS FOR BREATH ALCOHOL TESTING PROGRAM.</p>	<p>Funds collected for breath alcohol testing by municipal and counties are reported to DPS.</p>
<p>EDUCATION CODE</p>	
<p>CHAPTER 34. TRANSPORTATION. SEC. 34.002. SAFETY STANDARDS. SEC. 34.007. PUBLIC SCHOOL TRANSPORTATION SYSTEM.</p>	<p>DPS administers provisions related to school bus safety.</p>
<p>CHAPTER 51. PROVISIONS GENERALLY APPLICABLE TO HIGHER EDUCATION. SEC. 51.207. VEHICLE IDENTIFICATION INSIGNIA; VEHICLE PERMITS.</p>	<p>The Public Safety Commission administers rules for vehicle emissions inspection for students enrolled at learning institutions with unregistered out-of-state vehicles.</p>

<p>CHAPTER 1001. DRIVER AND TRAFFIC SAFETY EDUCATION.</p>	<p>DPS performs duties and a contract relating to driver education and driving safety in coordination with Texas Education Agency.</p>
<p>ELECTION CODE</p> <p>TITLE 2. VOTER QUALIFICATIONS AND REGISTRATION. CHAPTER 16. CANCELLATION OF REGISTRATION. SUBCHAPTER A. OFFICIAL NOTICE TO REGISTRAR.</p> <p>CHAPTER 20. VOTER REGISTRATION AGENCIES.</p> <p>CHAPTER 273. CRIMINAL INVESTIGATION AND OTHER ENFORCEMENT PROCEEDINGS.</p>	<p>DPS notifies Secretary of State of felony convictions.</p> <p>DPS administers “Motor Voter” registration program, providing registration forms at the time of driver license issuance.</p> <p>DPS may be directed by the attorney general to provide criminal investigation assistance.</p>

<p>FAMILY CODE</p> <p>CHAPTER 54. JUDICIAL PROCEEDINGS.</p> <p>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.</p> <p>CHAPTER 85. ISSUANCE OF PROTECTIVE ORDER.</p>	<p>DPS suspends juvenile licenses on court order and performs other duties under Juvenile Justice Code.</p> <p>DPS maintains juvenile justice information system.</p> <p>Clerk of court to submit protective order suspending concealed handgun license to DPS.</p>
---	---

<p>CHAPTER 86. LAW ENFORCEMENT DUTIES RELATING TO PROTECTIVE ORDERS. SEC. 86.0011. DUTY TO ENTER INFORMATION INTO STATEWIDE LAW ENFORCEMENT INFORMATION SYSTEM.</p>	<p>DPS to maintain a statewide law enforcement information system for entry of protective orders.</p>
<p>CHAPTER 203. DOMESTIC RELATIONS OFFICES. SEC. 203.007. ACCESS TO RECORDS; OFFENSE.</p>	<p>Domestic relations offices authorized to obtain certain information from DPS.</p>
<p>SUBTITLE D. ADMINISTRATIVE SERVICES. CHAPTER 231. TITLE IV-D SERVICES. SEC. 231.310 INTERAGENCY WORK GROUP. 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.</p>	<p>DPS is a licensing authority required to comply with statutory suspension requirements. DPS gathers Social Security numbers for driver licensing purposes. DPS participates in interagency workgroup.</p>

<p>FINANCE CODE</p> <p>CHAPTER 14. CONSUMER CREDIT COMMISSIONER. SUBCHAPTER D. CRIMINAL HISTORY RECORD INFORMATION. SEC. 14.151. OBTAINING INFORMATION. SEC. 14.153. ACTION BY LAW ENFORCEMENT AGENCIES.</p> <p>CHAPTER 59. MISCELLANEOUS PROVISIONS. SUBCHAPTER B. SAFE DEPOSIT BOXES. SEC. 59.110 ROUTING NUMBER ON KEY.</p> <p>CHAPTER 125. CREDIT UNION ACCOUNTS AND SERVICES. SUBCHAPTER F. SAFE DEPOSIT BOXES. SECS. 125.501-511.</p>	<p>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.</p> <p>DPS is notified by institutions believing safe deposit box routing numbers have been altered, defaced, or illegible.</p> <p>When an institution believes that the routing number used to open a safe deposit box has been altered, DPS is notified.</p>
--	---

<p>CHAPTER 151. REGULATION OF MONEY SERVICES BUSINESSES. SEC. 151.104. INVESTIGATIONS.</p>	<p>DPS assists the commissioner in enforcing this chapter.</p>
<p>CHAPTER 156. MORTGAGE BROKERS. SUBCHAPTER C. MORTGAGE BROKER LICENSE AND LOAN OFFICER LICENSE. SEC. 156.206. CRIMINAL BACKGROUND CHECK.</p>	<p>DPS provides criminal history information to the commissioner.</p>
<p>CHAPTER 371. PAWNSHOPS. SEC. 371.057. INVESTIGATION. NOTICE OF APPLICATION.</p>	<p>DPS receives notice of pawnshop applications.</p>

<p>GOVERNMENT CODE <i>(Excluding Statutes of General Applicability)</i></p> <p>TITLE 2. JUDICIAL BRANCH. SUBTITLE E. JURIES. CHAPTER 62. PETIT JURIES. SUBCHAPTER A. GENERAL PROVISIONS. SEC. 62.001. JURY SOURCE; RECONSTITUTION OF JURY WHEEL.</p>	<p>DPS furnishes driver license data to the Secretary of State.</p>
---	---

<p>SUBTITLE F. COURT ADMINISTRATION. CHAPTER 76. COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENTS. SEC. 76.003. COMMUNITY JUSTICE COUNCIL.</p>	<p>DPS participates in task forces on behalf of local community justice councils.</p>
<p>TITLE 3. LEGISLATIVE BRANCH. SUBTITLE A. LEGISLATURE. CHAPTER 301. LEGISLATIVE ORGANIZATION. SUBCHAPTER B. LEGISLATIVE REORGANIZATION ACT. SEC. 301.021. GENERAL INVESTIGATING COMMITTEE EMPLOYEES. SEC. 301.028. COOPERATION OF OTHER AGENCIES.</p>	<p>DPS assists standing and general investigating committees for the Legislature.</p>
<p>CHAPTER 322. LEGISLATIVE BUDGET BOARD. SEC. 322.019. CRIMINAL JUSTICE POLICY ANALYSIS.</p>	<p>DPS provides the board with criminal justice policy analysis data.</p>

<p>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.</p> <p>CHAPTER 418. EMERGENCY MANAGEMENT.</p> <p>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.</p>	<p>Enabling statutes for DPS. Identifies specific duties and responsibilities of DPS.</p> <p>DPS provides facilities and administrative support to Governor’s Division of Emergency Management under Executive Order RP-32.</p> <p>DPS is the repository for collection of multi-jurisdictional criminal intelligence information; serves on Homeland Security Council; provides administrative support.</p>
--	--

<p>SUBTITLE C. STATE MILITARY FORCES AND VETERANS. CHAPTER 433. STATE OF EMERGENCY. SEC. 433.004. DUTIES OF LAW ENFORCEMENT AGENCY.</p>	<p>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.</p>
<p>CHAPTER 443. STATE PRESERVATION BOARD. SEC. 443.015. PARKING METERS. SEC.443.0151. VISITOR PARKING FACILITIES.</p>	<p>DPS enforces parking and traffic control for the Capital Complex.</p>
<p>SUBTITLE D. HISTORY, CULTURE, AND EDUCATION. CHAPTER 447. ENERGY CONSERVATION OFFICE. SEC. 447.009. ENERGY AND WATER MANAGEMENT PLANNING.</p>	<p>DPS provides assistance in energy emergency contingency planning.</p>
<p>SUBTITLE E. OTHER EXECUTIVE AGENCIES. 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.</p>	<p>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.</p>
<p>CHAPTER 531. HEALTH AND HUMAN SERVICES COMMISSION. SEC. 531.107. MEDICAID AND PUBLIC ASSISTANCE FRAUD OVERSIGHT TASK FORCE.</p>	<p>A DPS representative serves on the Task Force to advise and assist the commission and the commission's office of investigations and enforcement to improve efficiency of fraud investigations and collections.</p>

<p>CHAPTER 552. PUBLIC INFORMATION. SEC. 552.009. OPEN RECORDS STEERING COMMITTEE: ADVICE TO COMMISSION; ELECTRONIC AVAILABILITY OF PUBLIC INFORMATION.</p> <p>CHAPTER 557. SEDITION, SABOTAGE, AND COMMUNISM.</p>	<p>A DPS representative serves as a member of the Open Records Steering Committee to provide advice to the commission.</p> <p>DPS is responsible to enforce state laws relating to sedition, sabotage, and communism.</p>
<p>TITLE 6. PUBLIC OFFICERS AND EMPLOYEES SUBTITLE A. PROVISIONS GENERALLY APPLICABLE TO PUBLIC 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.</p> <p>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.</p> <p>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.</p> <p>CHAPTER 662. HOLIDAYS AND RECOGNITION DAYS, WEEKS, AND MONTHS. SUBCHAPTER A. HOLIDAYS FOR STATE EMPLOYEES. SEC. 662.005. ENTITLEMENT TO PAID DAY OFF.</p>	<p>Complaint procedures relevant to state peace officers.</p> <p>DPS personnel are eligible/subject to law related to hazard duty pay and travel.</p> <p>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.</p> <p>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.</p>

<p>CHAPTER 772. GOVERNMENTAL PLANNING. SEC. 772.0101. BORDER INSPECTION, TRADE, AND TRANSPORTATION ADVISORY COMMITTEE. SEC. 772.011. INTERAGENCY WORK GROUP ON BORDER ISSUES.</p>	<p>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.</p>
<p>SUBCHAPTER I. TEXAS ONLINE PROJECT. CHAPTER 2054 INFORMATION RESOURCES. SEC. 2054.271. AUTHENTICATION OF INDIVIDUAL IDENTITIES AND SIGNATURES; RULES.</p> <p>CHAPTER 2165. STATE BUILDINGS, GROUNDS, AND PROPERTY. SEC. 2165.258. OFFICE SPACE FOR DEPARTMENT OF PUBLIC SAFETY; AMERICAN LEGION BUILDING.</p> <p>CHAPTER 2171. TRAVEL AND VEHICLE FLEET SERVICES. SEC. 2171.104. MANAGEMENT PLAN.</p>	<p>DPS authenticates an individual's identity for Department of Information Resources, state agencies, and local governments that use the project.</p> <p>DPS is provided office space at the Capitol.</p> <p>DPS assists the office of vehicle fleet management in preparing the management plan for the state's vehicle fleet.</p>

<p>HEALTH AND SAFETY CODE</p> <p>TITLE 2. HEALTH. SEC. 12.013. DRIVING AND TRAFFIC POLICIES. SEC. 12.072. BINATIONAL ALCOHOL AND SUBSTANCE ABUSE TASK FORCE. SEC. 12.092. MEDICAL ADVISORY BOARD; BOARD MEMBERS. SEC. 12.095. BOARD PANELS; POWERS AND DUTIES. SEC. 12.096. PHYSICIAN REPORT.</p> <p>CHAPTER 49. DONOR EDUCATION, AWARENESS, AND REGISTRY PROGRAM OF TEXAS.</p> <p>CHAPTER 81. COMMUNICABLE DISEASES. SEC. 81.011. REQUEST FOR INFORMATION.</p> <p>CHAPTER 113. TEXAS HEALTH CARE POLICY COUNCIL.</p>	<p>The Medical Advisory Board assists DPS in evaluating license applicants. DPS director or a representative serves on the task force.</p> <p>DPS consults with DSHS to establish the program. DPS provides the commissioner donor information from driver's license applications. DPS makes available educational materials in driver's license offices.</p> <p>In emergencies or epidemics, DPS may provide driver's license record information to the Texas Department of Health.</p> <p>DPS director is the public safety director. A DPS representative serves on the Texas Health Care Policy Council. The council advises DPS regarding the operation of the statewide Internet-based donor registry and donor educational programs.</p>
<p>CHAPTER 161. PUBLIC HEALTH PROVISIONS. SUBCHAPTER N. TOBACCO USE BY MINORS. SEC. 161.254 DRIVER'S LICENSE SUSPENSION OR DENIAL.</p> <p>CHAPTER 250. NURSE AIDE REGISTRY AND CRIMINAL HISTORY CHECKS OF EMPLOYEES AND APPLICANTS FOR EMPLOYMENT IN CERTAIN FACILITIES SERVING THE ELDERLY OR PERSONS WITH DISABILITIES. SEC. 250.004. CRIMINAL HISTORY RECORD OF EMPLOYEES. SEC. 250.005. NOTICE AND OPPORTUNITY TO BE HEARD CONCERNING ACCURACY OF</p>	<p>By court order, DPS suspends or denies issuance of driver's license or permit.</p> <p>DPS provides criminal record history information to DHS, TDMHMR, and private agencies.</p>

<p>INFORMATION.</p> <p>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.</p> <p>CHAPTER 461. TEXAS COMMISSION ON ALCOHOL AND DRUG ABUSE. SEC. 461.017 ADVISORY COMMITTEE ON REDUCING DRUG DEMAND.</p> <p>CHAPTER 468. PROGRAMS AND INITIATIVES TO PREVENT THE MANUFACTURE AND USE OF METHAMPHETAMINE. SUBCHAPTER A. METHAMPHETAMINE WATCH PROGRAM. SUBCHAPTER C. DRUG-ENDANGERED CHILD INITIATIVE.</p> <p>CHAPTER 481. TEXAS CONTROLLED SUBSTANCES ACT. SECS. 481.001 – 481.151. CHAPTER 483. DANGEROUS DRUGS.</p>	<p>DPS administers a vehicle emission testing program under provisions of the Federal Clean Air Act.</p> <p>A DPS representative serves on the committee.</p> <p>DPS assists DSHS with the implementation of the Methamphetamine Watch Programs. If it does not interfere with an ongoing investigation, DPS reports to DFPS the presence of a child in a location where methamphetamine is manufactured.</p> <p>DPS enforces provisions of the Texas Controlled Substances Act and the Texas Dangerous Drug Act.</p>
--	---

<p>CHAPTER 486. OVER-THE-COUNTER SALES OF EPHEDRINE, PSEUDOEPHEDRINE, AND NORPSEUDOEPHEDRINE. SEC. 486.015. MAINTENANCE OF RECORDS.</p>	<p>DPS is authorized to request the records of ephedrine, pseudoephedrine, and norpseudoephedrine over-the-counter sales from a business.</p>
---	---

<p>SUBTITLE D. HAZARDOUS SUBSTANCES. CHAPTER 503. HEALTH RISK ASSESSMENT OF TOXIC SUBSTANCES AND HARMFUL PHYSICAL AGENTS. SEC. 503.002. TOXIC SUBSTANCES COORDINATING COMMITTEE.</p> <p>TITLE 9. SAFETY. SUBTITLE A. PUBLIC SAFETY. CHAPTER 751. MASS GATHERINGS. SEC. 751.010. RULES.</p> <p>CHAPTER 758. BICYCLE SAFETY</p> <p>CHAPTER 765. CRIMINAL HISTORY RECORD INFORMATION CHECKS OF EMPLOYEES OF RESIDENTIAL DWELLING PROJECTS.</p> <p>CHAPTER 773. EMERGENCY MEDICAL SERVICES. SUBCHAPTER B. STATE PLAN FOR EMERGENCY SERVICES. SEC. 773.023. AREA PLANS.</p> <p>CHAPTER 778. EMERGENCY MANAGEMENT ASSISTANCE COMPACT.</p> <p>CHAPTER 780. TRAUMA FACILITIES AND EMERGENCY MEDICAL SERVICES. SEC. 780.002. DEPOSITS TO ACCOUNT.</p>	<p>DPS participates in the Toxic Substances Coordinating Committee to promote agency controls on the use of toxic substances and harmful physical agents.</p> <p>DPS administers rules relating to mass gatherings and public safety.</p> <p>DPS administers regulations governing bicycle safety.</p> <p>DPS verifies criminal history records to employers who employ employees to work at residential dwelling projects.</p> <p>DPS coordinates with the Board of Health concerning the implementation of emergency service planning.</p> <p>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.</p> <p>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.</p>
--	--

<p>CHAPTER 841. CIVIL COMMITMENT OF SEXUALLY VIOLENT PREDATORS. SEC. 841.022. MULTIDISCIPLINARY TEAM. SEC. 841.083. TREATMENT; SUPERVISION.</p>	<p>A DPS representative is a member of the team. The council maintains an MOU with DPS for provision of a tracking service and assistance in the apprehension and arrest of a person.</p>
<p>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.</p>	<p>DPS cooperates with DHS in driver's license suspensions.</p>
<p>SEC. 40.054. ACCESS TO CRIMINAL HISTORY.</p>	<p>DPS provides criminal history information to TDPR.</p>
<p>SEC. 40.072. DUTY TO REPORT; DEPARTMENT RECORDS.</p>	<p>If it does not interfere with ongoing criminal investigation, DPS reports to TDPR the presence of a child in location where methamphetamine is manufactured.</p>
<p>TITLE 7. REHABILITATION OF INDIVIDUALS WITH DISABILITIES. CHAPTER 111. TEXAS REHABILITATION COMMISSION. SEC. 111.058. CRIMINAL CONVICTION RECORD INFORMATION.</p>	<p>DPS provides criminal history information to the commission.</p>

<p>NATURAL RESOURCES CODE</p> <p>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.</p> <p>CHAPTER 113. LIQUIFIED PETROLEUM GAS. SUBCHAPTER E. MOTOR VEHICLES AND TESTING LABORATORIES. SEC. 113.134. DEPARTMENT OF PUBLIC SAFETY. CHAPTER 115. REGULATION OF</p>	<p>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.</p> <p>In enforcement of certain transporters of oil or petroleum products, a Texas Ranger may serve any judicial process.</p>
<p>CERTAIN TRANSPORTERS OF OIL OR PETROLEUM PRODUCTS. SEC. 115.044. SERVICE OF PROCESS.</p> <p>CHAPTER 116. COMPRESSED NATURAL GAS. SUBCHAPTER D. MOTOR VEHICLE REGULATION. SEC. 116.074. COOPERATION OF THE DEPARTMENT OF PUBLIC SAFETY.</p>	<p>DPS cooperates with Railroad Commission on regulation of motor vehicles registered with the Commission.</p>
<p>OCCUPATIONS CODE</p> <p>CHAPTER 155. LICENSE TO PRACTICE MEDICINE. SEC. 155.008. CRIMINAL RECORD CHECK.</p> <p>SUBTITLE E. REGULATION OF NURSING. CHAPTER 301. NURSES. SEC. 301.2511. CRIMINAL HISTORY RECORDS INFORMATION FOR LICENSE APPLICANTS.</p> <p>CHAPTER 504. CHEMICAL DEPENDENCY COUNSELORS. SEC. 504.1515. COUNSEL INTERNS.</p> <p>CHAPTER 901. ACCOUNTANTS. SEC. 901.253. CHARACTER INVESTIGATION. SEC. 901.354. FIRM LICENSE INFORMATION AND ELIGIBILITY.</p>	<p>DPS provides criminal history information to the board.</p> <p>DPS provides criminal history information to the board.</p> <p>DPS provides criminal history information to Texas Commission on Alcohol and Drug Abuse.</p> <p>DPS provides criminal history information to Public Accountancy Board.</p>

<p>SUBCHAPTER B. COMMISSION ON LAW ENFORCEMENT OFFICER STANDARDS AND EDUCATION. SEC. 1701.051. COMMISSION MEMBERSHIP.</p> <p>CHAPTER 1702. PRIVATE SECURITY.</p> <p>CHAPTER 1703. POLYGRAPH EXAMINERS.</p> <p>CHAPTER 1805. SALE OF SECONDHAND BUSINESS MACHINES. SEC. 1805.102. PURCHASE AT TEMPORARY LOCATION OF SECONDHAND DEALER.</p>	<p>The Director of DPS serves as an ex-officio member of the commission.</p> <p>The Private Security of DPS investigates criminal and administrative violations of Ch. 1702 and related administrative rules. DPS provides criminal history information under the Act.</p> <p>Polygraph Examiners Board contracts with DPS for administrative functions.</p> <p>DPS maintains records from secondhand business machine sales at temporary locations.</p>
<p>CHAPTER 1956. SALES TO METAL DEALERS AND METAL RECYCLING ENTITIES.</p> <p>CHAPTER 2003. INSPECTION AND REGULATION OF GAMBLING VESSELS. SEC. 2003.052. INSPECTION. SEC. 2003.051. CRIMINAL HISTORY RECORD INFORMATION.</p> <p>CHAPTER 2302. SALVAGE VEHICLE DEALERS. SEC. 2302.0015. CONSENT TO ENTRY AND INSPECTION.</p> <p>CHAPTER 2303. VEHICLE STORAGE FACILITIES. SEC. 2303.303. AUTHORITY TO ARREST.</p> <p>CHAPTER 2305. RECORDS OF CERTAIN VEHICLE REPAIRS, SALES, AND PURCHASES.</p> <p>SUBTITLE C. REGULATION OF TRANSPORTATION SERVICES. CHAPTER 2401. TRANSPORTATION SERVICE PROVIDERS.</p>	<p>DPS maintains records from secondhand metal dealers.</p> <p>DPS may obtain criminal history information relating to operators of vessels, maintain records of information, and may inspect vessels.</p> <p>DPS inspects salvage vehicle dealers to assist in the recovery of stolen vehicles and parts.</p> <p>DPS enforces violations of the Vehicle Storage Facility Act.</p> <p>DPS inspects business records, vehicle parts, or other items to assist in the recovery of stolen vehicles and parts.</p> <p>DPS regulates transportation service providers.</p>

<p>PENAL CODE</p>	<p>DPS investigates violations of the state penal laws.</p>
<p>PROBATE CODE CHAPTER XIII. GUARDIANSHIP. PART 3. APPOINTMENT AND QUALIFICATION OF GUARDIANS. SUBPART A. APPOINTMENT. SEC. 698. ACCESS TO CRIMINAL HISTORY RECORDS.</p>	<p>County clerks may obtain criminal history information from DPS regarding persons serving as private professional guardians.</p>
<p>PROPERTY CODE TITLE 6. UNCLAIMED PROPERTY. CHAPTER 74. REPORT, DELIVERY, AND CLAIMS PROCESS. SUBCHAPTER H. ENFORCEMENT. SEC. 74.704. ASSISTANCE IN ENFORCEMENT.</p>	<p>DPS assists in the enforcement of statutory provisions.</p>
<p>TITLE 16. TEXAS RESIDENTIAL CONSTRUCTION COMMISSION ACT. SUBTITLE C. BUILDER REGISTRATION. CHAPTER 416. CERTIFICATE OF REGISTRATION.</p>	<p>The commission may obtain criminal history records maintained by DPS.</p>
<p>TRANSPORTATION CODE <i>(See also uncodified provisions in Section 2 of this exhibit)</i> CHAPTER 8. PROTECTING MOVEMENT OF COMMERCE. SEC. 8.004. USE OF TEXAS RANGERS. CHAPTER 24. OPERATION OF AIRCRAFT. SEC. 24.013. AIRCRAFT FUEL CONTAINERS; OFFENSE. TITLE 6. CHAPTER 201. GENERAL PROVISIONS AND ADMINISTRATION. Sec. 201.612. APPROVAL BY COMMISSION OF BRIDGE OVER RIO GRANDE.</p>	<p>DPS enforces many of the laws contained in the Transportation code. All of the Transportation Code is significant to DPS operations. DPS Texas Rangers may assist in the enforcement. DPS may receive seized aircraft subject to forfeiture. DPS provides advice to the Texas Transportation Commission on the bridge construction over the Rio Grande.</p>

<p>CHAPTER 471. RAILROAD AND ROADWAY CROSSINGS. SEC. 471.003. TELEPHONE SERVICE TO REPORT MALFUNCTIONS OF MECHANICAL SAFETY DEVICES AT CROSSINGS.</p>	<p>DPS maintains a statewide service for reporting the malfunction of railroad devices.</p>
<p>CHAPTER 222. FUNDING AND FEDERAL AID. SEC. 222.001. USE OF STATE HIGHWAY FUND.</p>	<p>DPS utilizes funds to police the state highway system and administer state laws relating to traffic and safety on public roads.</p>
<p>CHAPTER 370. REGIONAL MOBILITY AUTHORITIES. SEC. 370.191. COMMERCIAL TRANSPORTATION PROCESSING SYSTEMS.</p>	<p>With the Texas Department of Transportation and the comptroller, DPS prepares the Texas ITS/CVO Business Plan.</p>
<p>TITLE 7. VEHICLES AND TRAFFIC. CHAPTER 501. CERTIFICATE OF TITLE ACT. CHAPTER 502. REGISTRATION OF VEHICLES. SEC. 502.162. FEE: COMMERCIAL MOTOR VEHICLE OR TRUCK-TRACTOR. SEC. 502.165. FEE: ROAD TRACTOR. SEC. 502.166.</p>	<p>DPS enforces sales of motor vehicles and transfers of title, including nonrepairable and salvage motor vehicles. DPS inspectors participate in the enforcement of commercial motor vehicle registration violations and related matters.</p>
<p>FEE: TRAILER OR SEMITRAILER. SEC. 502.167. TRUCK-TRACTOR OR COMMERCIAL MOTOR VEHICLE COMBINATION FEE; SEMITRAILER TOKEN FEE.</p>	
<p>CHAPTER 504. SPECIALTY LICENSE PLATES. SEC. 504.851. CONTRACT WITH PRIVATE VENDOR.</p>	<p>DPS determines color restrictions of specialty license plates.</p>
<p>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.</p>	<p>DPS administers driver licensing program; issues driver licenses and identification cards; administers license suspension program for persons failing to pass test for intoxication.</p>

<p>CHAPTER 525. MOTORCYCLE AND BICYCLE AWARENESS.</p> <p>SUBTITLE C. RULES OF THE ROAD. CHAPTERS 541 – 600.</p> <p>SUBTITLE D. MOTOR VEHICLE SAFETY RESPONSIBILITY. CHAPTER 601. MOTOR VEHICLE SAFETY RESPONSIBILITY ACT.</p> <p>SUBTITLE E. VEHICLE SIZE AND WEIGHT. CHAPTERS 621 – 623.</p> <p>SUBTITLE F. COMMERCIAL MOTOR VEHICLES. CHAPTERS 642 – 648.</p> <p>SUBTITLE G. MOTORCYCLES AND ALL-TERRAIN VEHICLES. CHAPTERS 661 – 663.</p>	<p>DPS administers motorcycle and bicycle awareness program.</p> <p>DPS enforces statutory rules relating to the operation of vehicles on the highway.</p> <p>DPS enforces statutes relating to financial responsibility.</p> <p>DPS enforces commercial motor vehicle size and weight laws.</p> <p>DPS administers laws relating to commercial motor vehicles.</p> <p>DPS administers motorcycle headgear protection regulations and vehicular restrictions.</p>
<p>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. GARAGEKEEPER’S DUTY: ABANDONED MOTOR VEHICLES.</p> <p>CHAPTER 703. NONRESIDENT VIOLATOR COMPACT OF 1977.</p> <p>CHAPTER 706. DENIAL OF RENEWAL OF LICENSE FOR FAILURE TO APPEAR.</p>	<p>DPS may issue notices relating to abandoned vehicles and take custody of abandoned vehicles.</p> <p>DPS complies with provisions of Nonresident Violator Compact of 1977.</p> <p>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.</p>

<p>SUBTITLE J. MISCELLANEOUS PROVISIONS. CHAPTER 724. IMPLIED CONSENT. SUBCHAPTER A. GENERAL PROVISIONS. SEC. 724.001. DEFINITIONS.</p> <p>CHAPTER 730. MOTOR VEHICLE DISCLOSURE ACT.</p>	<p>DPS administers administrative license suspension proceedings jointly with the State Office of Administrative Hearings.</p> <p>DPS administers state law for motor vehicle records disclosure.</p>
<p>WATER CODE</p> <p>CHAPTER 6. TEXAS WATER DEVELOPMENT BOARD. SEC. 6.1555. REFERRAL FOR INVESTIGATION OR ENFORCEMENT.</p> <p>CHAPTER 16. PROVISIONS GENERALLY APPLICABLE TO WATER DEVELOPMENT. SEC. 16.055. DROUGHT RESPONSE PLAN.</p>	<p>DPS Texas Rangers assist the board with investigations and enforcement.</p> <p>Coordinator of the division of emergency management of the office of the governor is the state drought manager who manages and coordinates the drought response component of the state water plan.</p>
<p>2). Uncodified Statutory Provisions – Other General Statutes</p>	
<p>Citation/Title</p>	<p>Authority/Impact on Agency</p>
<p>VCS Art. 179e TEXAS RACING ACT.</p>	<p>Public Safety Commission chair serves on Racing Commission Board. DPS provides criminal history information to Commission and investigates criminal activity.</p>
<p>VCS Art. 4413(37) AUTOMOBILE THEFT PREVENTION AUTHORITY.</p>	<p>DPS member serves as ex-officio member of ATPA. DPS administers statewide automobile registration program developed by ATPA.</p>

VCS Art. 6419c(b) HAZARDOUS MATERIALS; REPORTS.	DPS, Division of Emergency Management, annually distributes information compiled by the commission to appropriate officials for local emergency management plans.
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.
3). Federal Laws and Regulations	
Citation/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 subject to restrictions on the release of information subject to federal privacy protection under Title 18 U.S.C. §§ 2721 et seq.
Commercial Motor Vehicle and Commercial Driver License	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.

	<p>Parts 100-399. 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.</p> <p>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</p>

	<p>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 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>
Emergency Management	<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>
Federal Law Enforcement Provisions	<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</p>

	<p>registration laws are addressed in 21 U.S.C. §§ 821 et seq.</p> <p>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 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</p>
--	--

	<p>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.</p> <p>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> <p>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.</p>
Federal Homeland Security	<p>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.</p>
School Bus Safety	<p>DPS administers provisions related to school bus safety. DPS requires that all school buses chassis</p>

	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.</p> <p>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>
Attorney General Opinions	
Attorney General Opinion No.	Impact on Agency
GA-0547 (2007)	Opinion regarding 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-0527 (2007)	Opinion regarding whether a machine that records a player's winnings onto a store-value debit card is a "gambling device" for purposes of section 47.01(4)(B) of the Penal Code.
GA-0509 (2007)	Opinion regarding whether a county may require an overweight vehicle to obtain an operating permit in addition to the permit required by the Department of Transportation.
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.
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.
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.
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.

B. Provide a summary of recent legislation regarding your agency by filling in the chart 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). See Exhibit 14 Example or [click here to link directly to the example](#).

Texas Department of Public Safety

Exhibit 14: 80th Legislative Session Chart		
Legislation Enacted - 80th Legislative Session		
Bill Number	Author	Summary of Key Provisions
HB 12	Hilderbran, Guillen, Chisum, Turner, B. Cook	Implemented physical fitness standards as a condition of employment as a state peace officer at DPS, the Texas Alcoholic Beverage Commission, Texas Department of Criminal Justice, and Texas Parks and Wildlife Department.
HB 76	Naishtat	Required DPS to collect information regarding sexual assault and defines specific sexual assault data that must be collected, including information about the offender and the offender's relationship to the victim, any weapons used, and any injuries sustained by the victim.
HB 84	Branch, Harless, Goolsby	Driver license issuance and renewal for elderly persons
HB 88	Branch	Effective June 15, 2007, required Governor's Office of Emergency Management to assist political subdivisions in developing plans for the humane evacuation, transport, and temporary sheltering of service animals and household pets during declared emergencies and disasters.
HB 233	Ritter, C. Howard, Merritt, Guillen, Farabee	Provided a concealed handgun license fee waiver for active duty military members and honorably discharged veterans within one year of their discharge from the military service
HB 320	West	Effective September 1, 2007, commercial businesses may access or use electronically readable information derived from a driver's license or personal identification certificate for purposes of identification verification of an individual or check verification at the point of sale for a purchase of a good or service by check.
HB 485	Van Arsdale	Authorized law enforcement agencies to collect up to \$5,000 in restitution from a person who writes a bad check on the execution of a warrant against the person.
HB 964	Guillen	Allowed law enforcement students to legally carry an unloaded weapon while traveling to and from a law enforcement class or target practice.
HB 991	Rose, Gattis, Leibowitz, Hughes	Effective May 23, 2007, made confidential DPS records about who holds a concealed handgun in Texas, while allowing criminal justice agency officials to still access this information.
HB 1241	Haggerty	Required any private security business to maintain criminal histories of its security personnel on file at the business and to make them available for inspection by DPS.
HB 1303	Pena	Required DPS to notify private entities that purchase criminal history record information, at the same time that other repositories of criminal history information are notified, when an individual's

		criminal history record has been ordered expunged.
HB 1638	Taylor	Added the City of Kemah (Galveston County) to those police agencies eligible to have the DPS train their peace officers to become certified to enforce commercial motor vehicle safety standards.
HB 1839	Bonnen	Decreased from every five to every ten years when a concealed handgun license (CHL) holder must take a continuing education course in order to renew their CHL.
HB 2077	Krusee	Effective June 15, 2007, added the City of Round Rock (Williamson County) Police Department to those police agencies eligible to have DPS train their peace officers to become certified to enforce commercial motor vehicle safety standards.
HB 2565	Madden	Established the Motor Vehicle Advisory Committee to provide input from state safety and emissions testing inspectors to the DPS Texas Highway Patrol Division's Vehicle Inspection Bureau regarding certification of motor vehicle inspection stations and inspectors.
HB 2694	Hamilton	Governor's Division of Emergency Management shall administer the Disaster Contingency Fund.
HB 2833	Driver	Made numerous non-substantive updates to the Private Security Act including clarifications requested by the Private Security Board and the private security industries regulated by the Act, a reduction in the length of time for which different convictions will disqualify a private security license applicant, simplifying the private security licensing process for applicants, and improving the ability of DPS to administer and enforce the Act.
HB 3190	Giddings	Required that a record of school bus training be reported to the Department of Public Safety within 30 days of its completion.
HB 3594	Raymond	Limits where the Texas Department of Transportation can construct and DPS can operate any commercial vehicle inspection facility in the City of Laredo (Webb County) to inspect the safety and registration of commercial vehicles coming from Mexico and entering Texas.
HB 3613	Latham	Created a statewide standard for peace officer identification cards, including ID cards for reserve law enforcement officers and honorably retired peace officers.
SB 9	Shapiro	Effective June 15, 2007, required a national criminal history background check for all certified public school employees and created a clearinghouse at DPS for criminal history background information on public school employees so this information can be shared between school districts.
SB 11	Carona	ARTICLE 1 creates the Statewide Mutual Aid System. ARTICLE 5 provides DPS shall determine which designated organizations' vehicles may be operated as emergency vehicles during declared disasters based on recommendations received from the emergency

		management council. ARTICLE 6 expands offenses for which wire, oral and electronic interceptions are authorized. ARTICLE 7 provides for training on activation of the Emergency Alert System. ARTICLE 8 makes changes to improve the monitoring of vehicle temporary tags. ARTICLE 16 strengthens the law regarding human trafficking. ARTICLE 18 contains miscellaneous provisions relating to homeland and border security, including the creation of the Border Security Council, changes the name of the Texas Infrastructure Protection Communications Center to the Texas Fusion Center, and clarifies the requirements for certain information gathering systems. ARTICLE 19 provides for emergency management training. ARTICLE 20 increased from three to five the number of Texas Public Safety Commission members, adding that each appointee “must reflect the diverse geographic regions and population groups of this state”. ARTICLE 21 creates an enhanced driver’s license or personal identification certificate.
SB 295	Williams	Effective June 15, 2007, authorized DPS to require commissioned officers and noncommissioned employees to take a polygraph examination if the officer or employee works with a federal agency on a national security issue.
SB 328	Carona	Clarified that only a valid positive dilute specimen from an employer-required alcohol and drug test of an employee who holds a commercial driver's license be reported to DPS by a motor carrier employer.
SB 330	Carona	Effective April 23, 2007, allowed DPS to utilize noncommissioned commercial motor vehicle inspection staff at all inspection sites located throughout Texas, including temporary roadside and weight inspection stations that are periodically set up to ensure commercial vehicle safety.
SB 332	Carona	Authorized the state to prohibit a motor carrier from operating intrastate commerce if the U.S. Federal Motor Carrier Safety Administration has prohibited the carrier from operating in interstate commerce due to the carrier being deemed unfit or unsafe.
SB 333	Carona	Added the sanction for violating an out-of-service order to the operators of commercial motor vehicles with a gross weight rating of 10,001 lbs. to 26,000 lbs. This makes a driver of a small commercial motor vehicle, regardless of whether or not they hold a commercial driver license (CDL), subject to the same penalties as those commercial vehicle drivers who do hold a CDL.
SB 545	Carona	Added about 40 municipal police departments to those police agencies eligible to have DPS train their peace officers to become certified to enforce commercial motor vehicle safety standards.
SB 687	Shapleigh	Effective June 15, 2007, allowed DPS to use TexasOnline to track payment for person-to-person transactions that take place in

		regional or district offices for Driver License Division transactions.
SB 740	Whitmire	Effective May 4, 2007, provided DPS peace officers with the same protection provided other peace officers who operate under a civil service system by rendering their personnel records confidential with the exception of information relating to commendations, confirmed complaints, disciplinary actions, and basic employment details.
SB 766	Ogden	Transferred from DPS to the Texas Department of Transportation the DPS Crash Records Bureau—the state repository for motor vehicle traffic crash records—including the bureau’s 86 full-time employees.
SB 823	Whitmire	Effective May 23, 2007, added the police departments of the six largest cities in Texas (Houston, Dallas, San Antonio, Fort Worth, Austin, and El Paso) as the police agencies, along with DPS, authorized to operate a pen register—a device that captures real-time outgoing telephone numbers dialed from a telephone—electronic serial number reader, or similar equipment in hostage or kidnapping situations.
SB 839	Duncan	Required DPS to enter into a memorandum of understanding with other state agencies to identify offenders in the criminal justice system that are physically or mentally disabled, or terminally or significantly ill.
SB 1084	Carona	Authorizes DPS to sell advertising for inclusion in DPS driver license mailings.
SB 1154	Carona	Required DPS to establish a registration program and statewide electronic reporting system, including enforcement and hearing provisions, for secondhand metal dealers and metal recycling entities.
SB 1260	Seliger	Authorized DPS to issue a nonresident commercial driver’s license with the word “nonresident” printed on it to a resident of a foreign jurisdiction, valid for a length of time determined by the earlier of the expiration dates of the person’s visa and I-94 forms or 60 days.
SB 1315	Uresti	Required DPS to develop an alert system for missing senior citizens similar to the current Amber Alert Program for abducted children.
SB 1372	Carona	Provided DPS the authority to cancel a commercial driver’s Hazardous Materials Endorsement upon notification by a federal agency that the driver did not pass a required federal background check; clarified the enforcement action taken for violation of an out-of-service order; and provided a penalty for insufficient clearance when traversing a railroad grade crossing.
SB 1723	Ogden	Authorizes DPS to amend contracts and enter into additional contracts for collection of surcharges.
SB 1879	Williams	Effective June 15, 2007, extended controlled substance

		registration and monitoring to Schedule III, IV, and V drugs; established administrative penalties for noncompliance with such monitoring; and tightened the current drug distribution monitoring program to ensure all participants comply with the law.
Legislation Not Enacted - 80th Legislative Session		
Bill Number	Author	Summary of Key Provisions
HB 13	Swinford	Relating to homeland security issues, including border security issues and homeland security staffing requirements; making an appropriation. <i>House point of order sustained.</i> <i>Note: some provisions of HB 13 were adopted in SB 11. However, certain provisions were not adopted in SB 11: TDEX project management clarification; formal creation of State Office of Homeland Security</i>
HB 166	Raymond	Relating to a pilot program establishing a safe schools unit in the Department of Public Safety. <i>Referred to committee.</i>
HB 253	T. Smith, Goolsby, Callegari, Anchia	Relating to the authority of the Department of Public Safety and certain local law enforcement agencies to establish a checkpoint on a highway or street to determine whether persons are driving while intoxicated. <i>Left pending.</i>
HB 430	Madden	Relating to the monitoring of certain high-risk sex offenders. <i>Passed House only.</i>
HB 558	Noriega	Relating to restrictions on the location of certain sex offenders and to notice reflecting that location. <i>Referred to committee.</i>
HB 907	Zedler	Relating to the enforcement of federal immigration and customs laws by the Department of Public Safety of the State of Texas. <i>Referred to committee.</i>
HB 932	Harper-Brown	Relating to requiring that a driver's license, personal identification certificate, or commercial driver's license issued by the Department of Public Safety state whether the holder is a citizen of the United States. <i>Referred to committee.</i>
HB 1327	Dutton	Relating to the authority of peace officers to conduct certain searches. <i>Referred to committee.</i>
HB 1424	Geren	Relating to an appropriation to the Department of Public Safety for the purpose of administering and supporting certain databases and clearinghouses related to missing persons and children. <i>Referred to committee.</i>
HB 1439	Chisum	Relating to authorizing the Texas Department of Public

		Safety to establish a driver record monitoring pilot program and enter into contracts for the periodic reporting of certain information in the department's driver's license files; providing penalties. <i>Failed to pass House.</i> <i>Note: Identical to SB 876 which the House placed on the General State Calendar</i>
HB 1933	Burnam	Relating to the use of and reporting procedures concerning the use of Tasers and other stun guns by law enforcement agencies. <i>Referred to committee.</i>
HB 2044	Phillips	Relating to abating or deferring the suspension or revocation of a license issued by the Department of Public Safety for victims of identity theft. <i>House committee report sent to Calendars.</i>
HB 2241	Kuempel	Relating to the work hours of and compensatory time and overtime pay for commissioned officers of the Department of Public Safety. <i>House committee report sent to Calendars.</i>
HB 2656	Parker, Homer, P. King, Hartnett, Rose	Relating to requiring that a driver's license, personal identification certificate, commercial driver's license, and commercial driver learner's permit issued by the Department of Public Safety state that the holder is a registered sex offender. <i>Left pending in Senate.</i>
HB 2869	Corte	Relating to the issuance of driver's licenses and identification cards. <i>Left pending.</i>
HB 3009	Pierson	Relating to supervising, monitoring, and restricting the location of certain sex offenders. <i>No action taken in committee.</i>
HB 3500	Noriega	Relating to the position of director of homeland security. <i>Referred to committee.</i>
HB 3501	Noriega	Relating to the position of director of homeland security. <i>Referred to committee.</i>
HB 3814	Zerwas	Relating to adoption of the Revised Uniform Anatomical Gift Act; providing criminal penalties. <i>Left pending.</i> <i>Note: Identical to SB 1597 which House placed on Major State Calendar.</i>
HB 4108	Raymond	Relating to the operation of the Texas Data Exchange or any other similar comprehensive intelligence database. <i>Filed.</i>
HCR 148	Isett	Refusing to implement the federal REAL ID Act of 2005. <i>Not heard in Committee.</i>
HCR 172	Corte	Memorializing Congress to fund the REAL ID Act of 2005. <i>Left pending.</i>
SB 59	Zaffirini	Relating to the authority of certain law enforcement agencies to establish a checkpoint on a highway or street to determine whether persons are driving while intoxicated. <i>Removed from Senate Intent Calendar.</i>

SB 80	Shapiro	Relating to the monitoring of certain high-risk sex offenders. <i>Referred to committee.</i>
SB 94	Gallegos	Relating to restrictions on the location of certain sex offenders and to notice reflecting that location. <i>Referred to committee.</i>
SB 226	Harris	Relating to a computerized map system containing the locations of residences of registered sex offenders and premises where children commonly gather. <i>Referred to committee.</i>
SB 876	Seliger	relating to authorizing the Department of Public Safety of the State of Texas to establish a driver record monitoring pilot program and enter into contracts for the periodic reporting of certain information in the department's driver's license files; providing penalties. <i>House placed on General State Calendar</i> <i>Note: Identical to HB 1439 which failed to pass House.</i>
SB 1250	Carona	Relating to the issuance of driver's licenses and identification cards. <i>Referred to committee.</i>
SB 1422	Shapiro	Relating to the manner in which notice of the residence of certain sex offenders is requested and sent. <i>Referred to committee.</i>
SB 1583	Gallegos	Relating to the prompt and efficient response to flooding and evacuations. <i>Left pending.</i>
SB 1597	Janek	Relating to adoption of the Revised Uniform Anatomical Gift Act; providing criminal penalties. <i>House placed on Major State Calendar.</i> <i>Note: Identical to HB 3814 which was left pending in committee.</i>
SB 1740	Shapiro	Relating to the prosecution of certain sexual offenses and to the registration and supervision of sex offenders. <i>House committee report sent to Calendars.</i>
SB 1787	Carona	Relating to authorizing the Department of Public Safety to contract to provide certain fingerprint information. <i>Left pending.</i>
SB 1970	Hinojosa	Relating to the destruction by the Department of Public Safety of the State of Texas of drugs and controlled substances seized by a state, local, or federal agency and the fee charged by the department for that service. <i>House placed on General State Calendar.</i>
SCR 40	Estes	Opposing the federal REAL ID Act of 2005 as an unfunded mandate. <i>Left pending.</i>

SCR 45	Carona	Memorializing Congress to fund the REAL ID Act of 2005. <i>Referred to committee.</i>
--------	--------	--

IX. Policy 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. 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?

Emphasis should be given to issues appropriate for resolution through changes in state law. Issues related to funding or actions by other governmental entities (federal, local, quasi-governmental, etc.) may be included, but the Sunset Commission has no authority in the appropriations process or with other units of government. If these types of issues are included, the focus should be on solutions which can be enacted in state law. This section contains three components:

Brief Description of Issue.

Background. Include enough information to give context for the issue. Information helpful in building context includes:

- What specific problems or concerns are involved in this issue?
- Who does this issue affect?
- What is the agency's role related to the issue?
- Any previous legislative action related to the issue?

Possible Solutions and Impact. Provide potential recommendations to solve the problem. Feel free to add a more detailed discussion of each proposed solution, including:

- How will the proposed solution fix the problem or issue?
- How will the proposed change impact any entities or interest groups?
- How will your agency's performance be impacted by the proposed change?
- What are the benefits of the recommended change?
- What are the possible drawbacks of the recommended change?
- What is the fiscal impact of the proposed change?

Complete this section for each policy issue. Copy and paste boxes A through C as many times as needed to discuss each issue. See Policy Issue Example or [click here to link directly to the example](#).

A. Brief Description of Issue #1

Lines of authority between the Department of Public Safety (DPS), the Governor's Division of

Emergency Management (GDEM) and the state Office of Homeland Security (OHS) should be clarified to ensure effective and efficient government operations.

B. Discussion

Duties and responsibilities are, at times, confused due to a lack of defined rules and authority among and between DPS, GDEM and OHS. This creates several problems from a budgeting perspective. The Emergency Management program has four strategies within the DPS appropriated budget and GDEM capital items are part of the DPS Capital Budget. When the OHS or GDEM attempt to expend federal grant dollars to make Information Resource expenditures for example, they are constrained by the Department limitation of a 25% budget transfer authority. Conversely, the Department is adversely affected by any large capital expenditure made by OHS and GDEM that erodes the DPS cap space. Also, any contract executed by or through GDEM must be signed by the Director of DPS or the DPS Chief Financial Officer. In many of these contracts, DPS has no decision making authority but are responsible for contract obligations which creates difficult and awkward management conflicts. Contract language, deadlines, and processes that meet the needs of GDEM or OHS may also be in conflict with the duties and responsibilities of the Department.

Since the employees of GDEM are still DPS employees, they are expected to follow DPS policy, rules, and regulations. However, since they are under the operational control of another entity, they are also bound to abide by instructions from that entity. This has the potential for creating problems for the employees as well as all entities involved.

C. Possible Solutions and Impact

Amend current statutes to clearly define the responsibilities of DPS, GDEM and OHS and ensure the roles are divided in a manner that will ensure effective operations.

The fiscal impact of this proposal should be minimal. Local law enforcement officials, county judges, and city mayors may have a significant interest in this proposal since they have homeland security and emergency management responsibilities.

A. Brief Description of Issue #2

This issue involves the extent to which information on certified concealed handgun instructors may be released to the public.

B. Discussion

Under the provisions of Government Code 411.192 “Confidentiality of Records” (as confirmed by the Office of the Attorney General in Opinion #OR2002-6049), the Department may provide only the name and zip code of certified concealed handgun instructors to the public. It would be more helpful to the public for purposes of finding an instructor if we could provide the name, address, zip code and phone number of these instructors.

C. Possible Solutions and Impact

If the statute were amended to allow the Department to provide a list of certified instructors that included the instructors’ names, as well as their business addresses and phones, it would be a greater service to the public. This would have little impact on the Department, as we currently create such a list and then redact everything but the name and zip code for purposes of public release.

A. Brief Description of Issue #3

This issue involves the issuing of concealed handgun licenses to non-residents.

B. Discussion

With regard to non-resident licenses, non-Texas residents are eligible for a concealed handgun license if they meet all the eligibility criteria other than residency. However, the requirements of Government Code §411.172 relating to taxes, child support and student loans refer only to incidents occurring in this state. Therefore, while we check for incidents occurring within Texas, it is possible that non-residents could owe taxes, child support, or student loans in their home state and still be licensed. Even if the statute were revised to require that non-residents meet these requirements in their home state, we do not have a means to verify this information.

C. Possible Solutions and Impact

The statute could be amended to require that non-residents provide the Department with certifications from the appropriate agencies/authorities verifying that they are not delinquent in child support, local or state taxes or student loans.

A. Brief Description of Issue #4

The DPS has contracted with L-1 Identity Systems to establish a statewide live scan fingerprinting service for individuals who need to be fingerprinted for background searches of the DPS files. This service, the Fingerprint Applicant Services of Texas (FAST), is working out very well and, along

with the Criminal History Background Check Clearinghouse established in Senate Bill 9, forms a critical part of the Crime Records infrastructure for delivering more efficient service.

B. Discussion

One inefficiency, however, is that not all state agencies are authorized to allow FAST to collect their licensing fees along with the fingerprinting and criminal history fees at the time of fingerprinting. Many agencies would like FAST to collect the licensing fees, as well, in order to provide the applicants a one-stop service. FAST works directly with the Texas Comptroller and Epay to deposit the fingerprinting and criminal history search fees directly into the Comptroller accounts. With appropriate statutory authority, they could also capture the licensing fees of these agencies and deposit them directly into the appropriate Comptroller accounts. The introduced version of Senate Bill 9 included appropriate language, but that language was changed in committee.

C. Possible Solutions and Impact

Introduce language to enable state agencies to allow FAST to collect their licensing fees through the FAST process. The authority would benefit the agencies by streamlining their fee collection process. The applicants would benefit from more efficient and convenient service.

A. Brief Description of Issue #5

Should DPS have clear authority to protect intangible state assets through copyright and trademarks?

B. Discussion

A number of state agencies have enabling statutes that clearly articulate their authority to hold intellectual property rights. See, for example, Department of Transportation under Transportation Code Section 201.205; Comptroller of Public Accounts under Government Code Section 403.0301; Department of Information Resources under Government Code Section 2054.052; Department of Health under Health & Safety Code Section 12.020; and Railroad Commission under Natural Resources Code Section 113.243. These agencies have explicit authority to secure, hold, and protect patents, copyrights, trademarks, or other intellectual property rights in the United States or in any other nation.

Currently, the only explicitly stated intellectual property authority for DPS is contained in Government Code Section 411.017. The statute is focused on preventing law enforcement impersonation rather than authorizing registration and ownership of intellectual property rights in intangible assets throughout the world.

C. Possible Solutions and Impact

Amend Government Code Section 411.017 to include language to protect DPS intellectual property that is consistent with other state agencies' statutory authority.

A. Brief Description of Issue #6

Current law allows Technical Supervisors to testify in ALR hearings by telephone only if both parties agree and does not allow the breath test operator and arresting officer to testify by telephone at all. A more efficient and equitable method of conducting ALR hearings is needed.

B. Discussion

When requested by the defense, the Technical Supervisor, breath test operator and arresting officer must attend the administrative License Revocation (ALR) hearing or the license of the accused will not be suspended. In many cases where the evidence is conclusive, the defense will request the Technical Supervisor, Breath Test Operator and arresting officer in the hope that one or more will not attend. When all of the requested witnesses appear, the defense does not contest the suspension. When one or more of the requested witnesses do not attend the hearing, the court rules against the state and the accused's license is not suspended. In either case, none of the requested witnesses testify. Records indicate that DPS Technical Supervisors actually testify in less than half of the ALR hearing in which they appear and when they do testify, they are often asked only their name or questions not germane to the issue. The practice of requesting witnesses to a hearing in which they will not testify is not only an abuse of the system, but costly and time consuming as well.

C. Possible Solutions and Impact

Amend current statutes to allow the breath test operator to testify by affidavit and to require the defense to present evidence to an ALR judge as to why a witness is needed and allow the judge to determine whether the witness must appear in court to testify or be allowed to testify by telephone. This should significantly reduce the number of cases where witnesses appear but do not testify, saving both time and money, while still allowing the defense the right to question witnesses. Some witnesses may be reluctant to reveal their telephone number, either cell or regular. For these witnesses, appearing in court to testify may be the only option.

A. Brief Description of Issue #7

Persons arrested for DWI are warned that their refusal to take a breath or blood test will be admissible in court and that their drivers license will be suspended for 180 days. They are also told that if they take the test and have an alcohol concentration above 0.08 their drivers license will be suspended for 90 days. Even with this warning, the breath test refusal rate for person's under arrest for DWI currently exceeds 40% and this number is trending upward. A significant reduction in the refusal rate is needed.

B. Discussion

Breath test evidence not only gives the prosecution a better chance to prevail in a DWI trial, but provides information vital to a successful resolution of a case prior to trial. Without knowledge of the accused's alcohol concentration, a prosecutor is limited to videotape and eyewitness testimony. With breath test evidence the prosecutor and judge also know the alcohol concentration of the accused and from this approximately how much alcohol he had consumed. This allows for more tailored plea bargains prior to trial and better sentences by a judge after conviction. Over 13% of the people who take the breath test have an alcohol concentration less than 0.08. It is unknown how many people who refuse the breath test have an alcohol concentration below 0.08, but it is likely that some if not many individuals are being prosecuted and convicted who would not be prosecuted if they had taken the breath test.

To offset the high refusal rate, many jurisdictions, including Austin PD and Houston PD, have established systems where a magistrate is available to issue a search warrant to draw a blood sample in certain refusal situations. If these search warrants survive the appeals process, the refusal rate may begin to decline because these individuals are still subject to ALR refusal sanctions.

C. Possible Solutions and Impact

Amend current statutes to make refusal a crime as found in H.B. 3241 (79R). If it had passed it would have made refusal a criminal offense. States that have enacted such legislation have very low refusal rates. Another approach to the problem can be found in H.B. 1810 (80R). If it had passed it would have required the taking of a breath or blood specimen if a person had been arrested two or more times for an intoxication offense.

Reducing the refusal rate could significantly increase the number of breath tests conducted. This may require more certified breath test instruments, operators and Technical Supervisors.

A. Brief Description of Issue #8

Current Texas law requires the prosecution to prove the defendant was intoxicated while driving or operating a vehicle. Absent drinking information that in many cases can come only from the accused, it is not possible to forensically estimate the alcohol concentration of the accused at the time of driving from a specimen taken at a later time, thus creating doubt in the mind of the judge or jury. A change in the current statute is needed so that the alcohol element of the offense is defined as at the time the specimen(s) are taken rather than while driving.

B. Discussion

The time course of alcohol in the human body is a dynamic process. Retrograde extrapolation has been used to link the alcohol concentration at the time of the test back to the time of the offense. Retrograde extrapolation is a scientific calculation of a subject's alcohol concentration at a prior time, usually the time of the offense, derived from a blood, breath or urine alcohol concentration measured at a later time. To be forensically useful and scientifically valid, such extrapolations may require facts concerning the person, that person's alcohol consumption, and related information, that are often not available in such situations.

Recognizing this, many jurisdictions, including at least 32 States and the District of Columbia in the United States and all of Canada, have adopted laws that define the alcohol element of the offense as the alcohol concentration of the blood, breath, urine or other bodily specimen at the time of the taking of the specimen. Most of these jurisdictions require the specimen be taken within a specified time after the offense or arrest, if the evidence is to be admitted without retrograde extrapolation or further proof. The Uniform Vehicle Code model DUI law is this type of law.

Texas Court of Criminal Appeal's decisions in *Mata v. State* and *Mechler v. State* and the Texas Supreme Court's decision in *Mireles, Jr. v. Texas Department of Public Safety* illustrate the difficulty the courts have in determining the admissibility of blood and breath test results absent retrograde extrapolation and when and what weight should be given to retrograde extrapolation results when provided by a forensic scientist.

C. Possible Solutions and Impact

Amend 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. S.B. 27 (79R) is an example of this type of bill that was filed but did not pass.

This change in the law would significantly reduce the problems created when no extrapolation facts are available and greatly simplify DWI cases in general. Depending upon the statutes exact language; however, persons with alcohol concentrations less than 0.08 at the time the specimen is taken, but who could otherwise be proven to be 0.08 or higher at the time of driving through retrograde

extrapolation, may not be prosecutable under the new law. While the number of these types of cases that are currently prosecuted is small, they are often significant. They tend to be intoxication assault and intoxication manslaughter cases where a blood sample was taken three or even four hours after the crash and the alcohol concentration is just below 0.08.

A. Brief Description of Issue #9

Texas Highway Patrol Division personnel are currently prohibited from using unmarked vehicles to stop and arrest offenders of highway speed laws. This prohibition is made in Rider #4 of the Department of Public Safety Appropriations Act.

B. Discussion

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 around major metropolitan population centers. Frustration over traffic congestion fueled by a discourteous, antagonistic, and competitive attitude is often manifested in aggressive driving behavior. Aggressive driving behavior carried to the extreme can lead to assaultive conduct commonly referred to as “road rage.” Many episodes of road rage have culminated in 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.

C. Possible Solutions and Impact

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.

A. Brief Description of Issue #10

There are a multitude of Public Safety Employee Associations throughout the State, whose principle source of revenue is telephone solicitation. Generally, the association contracts with a solicitation company to do the actual solicitation. The major portion of funds raised in this manner go to the contractor, with a small percentage actually going to the association. Solicitors often represent themselves as a member of a public safety agency. They also often use aggressive tactics in their attempt to collect donations.

B. Discussion

The Department receives many complaints from the public concerning such solicitations. Many

believe they are being asked to contribute to the agency. Each time it must be explained that the solicitation is not being made on behalf of the agency, but rather on behalf of a private association. Solicitations of this nature, often made in the name of a public agency, create skepticism and mistrust on the part of many members of the public, and serve to detract from the agency's credibility.

C. Possible Solutions and Impact

State law should require, subject to substantial penalties to the solicitor and to the association they represent, that solicitors inform people contacted that they do not represent a public agency. They should also be required to disclose the percentage of money collected that will actually go to the association in whose name the solicitation is made.

A. Brief Description of Issue #11

Chapter 2166 of the Texas Government Code mandates that the Texas Building & Procurement Commission (TBPC) act as the Department's Construction Manager on all facility construction projects requiring professionally prepared plans and specifications. Acting as our agent on construction projects, poor management practices within the agency and the frequent turnover in project managers have resulted in unnecessary delays in getting projects started and completed in a timely manner, higher than projected construction costs, and major deficiencies in completed projects that could have been avoided if our original design and construction concerns been addressed. These problems have impacted our employees who occupy the buildings, the public, our Building Program staff tasked with correcting these deficiencies, and the Department's operating budgets as additional funds have had to be allocated to the projects.

B. Discussion

Over the last 10 years, TBPC has failed on many occasions to adequately address our concerns on the design and construction of offices and equipment specified by the Architect/Engineers. This lack of proper construction management oversight has created operational problems for the Department that has proven to be costly and troublesome to our employees occupying the offices. With the Houston Regional office being the most visible of all of the projects, the Department is still correcting deficiencies to facilities in Rosenberg, San Antonio District office, Decatur, Clear Lake, Palestine, McKinney, Terrell, Baytown, and Brownsville. These deficiencies, consisting of leaking roofs, the shifting of the foundation/building, water drainage into the buildings, water penetration through the walls, air quality issues due to mold resulting from improper air circulation and processing, and payments to contractors for delays resulting from having to redesign the plans to correct problems have cost the Department over \$400,000 in the past six years. On-going internal problems have prevented three of the five construction projects authorized by the 79th Legislature in May 2005 from being under construction by June 2007, resulting in the Department having to request that the 80th Legislature UB the appropriations for the buildings forward into the FY 08-09 biennium.

While TPBC has increased their commitment to the Department since June 2005, the agency has been in a state of flux since January 2007 as recommendations by the Sunset Commission during the 80th Legislative Session sought to disband the agency. Although the construction segment of the agency will remain intact as the new Texas Facilities Commission, we are now faced with an agency in transition over the next year and a potential \$200 million in new construction and renovation projects over the next two years to go along with the three projects from the FY 06-07 biennium.

C. Possible Solutions and Impact

The Department recommends amending Chapter 2166 of the Government Code to exempt the agency from TBPC oversight. This exemption would be consistent with the authority currently given to the Department of Transportation, the Parks and Wildlife Department, higher education, and the

Department of Criminal Justice. This action would allow the Department to perform all of the services currently being conducted by TBPC in order to complete all construction projects in a timely manner and at a significant cost-savings to the state.

A. Brief Description of Issue #12

During its recent session, the Legislature appropriated millions of dollars of state funding for border security activities that the Emergency Management Division is to administer and pass through to state and local law enforcement agencies. The Division was not authorized any staffing or specific funding to carry out this program.

B. Discussion

Distribution of the border security funding that has been appropriated will require a substantial grant and contract management, accounting, and audit workload. No staffing or funding was provided for the tasks this effort will require. The vast majority of the Division's grant management, accounting,

and audit staff is funded by management and administrative funds authorized as part of federal disaster recovery and mitigation grants and homeland security grants. Staff funded by these federal grants cannot be assigned to grant and contract management tasks for state-funded projects. Hence, we are concerned about our ability to disburse grant funds as efficiently and effectively as we would like.

C. Possible Solutions and Impact

Through some mechanism, the State should authorize a modest management and administrative allowance from the funds appropriated for border security which would allow EMD to hire a limited number of temporary grant, contract, accounting, and audit personnel to properly administer this program.

A. Brief Description of Issue #13

A significant issue affecting the citizens of Texas during the upcoming months would be the final passage of federal rules by the U.S. Department of Homeland Security (DHS) implementing the Federal Real ID Act. The Real ID Act is federal legislation that requires federal agencies to only accept state issued driver licenses or identification cards for identification purposes that were issued under guidelines prescribed by the DHS. The statute makes the requirements of the act effective on May 12, 2008.

B. Discussion

The impact of the final determination regarding the acceptance of state issued driver licenses and identification cards for federal purposes could mean that on and after May 11, 2008, no state of

Texas issued driver license or identification card would be an acceptable identity document for boarding commercial aircraft or entering federal buildings. If the final rules is adopted and the State of Texas is not in compliance with the Act, the citizens of Texas could not use state issued driver license or identification cards to enter federal buildings or board commercial aircraft. This would mean that unless a citizen of Texas has a federally issued identification credential he/she would be subject to more intense screening to access aircraft or federal facilities.

The implementation of the provisions of the Real ID Act for the Department would require significant additional personnel and funding and would significantly increase workload demands on driver license offices and personnel. Planning estimates indicate that the DLD would need 737 additional FTE's and more than \$268 million to implement the Act. The 80th Legislature did not address the legislation to implement the Real ID Act.

C. Possible Solutions and Impact

If the Legislature decides to enact legislation to comply with the Real ID Act, the demand for driver licensing services will be significantly impacted. Texas residents who intend to fly on commercial aircraft and have not obtained another acceptable identity document would likely make application for a Real ID compliant Texas driver licenses or identification cards. This increased demand would likely exceed the capacity of existing driver license field offices. Additionally, it would take several months to program computer applications to comply with the revisions to the statute which would delay the implementation of any state legislation. The implementation period would likely create a significant public relations issue for the Department.

The benefits of implementing the Real ID Act are the potential to reduce fraud and potential identity theft in Texas. All new applicants and existing licensees would be required to prove their identity through a series of documents that would be verified before a new driver license or identification card can be issued.

A phased adoption should be considered to enable the Department to adopt new program requirements and to prepare for additional customer demand. Potential solutions should also include

exempting drivers over a certain age (age 60 -65) and drivers who have been licensed in the state for more than a certain number of years and have no criminal record (20 or more years).

Additional recommendations are impractical until the final federal rules are released by the U. S. Department of Homeland Security.

A. Brief Description of Issue #14

Senate Bill 11 passed by the 80th Legislature created an enhanced driver license to be used as a border crossing immigration document.

B. Discussion

The intent of the legislation is for persons who cross international borders with Mexico or Canada to use their state issued driver license or identification card as proof of citizenship in the United States. The bill contemplates a verification of the licensee's driver license photograph through an interactive verification at the international border back to the state driver license database. The statute was passed without specific appropriation authority to cover the costs of the program. Analysis of the practical and technological requirements to implement this act must be conducted to determine the feasibility of the program. The success of the program is dependent on reaching agreement with the Department of Homeland Security regarding issuance and identification standards for the state driver

license or identification card so they will be accepted by the U. S. Immigrations and Customs Enforcement Service.

C. Possible Solutions and Impact

Appropriation authority will be required to implement this program and sufficient implementation time will be required to program driver license issuance systems and procure a card production vendor.

X. Other Contacts

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

(Agency Name) Exhibit 15: Contacts			
INTEREST GROUPS (groups affected by agency actions or that represent others served by or affected by agency actions)			
Group or Association Name/ Contact Person	Address	Telephone	E-mail Address
All City Police Departments			
All County Sheriff's Departments			
Alzheimer's Association/Star Chapter CEO Denese Watkins	4400 North Mesa, #9 El Paso, TX 79902	(915) 544-1799 1-888-572-8566	Denese.watkins@alz.org
American Association of Retired	98 San Jacinto Boulevard, Ste. 750	1-866-227-7443	amccloskey@aarp.org

Persons/Amanda McCloskey	Austin, TX 78701		
American Civil Liberties Union (ACLU)	1210 Rosewood Austin, TX 78702	512-478-7300	www.aclu.org
Associated Security Services and Investigators of the State of Texas (ASSIST)	3300 Bee Caves Road Suite 650-119 Austin, TX 78746	(832) 274-1079	www.assisttexas.org/
Austin Area Gang Investigators Association/Investigator Jay Hart (Texas Department of Criminal Justice)	4616 West Howard Lane, Ste. 200 Austin, TX 78728	(512) 671-2593	jay.hart@tdcj.state.tx.us
Austin Human Trafficking Task Force/Kathi West (US Attorney's Office, Western District of Texas)	816 Congress Avenue, Ste. 1000 Austin, TX 78701	(512) 916-5858	kathi.west@usdoj.gov
Austin Law Enforcement-Retailers Meetings/ Joye Pangelinan, Assets Protection Specialist (Target #1817)	12901 North IH-35 Austin, TX 78753	(512)651-0608, Ext. 3209	joye.Pangelinan@target.com
Bearing Point Management & Technology Consultants Gary Miglicco	301 Congress Ave., Suite 1300 Austin, TX 78701	512-542-5300	
Bowe Bell + Howell/Jim Norman	3791 Alston Ave. Durham North Carolina 27713	281-914-1292	
CBM Archives Co. Tony Guzman, Supervisor	11014 Leopard Street Corpus Christi, Texas 78410	361/241-2310 or 512/424-2155	cbm@cbmarchives.com tony.guzman@txdps.state.tx.us
Central Texas Area Gang Intelligence Association/Sergeant Sandra Hunt	402 North Second Street Killeen, TX 76541-5298	(254) 501-8867	shunt@ci.killeen.tx.us
Central Texas Terrorist Working Group/Special Agent Tony Roda (FBI- Austin)	9420 Research Blvd Austin, TX 78759-6539	(512) 345-1111	aroda@leo.gov
Collin County Medical Examiner's Office/Terry Sanner	700 B. Wilmeth Road McKinney, TX 75069	(972) 548-3775	tsanner@co.collin.tx.us
Digimarc (Texas) Ron Grahovec, Manager	5805 North Lamar Austin, Texas	512/453-5155	rgrahovec@digimarc.com
Doe Network/Texas Area Director Dawn Workman	964 Kino Street Diamondhead, MS 39525	(228) 586-9092	wvmissing@yahoo.com
Daimler Chrysler Police Advisory Board Roxie Thomas Senior Manager, GSA/Government Sales - Fleet Operations (Fleet Manager serves on Advisory Board)	Daimler Chrysler Corporation CIMS 936-00-00 1401 H St. NW Suite 700 Washington, DC 20005-2039	202-414-6720	
General Motors Law Enforcement Product Council Contact – Bruce Wiley Product & Marketing Mgr. Law Enforcement Programs (Fleet Manager serves on Advisory Board)	General Motors Corporation Mail Code 482-A20-C11100 Renaissance Ctr. Detroit, MI 48265	313-667-1127	
Harris County Medical Examiner's	1885 Old Spanish Trail	(713) 796-6740	Jason.wiersema@meo.hctx

Office/Jason Wiersema	Houston, TX 77054		net
Iron Mountain Mariesa Kanetzky	PO Box 915004 Dallas, TX 75391	512-912-2014	
Joint Regional Information Sharing & Exchange System/John Majors, Operations Business Manager	14280 Park Meadow, Ste. 200 Chantilly, VA 20151	(703) 674-2630	John.majors@mantech-ist.com
Law Enforcement Intelligence Unit Association/Chief Craig Buehler (California Department of Justice)	PO Box 160967 Sacramento, CA 95816	(916) 319-8296	Craig.buehler@doj.ca.gov
League of United Latin American Citizens (LULAC)	700 Lavaca Austin, TX 78701	512-477-7910	www.lulac.org
MADD	MADD National Office 511 E. John Carpenter Fwy, Ste. 700 Irving, Texas 75062	1-800-438-6233	tx.state@madd.org
National Association for the Advancement of Colored People (NAACP)	1107 E 11th Austin, TX 78702	512-322-0757	www.texasnaacp.org
National Center for Missing and Exploited Children/Bob Hoever	699 Prince Street Alexandria, VA 22314-3175	(571) 221-5176	rhoever@ncmec.org
National Insurance Crime Bureau/Fred Lohman	320 Decker Dr. #100 Irving, TX 75062	888.241.8127	flohman@nicb.org
Neubus Mandy Hayden, Business Analyst	11525A Stonehollow Drive, Ste. 170 Austin, Texas 78758	512/833-6379 or 512/507-3282	mhayden@neubus.com
OCE North America Jim Drummond	5851 San Felipe Ste, 100 Houston, TX 77057	800-788-5930	
Office of the Attorney General Crime Victim Services Div. Herman Millholland	MC 008 PO Box 12548 Austin TX 78711-2548		herman.millholland@oag.state.tx.us
Omni Base Services Charles Brothers - President	7320 N. Mopac Ste. 310 Austin, TX 78731	512-346-6511 Ext. 110	
Priority Data Systems Dewayne Docken	5035 South 110 th St. Omaha, NE 68137	402-935-5932	
Sheriff's Association of Texas Steve M. Westbrook, Executive Director	1601 S. IH 35 Austin, Texas 78741	(512)445-5888	rosemary@txsheriffs.org
Southwest Institute of Forensic Sciences/Sam Martin	5230 Medical Center Drive Dallas, TX 75202	(214) 920-5900	smartin@dallascounty.org
Tarrant County Medical Examiner's Office/Dr. Dana Austin	200 Feliks Gwozoz Place Ft. Worth, TX 76104-4919	(817) 920-5700, ext. 161	DAustin@TarrantCounty.Com
Texas Association of Licensed Investigators (TALI)	701 Brazos Ste 500 #2034 Austin TX 78701	877-444-TALI 877-445-TALI fax	www.tali.org/
Texas Association Against Sexual Assault/Victoria Camp	6200 La Calma, Ste. 110 Austin, TX 78752	(512) 474-7190, Ext. 28	vcamp@taasa.org
Texas Association of Broadcasters/Ann Arnold	502 East 11 th Street, Suite 200 Austin, TX 78701	512/322-9944	ann@tab.org
Texas Association of Broadcasters/Bruce Whiteaker	12345 Lamplight Village Ave., #1117 Austin, TX 78758	(512) 791-7575	bruce@tab.org
Texas Black State Troopers	P.O. Box 472524		

Association	Garland, Texas 75047-2524		
Texas Commission on Law Enforcement Officers Standards & Education Tim Bratten, Executive Director	1033 LaPosada, Suite 240 Austin, Texas 78752	(512) 936-7700	Timothyb@tcleose.state.tx
Texas Concealed Handgun Association Kathleen Pena, Secretary	P.O. Box 1762 Uvalde, Texas 78802-1762	830/278-2815	www.txchia.org
Texas Cotton Ginners Association /Mr. Tony Williams	408 West 14 th Street Austin, TX 78701	512/476-8388	tony@tcga.org
Texas Daily Newspaper Association/Ken Whalen	718 West 5 th Street, Suite 200 Austin, TX 78701-2796	512/476-4351	kwhalen@tdna.org
Texas Department of Criminal Justice Brad Livingston, Executive Director	209 W. 14 St. Austin, Texas 78701	(512) 463-9988	
Texas Department of Public Safety Criminalists Association	P.O. Box 133065 Tyler, Texas 75713		
Texas Department of Public Safety Officers Association	P.O. Box 4998 Austin, Texas 78765	512/451-0571	
Texas District and County Attorneys Association Robert Kepple, Executive Director	1210 Nueces, Suite 200 Austin, Texas 78701	(512)474-2436	Kepple@tdcaa.com
Texas Gang Investigators Association/Victor Bond	2223 West Loop South, Ste. 700 Houston, TX 77027	(713) 877-5203	victor_bond@co.harris.tx.us
Texas Highway Patrol Association	8906 Wall Street Austin, Texas 78754	512/491-9117	

Texas Law Enforcement Intelligence Unit/Sergeant J. Ernest Rivera, President (Texas Attorney General's Office)	PO Box 14216 Austin, TX 78761	(512) 463-0246	ernest.rivera@oag.state.tx.us
Texas Locksmiths Association (TLA)	8901 Chancellor Row, Dallas, TX 75356	972-252-2242	www.texaslocksmiths.org/
Texas Motor Transportation Association/ Mr. John Esparza	700 East 11 th Street Austin, Texas 78701-2673	512/478-2541	john@tmta.com
Texas Police & Police Chiefs Association Chief Randall Freeman	1312 E.Hwy 290 Suite C Elgin, Texas 78621	877-776-5423	
Texas Press Association/Ed Sterling	718 West 5 th Street Austin, TX 78701	512/477-6755	edsterling@texaspress.com
Texas Rental Association/Leon Kochmann	1946 S. IH-35, Ste. 100 Austin, TX 78704	512.440.8388	tra@texasrental.org
Texas Sheriff's Association, Major Crimes Assessment Committee/Steve	1601 South IH-35 Austin, TX 78741-2503	(512) 445-5888	kim@txsheriffs.org

Westbrook			
Texas State Troopers Association	5540 North Lamar Blvd. Austin, Texas 78751	512/450-1814	
Texas Tank Truck Carriers Association, Inc./ Mr. Patrick Long	3737 Executive Center Dr., Ste. 120 P.O. Box 2307 Austin, Texas 78768	512/472-6207	office@ttca.com
Texas Transportation Institute Texas A&M University System/ Dr. Dennis L. Christiansen	3135 TAMU College Station, Texas 77843-3135	979/845-1713	dennis-c@tamu.edu
Texas Victim Services Association Board Member/ Victims Outreach/ John Cade	5327 N. Central Expressway #305 Dallas TX 75205	O: (214) 393-2473 F: (214) 358-5697 H: (214) 357-0371	john@victims-outreach.org
Texas Violent Gang Task Force/Victor Bond (Harris County Sheriff's Office)	2223 West Loop South Houston, TX 77027	(713) 877-5203	victor_bond@co.harris.tx.us
Triton Systems, Inc Paul Elliott, President	4002 Barrett Drive, Suite 204 Raleigh, NC 27609	919/420-7616	paul.elliott@txdps.state.tx.us
US Department of Housing and Urban Development, Office of the Inspector General/Investigator Maurice Hill (Mortgage Fraud)	2201 East Lamar Boulevard, Ste. 275 Arlington, TX 76006	(817) 652-6980	mhill@hudoig.gov
U.S. Department of Transportation Federal Highway Administration/ Kirk Fauver, Statewide Planning Engineer	300 East 8 th Street, Room 826 Austin, Texas 78701	512/536-5952	Kirk.Fauver@dot.gov
U.S. Department of Transportation Federal Motor Carrier Safety Administration/ Ms. Joanne Cisneros, Division Administrator	300 East 8 th Street, Room 865 Austin, Texas 78701	512/536-5980	Joanne.Cisneros@dot.gov

University of North Texas Health Science Center, DNA Identity Lab/Steve Gammon	3500 Camp Bowie Boulevard Ft. Worth, TX 76107-2699	(817) 735-0188	sgammon@hsc.unt.edu
Victim Services Association Board Member/Tarrant County Juvenile Texas/ Kelly Willis	2701 Kimbo Rd Fort Worth TX 76111	(817) 838-4600	kwillis@tarrantcounty.com
Victim Services Association Board Member/ MADD North Texas Affiliate Texas/ Susan Bragg	8585 N. Stemmons Freeway., #525 South Dallas TX 75247	(800) 382-6233	susan.bragg@MADD-METROPLEX.org

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	E-mail Address
ASCLD/LAB / Ralph Keaton	139 J Technology Dr Garner, NC 27529	(919) 773-2600	
Airborne Law Enforcement Association	411 Aviation Way, Suite 200 Frederick, MD 21701	301.631.2406	

Aircraft Owners and Pilots Association	421 Aviation Way, Frederick, MD 21701	301.695.2000	
Alcohol Testing Alliance	PO Box 4087 Austin, Texas 78773-0570	512/424-5200	
American Association of Motor Vehicle Administrators (AAMVA) Fred Porter, Region II Operations	4301 Wilson Boulevard, Ste 400 Arlington, Virginia 22203	501/778-7099	FPorter@aamva.org
American Association of Motor Vehicle Administrators Commercial Driver License System Jeff Cheatham	4301 Wilson Blvd. Suite 400 Arlington, VA 22203-1867	703-908-5863	
Association of Forensic DNA Analysts & Administrators (AFFDA) / Joseph Warren	University of Texas Health Science Center Dept. of Pathology and Anatomy 3500 Camp Bowie Blvd. Fort Worth, TX 76107	(817) 735-5107	jwarren@hsc.unt.edu
Attorney General Child Support Division Scotty Muenchow, Coordinator	P.O. Box 12017 Austin, TX 78711-2017	512-441-6162	scotty.muenchow@cs.oag.state.tx.us
Comptroller of Public Accounts Local Property Taxes	Central Services Building 1711 San Jacinto Blvd., Suite 180 Austin, Texas 78701-1416	(512) 463-4865	tax.help@cpa.state.tx.us
County and District Clerks Association of Texas (CDCAT) Ms. Brenda Hudson, President	Montgomery County Clerk Conroe, TX 77305	(936) 539-7936	
El Paso Intelligence Center/Diann Welborn	11339 SSG Sims Street El Paso, TX 79908	(915) 760-2435	Diann.welborn@txdps.state.tx.us
Emergency Management Association of Texas Exec. Director: Sheila Jennings	1302 San Antonio St., Austin, TX 78701	512-451-4476	sjennings@rayassociates.com
Federal Aviation Administration	10100 Reunion Place, Suite 200 San Antonio, Texas 78216	210.308.3300	
Federal Motor Carrier Safety Administration Rodney Baumgartner, TX Division	826 Federal Bldg., #865 300 East 8th Street Austin, TX 78701	512-536-5986	
FBI, Violent Criminal Apprehension Program/Jane Whitmore (Texas Representative)	FBI Academy Quantico, VA 22135	(703) 632-4180	jwhitmore@fbiacademy.edu
FBI/Special Agent Tony Roda	9420 Research Boulevard Austin, TX 78759	(512) 424-1111	aroda@leo.gov
FBI CJIS Advisory Policy Board/ Roy Weise	FBI Criminal Justice Information Services Division 1000 Custer Hollow Clarksburg, WV	(304) 625-2730	rweise@leo.gov
Governor's Office Dede Keith, Administration and Constituent Services	Post Office Box 12428 Austin, Texas 78711	512/463-2000	www.governor.state.tx.us
Governor's Office of Homeland Security/Steve McGraw	Office of the Texas Governor PO Box 12428	(512) 463-1953	smcraw@governor.state.tx.us

	Austin, TX 78711		
Houston High Intensity Drug Trafficking Area (HIDTA) / Stan Furce, Director	15311 Vantage Parkway W., Ste. 286 Houston, TX 77032	281-372-5850	dtstan@swbell.net
I/M Solutions Nick Positano, Forum Coordinator	14C Fairway Drive Mechanicville, New York 12118	518/664-6633	Npositano@aamva.org
International Assoc. of Auto Theft Investigators/Robert F. Southard, President	PO Box 223 Clinton, NY 13323-0223	516.573.5284	rsouthard@iaati.org
International Association of Chiefs of Police Joseph C. Carter, President	515 N. Washington Street Alexandria, VA 22314-2357	(703) 836-6767	chiefcarter@mbta.com
International Association for Identification (IAI) / Judith Miller	Texas Dept. of Public Safety Crime Records Division Austin, TX 78773	(512) 424--5748	Judith.miller@txdps.state.tx.us
International Association for Identification (IAI) Diana Castro, President	2535 Pilot Knob Road, Suite 117 Mendota Heights, MN 55120-1120	(651) 681-8566	
International Association for Chemical Testing	30 S. Concord Oconomowoc, WI 53066		jobs@iactonline.org
Joint Counterdrug Task Force Texas 1033 Program Administrator Audrey Foushee, Sergeant	P.O. Box 5218 Austin, Texas 78763	(512) 782-5966	Audrey.foushee@tx.ngb.army.mil
Judicial Committee On Information Technology (JCIT) Bruce Hermes	Office of Court Administration Tom C. Clark Building 205 West 14th Street, Suite 600 Austin, Texas 78701	(512) 463-1625	Bruce.Hermes@courts.state.tx.us
National Alliance of State Drug Enforcement Agencies (NASDEA)	PO Box 16278 Austin, TX 78761	512-424-2150	www.nasdea.org
National Association of BUNCO Investigators/Jon Grow	PO Box 287 Maryland Line, MD 21105	(410) 752-8150	Jon.Grow@nabihq.net
National Emergency Management Association. Exec. Director: Trina Sheets	PO Box 11910, Lexington, KY 40578-1910	859-244-8000	nemaadmin@csg.org
National Safety Council/Susan Hackworthy, President	1121 Spring Lake Drive Itasca, Illinois 60143-3201	630/285-1121	info@nsc.org
North Texas High Intensity Drug Trafficking Area (HIDTA) / Mona Neill, Director	8404 Esters Blvd., Ste. 100 Irving, TX 75063	972-915-9501	mona.neill@nthidta.org
National Highway Traffic Safety Administration Fatality Analysis Reporting System Elaine Scott	400 7th St. SW Rm. 5301 Washington, DC 20590	817-978-3655	
San Antonio Police Department/Tom Farley	214 West Nueva San Antonio, TX 78207	(210) 207-7680	tfarley@sanantonio.gov

SEARCH The National Consortium for Justice and Public Safety Ron Hawley, Executive Director	7311 Greenhaven Drive, Suite 145 Sacramento, California 95831	(916) 392-2550	ron@search.org
Social Security Administration/ Special Agent Damian Reyes	5835 Callaghan Road, Ste. 503 San Antonio, TX 78228	(210) 520-7841	Damian.reyes@ssa.gov
Social Security Administration Vickie Higgins	1301 Young St., Rm. 670 Dallas, TX 75202-5433	214-767-2165	
Southern Association of Toxicologists (SAT) / Jim Burris	Texas Dept. of Public Safety P O Box 4143 (MSC 0460) Austin, TX 78765	(512) 424-2105	Jim.Burris@txdps.state.tx.us
South Texas High Intensity Drug Trafficking Area (HIDTA) / Vernon Parker, Director	8600 Wurzbach Rd., Ste. 802 San Antonio, TX 78240	210-692-1532	STX_Director@st.hidta.net
Southwest Border High Intensity Drug Trafficking Area (HIDTA), West Texas Partnership / Travis Kuykendall, Director	4141 Pinnacle, Ste. 120 El Paso, TX 79902	915-532-9550	
Texas Association of Firearm/Toolmark Examiners Ron Crumley	Texas Dept. of Public Safety 5805 N. Lamar Blvd. Austin, TX 78752	(512) 424-2901	Ron.Crumley@txdps.state.tx.us
Texas Association of Regional Councils. Exec. Director: Penny Reddington	701 Brazos, Suite 780 Austin, TX 78701	512-478-4715	preddington@txregionalcouncil.org
Texas Assoc. Vehicle Theft Investigators (TAVTI)/Jim Woods, President	Houston Police Department AutoTheft Division 1200 Travis, Fifth Floor Houston, TX 77002	713.308.3566	James.Woods@cityofhouston.net
Texas Automobile Insurance Plan Association Margaret Alsobrook	4301 Westbank Dr. Austin, TX 78746	512-444-4441 Ext. 7252	

Texas Center for the Judiciary Judicial Resource Liaison David Hodges	1210 San Antonio, Suite 800 Austin, TX 78701	254-744-1115	
Texas Council on Family Violence (TCFV) Ms. Pam Wessel, President	PO Box 161810 Austin, TX 78716	(512) 791-1133	
Texas Criminal Justice Information Users Group (TCJIUG) Contact: Mike Shannon, Harris County Justice Information Management System	P. O. Box 53092 Houston, Texas 77052	(713) 755-7934	Mike.shannon@itc.hctx.net
Texas Department of Criminal Justice, TAGIT/Linda Manning	PO Box 99 Huntsville, TX 77342	(936) 437-8983	linda.manning@tdcj.state.tx.us
Texas Department of Criminal Justice, FUGINET/Barbara Weatherford	PO Box 99 Huntsville, TX 77342	(936) 437-5164	barbara.weatherford@tdcj.state.tx.us
Texas Department of State Health Services Medical Advisory Board	1100 West 49 th Street Austin, Texas 78756-3199	512/458-7111	www.dshs.state.tx.us

Bruce Buhler, Contact			
Texas Govlink Inc. Mariano Camarillo and David Palacios	1304 W Ave., Suite 200 Austin, Texas 78701	512-474-1847	
Texas Guaranteed Student Loan Collections	301 Sundance Pkwy. Round Rock, TX 78681	512/ 219-4560	cust.assist@tgslc.org
Texas House of Representatives	P.O. Box 2910 Austin, Texas 78768-2910	512/463-0000	firstname.lastname@house.state.tx.us
Texas Integrated Justice Information System (TIJIS) Program Kirk Greene	Galveston County 2220 Sealy Galveston, TX 77550	(409) 770-5436	greenec@co.galveston.tx.us
Texas Justice Court Judges Association Judge Alice Tomerlin	PO Box 290 Winnsboro, TX 75494	903-763-2713	
Texas Justice Court Judges Education Center Kimberly Jozwiak	PO Box 1000 Elm Mott, TX 76640	254-829-3200	
Texas Division of International Association for Identification (TDIAI) The Texas Division of the IAI Ms. Debbie Benningfield, President	615 Mosswood Drive Conroe, TX 77302		secretary@tdiai.org
Texas Medical Association	401 West 15th Street Austin, TX 78701	512-370-1300	www.texmed.org
Texas Municipal Court Education Training Center Margaret Robbins	1609 Shoal Creek, Ste. 302 Austin, TX 78701	512-320-8274	
Texas Police Association E. C. Sherman	P.O. Box 4247 Austin, TX 78765-4247	512/4583140	txpolassoc@sbcglobal.net
Texas Police Chiefs Association (TPCA) Mr. James McLaughlin, Director	1312 E. Hwy. 290, Suite C Elgin, TX 78621	(512) 281-5400	
Texas Senate	P.O. Box 12068 Austin, Texas 78711-2068	512/463-0000	firstname.lastname@senate.state.tx.us
Texas Violent Gang Task Force (TVGTF), Central Region/Debra Noles	6400 East Highway 290, Ste. 202 Austin, TX 78723	(512) 533-2762	debra.noles@tyc.state.tx.us
Transportation Security Administration Hazardous Material Threat Assessment Velveta Lampkins	601 South 12th Street Arlington, TX 22202-4220	571-227-4244	
TVGTF, North Region/Michelle Burman	PO Box 12548 Austin, TX 78711-2548	(512) 463-3097	michelle.burman@oag.state.tx.us
TVGTF, South Region /STG Regional Commander Clement Rodriguez	965 Ofstie Street Beeville, TX 78102	(361) 362-6456	clemente.rodriguez@tdcj.state.tx.us
TVGTF, East Region/Sergeant Rick Muniz	Texas Department of Public Safety Criminal Intelligence Service 12230 West Road Houston, TX 77065-4523	(281) 517-1430	rick.muniz@txdps.state.tx.us

TVGTF, Panhandle Region/Victor Bond	2223 West Loop South Houston, TX 77027	(713) 877-5203	Victor_bond@county.harris.tx.us
US Border Patrol, Del Rio Sector/ Supervisory Agent Fernando Delgado	2401 Dodson Avenue Del Rio, TX 78840	(830) 778-7129	drtprosecutor@hotmail.com
U.S. Department of Transportation National Highway Traffic Safety Administration	National Center for Statistics and Analysis 1200 New Jersey Avenue SE – 5 th Floor Washington D.C. 20590	1-800-934-8517	Dr. Joseph S. Carra NCSAweb@dot.gov
US Marshal Service/Supervisory Deputy Tom Smith	655 East Durgano Boulevard, Ste. 235 San Antonio, TX 78206	(210) 472-6540	Thomas.smith7@usdoj.gov
US Department of Justice/Mark Roomberg	601 NW Loop 401, Ste. 600 San Antonio, TX 78216	(210) 384-7140	Mark.roomberg@usdoj.gov
US Department of Homeland Security/Intelligence Analyst Melissa Shafford	824 North McDonald Street, Ste. 140 McKinney, TX 75069	(214) 406-5535	Melissa.shafford@dhs.gov
U.S. Department of Justice Federal Bureau of Investigation Criminal Justice Information Services Division National Instant Criminal Background Check System Greg Strogen, POC Support Team	Federal Bureau of Investigation NICS Section	304/625-7463	gstrogen@leo.gov

U.S. Department of Justice Federal Bureau of Investigation Criminal Justice Information Services Division National Instant Criminal Background Check System David Cuthbertson, Section Chief	Federal Bureau of Investigation Programs Development Section	304/625-0000	dcuthbertson@leo.gov
U.S. Department of Justice Federal Bureau of Investigation Criminal Justice Information Services Division National Instant Criminal Background Check System Robert J. Casey, Section Chief	Federal Bureau of Investigation Programs Support Section-CJIS Audit Unit	304/625-2941	gstrogen@leo.gov
U.S. Department of Justice Alcohol, Tobacco, Firearms and Explosives (ATF)	8610 Broadway, Suite 410 San Antonio, Texas 78217		
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/	Address	Telephone	E-mail Address

Contact Person			
Adjutant General's Department Texas State Guard Janice Bruno, Lt. Colonel (communications)	P.O. Box 5218 Austin, TX. 78763-5218	(512) 750-5628	janice.bruno@tx.ngb.army.mil
Alabama Dept of Public Safety / Janet Brantley	PO Box 1511 Montgomery, AL 36102	334-343-1174	
Alaska Statewide Drug Enforcement / William Gause	4500 W 50th Ave Anchorage, AK 99502	907-243-8916	
Arizona Dept of Public Safety / Judy Nakasone	PO Box 6638 Phoenix, AZ 85005	602-659-5148	
Arizona High Intensity Drug Trafficking Area (HIDTA) / Dept of Public Safety / Cindy Irby	410 N Centenal Casa Grande, AZ 85222	520-836-1057	
Arkansas State Police / Lisa Roark	#1 State Police Plaza Little Rock, AR 72209	501-618-8365	
Attorney General of Texas Child Support Division C.J. Koffman	300 W. 15th St Austin, TX 78701	512-460-6046	
Austin Independent School District/Laura Otey	1111 West 6 th Street Austin, Texas 78703	512/414-1431	lotey@austin.isd.tenet.edu
Bexar County Robert M. Adelman FCC Regional Planning Committee Chair - Region 53	200 Comal San Antonio, TX 78207	(210) 669-8797	radelman@bexar.org
California Bureau of Narcotics	PO Box 161089 Sacramento, CA 95816	916-319-8456	
California Highway Patrol / Mike Harrison	444 N 3rd Street, Ste. 310 Sacramento, CA 95814	916-445-0752	
Center for Public Policy Dispute Resolution, University of Texas School of Law/Tracy Tarver	727 East Dean Keeton Street Austin, Texas 78705	512/232-1195	ttarver@mail.law.utexas.edu
Chicago High Intensity Drug Trafficking Area (HIDTA) Investigative Support Center / Mary Kenny	69 W Washington, Ste. 400 Chicago, IL 6002	312-603-8039	
Chicago Police Department	3515 W 63rd Chicago, IL 60629	312-933-9436	
City of Austin/Tonia Scaperlanda	P.O. Box 689001 Austin, Texas 78768-9001	512/974-5010	Tonia.scaperlanda@ci.austin.tx.us
Colorado Bureau of Investigation / Bev Walz	10200 E Girard, Bldg. C, Ste. 200 Denver, CO 80215	303-239-4291	
Connecticut Depart of Public Safety / Thomas Snyder	1111 Country Club Road Middletown, CT 06457	203-238-6616	
David S. Morales, Deputy Attorney for Civil Litigation	Price Daniel, Sr. Building 209 W. 14 th St., 8 th Floor Austin, TX 78701	512/463-2191	David.Morales@oag.state.tx.us
Delaware State Police	100 Lagrange Newark, DE 19702	302-834-2630	
Department of Information Resources	300 W. 15 th St., Ste. 1300 Austin, TX. 78701	(512) 463-6861	deanna.mickelson@dir.state.tx.us

Deanna Mickelson (Telecommunication Equipment)			
Department of State Health Services Food Stamps Karen Clayton	1100 W. 49th St Austin, TX 78756	512-231-5785	
Department of State Health Services Medical Advisory Board Bruce Buhler	1100 W. 49th St Austin, TX 78756	512-834-6739	
Department of State Health Services Offender Education Dept.	1100W. 49th St Austin, TX 78756	512-458-7111	
Florida Department of Law Enforcement / Maggie Kleindienst	1301 N Palafox Street Pensacola, FL 32501	850-595-2206	
General Land Office Stephanie Heurta (Appraisals)	1700 N. Congress Ave. Austin, TX. 78701	(512) 463-0531	stephanie.huerta@glo.state.tx.us
General Land Office Hal Croft (Underutilized properties)	1700 N. Congress Ave. Austin, TX 78711	(512) 463-0531	hal.croft@glo.state.tx.us
Georgia Bureau of Investigation	503 Oak Place, Ste. 510 Atlanta, GA 30349	404-559-4941	
Honolulu Police Department	106 Richards Street, Room 10-081 Honolulu, HI 96813	808-527-6509	
Illinois State Police / Scott Rice	1391 S Washington Du Quoin, IL 62832	618-542-2171	
Indiana State Police / Larry Turner	IGNC, Room N340 100 N. Senate Ave. Indianapolis, IN 46204	317-232-6579	

Iowa Dept of Public Safety / Pattie Garwood	Wallace State Building Des Moines, IA 50319	515-242-6124	
Kansas Bureau of Investigation / Rod Page	130 S Market, Ste. 4050 Wichita, KS 67201	316-337-6100	
Kentucky State Police / Joseph Williams	Bluegrass Station Bldg 1 5751 Briar Hill Road Lexington, KY 40516	859-293-4240	
Lt. Governor's Office Aaron Kocian	State Capitol 1100 Congress, 2E.13 Austin, TX 78701	512-463-0001	
Legislative Budget Board Lori Gabbert, Analyst	Robert E. Johnson Building 1501 North Congress 5 th Floor Austin, Texas 78701	512/463-1217	lori.gabbert@lbb.state.tx.us
Los Angeles Clearinghouse / Jeff Sharon	5700 S Eastern Commerce, CA 90040	323-869-2544	
Louisiana State Police / David Staton	7919 Independence Blvd., Box A2 Baton Rouge, LA 70806	225-925-3702	
Massachusetts State Police / Paul Stone	485 Maple St. Danvers, MA 01923	508-538-6043	
Michigan State Police / David Peltomaa	4000 Collins Road, Annex Bldg Lansing, MI 48910	517-336-6627	
Minnesota Bureau of Criminal Apprehension / Jeff Roemhildt	1430 Maryland Ave E St Paul, MN 55106	651-793-1042	

Minnesota Dept of Public Safety / John Tyndall	1430 Maryland Ave E St Paul,, MN 55106	651-642-0610	
Minnesota Washington County Sheriff's Office / Sgt. Olson	PO Box 3801 Stillwater, MN 55082		
Mississippi Bureau of Narcotics / Leigh Cochran	PO Box 7459 Jackson, MS 39282	601-371-3679	
Missouri Highway Patrol / Luke Vislay	PO Box 568 Jefferson City, MO 65102	573-751-3452	
Montana Dept of Justice / Mark Long	2681 Palmer, Ste. C Missoula, MT, 59808	406-329-1459	
North Carolina State Bureau of Investigation / Melanie Thomas	PO Box 29500 Raleigh, NC 27626	919-662-4500	
North Dakota Bureau of Criminal Investigation / Michael Ness	PO Box 1054 Bismarck, ND 50502	701-328-5500	
Nebraska State Patro l/ Jan Auten	1401 Eisenhower Ave. Norfolk, NE 68701	402-370-3456	
New Hampshire Dept of Public Safety / Michael Hureau	10 Hazen Dr. Concord, MH 03305	603-271-2663	
New Jersey State Police / Jeffrey Simpkins	PO Box 7068 West Trenton, NJ 08628	609-882-2000	
New Mexico State Police / Steve Harvill	2501 Carlisle NE Albuquerque, NM 87110	505-821-2836	
Nevada Dept of Public Safety / John Douglas	555 Wright Way Carson City, NV 89711	775-687-4408	
New York State Police / Thomas Fresenius	1220 Washington Ave., Bldg 22 Albany, NY 12226	518-457-3869	
Office of Homeland Security Steve McCraw, Director (Radio Interoperability)	THS Office of the Governor, Rick Perry P.O. Box 12428 Austin, TX 78711	(512) 463-1953	smccraw@governor.state.tx.us
Office of Court Administration Mr. Bruce Hermes	205 West 14 th Street, Ste. 600 Austin, TX 78701	(512) 463-1625	
Officer of the Governor Criminal Justice Division Mr. Ken Nicholas	P. O. Box 12428 Austin, TX 78711	(512) 463-1919	
Office of the Governor Statistical Analysis Center Janna Burleson	P. O. Box 12428 Austin, TX 78711	(512) 463-1958	
Oklahoma Bureau of Narcotics / Russ Higbie	4545 N Lincoln, Ste. 11 Oklahoma City, OK 73105	405-521-2885	
Oregon State Police / Craig Durbin	400 Public Service Bldg. Salem, OR, 97301	503-378-6517	
Pennsylvania State Police / Frank Monaco	1800 Elmerton Ave. Harrisburg, PA 17103	717-783-8514	
Peproa Police Department / Tom Burke	600 Adams Peoria, IL 61602	309-673-4521	
Quebec Police Force / Pierre Avon	1701 Parthenais Montreal, Quebec, CD PQ H2L4	514-598-4789	
Royal Canadian Mounted Police / V. Casey	1200 Alta Vista Ottawa, Notario, CD ON KIA O	514-598-4789	
Senate Finance Committee	State Capitol	512-463-0228	

Annette Graves	1100 Congress, E1.083 Austin, TX 78701		
South Carolina Law Enforcement Division / Colin Lee	PO Box 21398 Columbia, SC 29221	401-444-1000	
State Auditor's Office State Classification Office Christine Bailey, Senior Classification Analyst	1501 N. Congress Avenue Austin, TX 78701 PO Box 12067 Austin, TX 78711-2067	512-936-9628	cbailey@sao.state.tx.us
State Comptroller of Public Accounts Sandra Lanier	111 E 17th St., LBJ Bldg., Rm G-15 Austin, TX 78774	512-463-4042	
State Council on Competitive Government (CCG) Dave Ballinger (Franchise Print Shop)	1711 San Jacinto Austin, TX 78701	512- 463-6363	dave.ballinger@tbpc.state.tx.us
State Office of Administrative Hearings/Texas Intergovernmental Shared Neutrals Program (TISNP)/Suzanne Marshall, J.D.	300 West 15 th , Suite 502 P.O. Box 13025 Austin, Texas 78746	512/475-1173	suzanne.marshall@soah.state.tx.us
State Office of Administrative Hearings Regina Cirpulis	300 W. 15th St., Ste. 502 Austin, TX 78701-3025	512-427-5097	
Tennessee Bureau of Investigation / William Benson	901 R S Gass Blvd. Nashville, TN 37216	615-744-4250	
Texas Alcoholic Beverage Commission / John Peek	5806 Mesa Drive Austin, TX 78731	512-206-3333	www.tabc.state.tx.us
Texas Attorney General's Office	300 West 15th Street Austin, TX 78701	512-463-2100	www.oag.state.tx.us
Texas Attorney General's Office (AG) / Lisa Tanner	Texas Attorney General's Office Deputy Chief, Criminal Law Enforcement Division P O Box 12548 Austin, TX 78711	(512) 463-3125	Lisa.tanner@oag.state.tx.us
Texas Attorney General Gregg Abbott, AG	300 W. 15 th Street Austin, Texas 78701	(512)451-0188	greggabbott@oag.state.tx.us
Texas Automobile Theft Prevention Authority/Susan Sampson, Executive Director	4000 Jackson Ave. Austin, TX 78731	512.374.5104	ssampson@txdot.state.tx.us
Texas Board of Dental Examiners / Dr. Jim Zukowski, Executive Director	333 Guadalupe, Tower 3, Ste. 800 Austin, TX 78701	512-463-6400	www.tsbde.state.tx.us
Texas Board of Medical Examiners / Donald Patrick, Executive Director	333 Guadalupe, Tower 3, Ste. 610 Austin, TX 78701	512-305-7010	www.tmb.state.tx.us
Texas Board of Nurse Examiners / Katherine Thomas, Executive Director	333 Guadalupe, Ste. 3-460 Austin, TX 78701	512-305-7400	www.bne.state.tx.us
Texas Building and Procurement Commission Shannon Franklin Surplus Property Director	P.O. Box 13047 Austin, TX 78711	512-463-9709	shannon.franklin@tbpc.state.tx.us
Texas Building and Procurement Commission	6506 Bolm Road Austin, TX 78721	512-463-3915	doug.florence@tbpc.state.tx.us

Doug Florence, Storefront Manager, Surplus Property			
Texas Building and Procurement Commission Laura Reardon Office of Vehicle Fleet Management	P.O. Box 13047 Austin, TX 78711	512-463-1605	laura.reardon@tbpc.state.tx.us
Texas Building and Procurement Commission John Dechene (Franchise Print Shop Reports)	1711 San Jacinto, Austin, TX 78701		john.dechene@tbpc.state.tx.us
Texas Commission for the Blind Business Enterprises of Texas James Brown (Provides contractor to operate DPS Headquarters cafeteria)	7517 Cameron Road Suite 120 Austin, TX 78752	512-533-7117	James.Brown@dars.state.tx.us
Texas Commission for the Blind Edward Boggess	4800 N. Lamar Blvd. Austin, TX 78756	512-377-0529	
Texas Commission on Law Enforcement Officer Standards and Education Frank Woodall (Officer Certification)	Austin	512-933-7700	TCLEOSE.com
Texas Department of Agriculture Dale Scott, Pest Survey Coordinator	P.O. Box 12847 Austin, Texas 78711	512/463-7619	Dale.Scott@tda.state.tx.us

Texas Department of Agriculture David Kostroun, Assistant Commissioner for Regulatory Programs	Commissioner for Regulatory Programs P.O. Box 12847 Austin, Texas 78711	512/463-0012	David.Kostroun@tda.state.tx.us
Texas Department of Agriculture Stephen Pahl, Branch Chief for Regulatory Programs	Texas Department of Agriculture P.O. Box 12847 Austin, Texas 78711	512/463-7483	Stephen.Pahl@tda.state.tx.us
Texas Department of Criminal Justice, DNA Testing Administrator / Patricia Grahovec	TDCJ Programs & Services 8712 Shoal Creek Blvd., Suite 270A Austin TX 78757	(512) 406-5964	patricia.grahovec@tdcj.state.tx.us
Texas Department of Criminal Justice Torres Unit Wayne Wilkins	125 Private Road #4303 Hondo, TX 78861	830-426-5325 Ext. 376	
Texas Department of Criminal Justice	P.O. Box 99 Huntsville, TX 77342-0099	936/437-6052	Michelle.lyons@tdcj.state.tx.us
Texas Department of Criminal Justice Donna Kahn Deputy Director of Data Services	8610 Shoal Creek Austin, TX 78757	(512) 406-5800	
Texas Dept of Criminal Justice, OIG	209 W 14 th Street Austin, TX 78701	512-463-9988	www.tdcj.state.tx.us
Texas Department of Health and	4900 N Lamar Blvd.	512-424-6500	gail.johnson@hpsc.state.tx.us

Human Services Commission / Gail Moore	Austin, TX 78751		s
Texas Department of Housing and Community Affairs	507 Sabine Austin, TX 78701	512-475-3800	www.tdhca.state.tx.us
Texas Industries for the Blind & Handicap (TIBH) Pat Ingleman (Office supplies)	300 Highland Mall Blvd. Suite 302 Austin, TX 78752	512-451-8145	pengleman@tibh.org
Texas Department of Information Resources, Texas Online Allan Martin	300 West 15 th Street, Ste 1300 Austin, Texas 78701	512/463-5973	allan.martin@dir.state.tx.us
Texas Department of Insurance / John Hall	333 Guadalupe Austin, TX 78701	512-463-6169	john.hall@tdi.state.tx.us
Texas Department of Insurance Melissa Burkhardt	333 Guadalupe St. Austin, TX 78701	512-305-7201	Melissa.Burkhart@Tdi.state.tx.us
Texas Office of Homeland Security David Abernathy (Radio Interoperability Coordinator)	P. O. Box 1000 514 South Greer Blvd. Pittsburg, Texas 75686	(979) 218-2402	TFSRFCDA@aol.com
Texas Department of Licensing and Regulation Sharon A. Homoya	920 Colorado Street Austin, TX 78701 512-463-3131	512-463-3131	
Texas Department of Public Safety Jack Colley, Chief Division of Emergency Management (Radio Interoperability)	TXDPS 5805 N. Lamar Blvd PO Box 4087 Austin, TX 78773-0001	(512) 424-2434	Jack.Colley@txdps.state.tx.us
Texas Department of State Health	1100 West 49 th Street Austin, TX 78751	512-458-7111	www.dshs.state.tx.us

Texas Department of Transportation/Monica Blackwell, Chief of Titles	4000 Jackson Ave. Austin, TX 78731	512.465.7980	mblackwell@txdot.state.tx.us
Texas Department of Transportation Toni Luther	150 E. Riverside Drive Austin, TX 78714-9148	512-416-3390	
Texas Department of Transportation Vehicle Title & Registration	4000 Jackson Avenue Austin, TX 78731	512-465-7611	
Texas Department of Transportation/Randall Dillard	125 East 11 th Street Austin, TX 78701	512/463-8585	rdillard@dot.state.tx.state.tx.us
Texas Department of Transportation Carol Davis, Director Motor Carrier Division	Motor Carrier Division 125 E. 11 th Street Austin, Texas 78701-2483	512/465-3500	CDAVIS1@dot.state.tx.us
Texas Department of Transportation Christy Bird, Business Service Manager Motor Carrier Division	Texas Department of Transportation 125 E. 11 th Street Austin, Texas 78701-2483	512/465-3579	CBIRD@dot.state.tx.us
Texas Department of Transportation, Flight Service	10335 Golf Course Rd., Austin, TX 78719	512.936.8900	jjoseph@dot.state.tx.us
Texas Department of Transportation Joe Barnard, Motor Carrier Operations Manager	Motor Carrier Division 125 E. 11 th Street Austin, Texas 78701-2483	512/465-3044	JBARNAR@dot.state.tx.us

Motor Carrier Division			
Texas Department of Transportation, Vehicle Titles and Registration Division Linda Kirksey, Chief	40 th and Jackson Ave Austin, Texas 78779	512/465-7923	lirkse@dot.state.tx.us
Texas Department of Transportation / Juan Barbosa	PO Box 2293 Austin, TX 78768	512-416-4800	jbarbosa@dot.state.tx.us
Texas Department of Transportation Tania Sanders (Registration for Special Plates & undercover vehicles)		512-374-5363	
Texas Education Agency Driver Training Nina Saint	1701 N Congress Ave., Room 1-109 Austin, TX 78701-1494	512-463-9574	
Texas Forest Service David Abernathy, Communications	PO Box 755 Greenville, TX 75403	903-454-0296	TFSRFCDA@aol.com
Texas Lottery Commission / Cynthia Kinton	611 E 6th Street Austin, TX 78701	512-344-5292	Cynthia.kinton@lottery.state.tx.us
Texas Optometry Board / Chris Kloeris, Executive Director	333 Guadalupe, Tower 2, Ste. 420 Austin, TX 78701	512-305-8500	www.foot.state.tx.us
Texas Park & Wildlife Law Enforcement Division Peter P. Flores, Director	4200 Smith School Road Austin, Texas 78744-3291	(512)389-4845	Peter.flores@tpwd.state.tx.us
Texas Parks & Wildlife Department / A. Kim Ludeke	4200 Smith School Rd. Austin, TX 78744	512-389-4800	kim.ludeke@tpwd.state.tx.us
Texas Parks and Wildlife Aviation Division	10335 Golf Course Rd., Austin, TX 78719	512.936.9150	
Texas Parks & Wildlife Doug Schonberner, Fleet Manager	4200 Smith School Road Austin, TX 78744-3291	512-389-8108	doug.schonberner@tpwd.state.tx.us
Texas Parks & Wildlife Dept. Shawn Lange (Communications)	4200 Smith School Road Austin, TX 78744-3291	512-389-8096	shawn.lange@tpwd.state.tx.us
Texas Parks & Wildlife Dept. Christy Orr-Petrolawicz	4200 Smith School Road Austin, TX 78744-3291	512-389-8088	Christy-orr-petrolawicz@tpwd.state.tx.us
Texas Secretary of State Helena Escalante, Director Texas Border and Mexican Affairs Division	Texas Border and Mexican Affairs Division P.O. Box 12697 Austin, Texas 78711-2697	512/475-2808	hescalnte@sos.state.tx.us
Texas State Board of Pharmacy / Gay Dodson, Executive Director	333 Guadalupe, Ste. 3-600 Austin, TX 78701	512-305-8000	www.tsbp.state.tx.us
Texas State Board of Veterinary Medical Examiners / Ron Allen, Executive Director	333 Guadalupe, Ste. 3-810 Austin, TX 78701	512-305-7555	http://link.tsl.state.tx.us/tx/BVME
Texas State Comptroller Larry Schroeder	Rusk State Office Bldg, Room 232 PO Box 12608 Austin, TX 78711-2608	512-463-5902	
Texas State Library Pat Jolmes	PO Box 12516 Austin, TX 78711	512-424-5893	

Texas Youth Commission Administrator of Sex Offender Registration Melissa Headrick	Texas Youth Commission 6400 East Highway 290, Suite 202 Austin, Tx 78723	(512) 533-2753	melissa.headrick@tyc.state.tx.us
Travis County Tax Office Dennis Jones (Registration for exempt vehicles)	Airport Blvd. Austin, Texas	512-854-9473 ext 32307	dennis.jones@co.travis.tx.us
Utah Dept of Public Safety / Stuart Smith	PO Box 18654 Salt Lake City, UT	801-284-6232	
Virginia State Police / Cecil Dye	PO Box 27472 Richmond, VA 23261	804-323-2435	
Washington State Patrol / Mark Couey	PO Box 2347 Olympia, WA 98507	360-753-6800	

XI. Additional Information

A. 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 Calendar Years 2005 and 2006		
	CY 2005	CY 2006
Number of Administrative Inquiries conducted	111	91
Number of Administrative Inquiries resolved	111	91
Number of Admin. Inquiries dropped/found to be without merit	72	59
Number of Administrative Inquiries pending from prior years	0	0
Average number of days for resolution of an Administrative Inquiry	59	59
Number of Personnel Complaint investigations conducted	201	234
Number of Personnel Complaints resolved	198	220
Number of Personnel Complaints dropped/found to be without merit	24	24
Number of Personnel Complaints pending from prior years	3	14
Average number of days for resolution of a Personnel Complaint	129	121

B. Fill in the following chart detailing your agency's Historically Underutilized Business (HUB) purchases. See Exhibit 17 Example or [click here to link directly to the example](#).

Texas Department of Public Safety Exhibit 17: Purchases from HUBs				
FISCAL YEAR 2004				
Category	Total \$ Spent	Total HUB \$	Percent	Statewide Goal
Heavy Construction	\$39,788.00	\$1,358.00	3.4%	11.9%
Building	n/a	n/a	n/a	26.1%
Special Trade	\$1,173,913	\$368,701	31.4%	57.2%
Professional Services	\$259,879	\$96,427	37.1%	20.0%
Other Services	\$31,625,705	\$2,934,945	9.3%	33.0%
Commodities	\$54,568,489	\$13,861,754	25.4%	116%
TOTAL	\$87,667,774	\$17,263,184	19.7%	

FISCAL YEAR 2005				
Category	Total S Spent	Total HUB S	Percent	Statewide Goal
Heavy Construction	\$11,172	\$0	0.0%	11.9%
Building Construction	n/a	n/a	n/a	26.1%
Special Trade	\$1,176,807	\$235,487	20.0%	57.2%
Professional Services	\$385,413	\$42,224	11.0%	20.0%
Other Services	\$36,004,842	\$3,569,573	9.9%	33.0%
Commodities	\$66,955,213	\$11,308,966	16.9%	12.6%
TOTAL	\$104,533,447	\$15,156,250	14.5%	
FISCAL YEAR 2006				
Category	Total S Spent	Total HUB \$	Percent	Statewide Goal
Heavy Construction	\$2,447	\$0	0.0%	11.9%
Building Construction	\$332,563	\$40,233	12.0%	26.1%
Special Trade	\$1,610,417	\$307,891	19.1%	57.2%
Professional Services	\$213,114	\$57,056	26.7%	20.0%
Other Services	\$45,916,404	\$5,635,945	12.2%	33.0%
Commodities	\$80,415,352	\$11,831,314	14.7%	12.6%
TOTAL	\$128,490,300	\$17,872,440	13.9%	

C. Does your agency have a HUB policy? How does your agency address performance shortfalls related to the policy?

Yes, the policy is stated below:

Purpose

This policy provides guidance to assist DPS Purchasers in identifying and utilizing HUBs and defines the coordination responsibilities of the DPS HUB Coordinator, Majors, Adjutants, and the Purchasers.

Policy

It shall be DPS policy to fully support the General Services Commission (GSC) administrative rules regarding the state's HUB certification procedures for minority- and women-owned businesses (HUBs) and ensure a good faith effort to assist HUBs in receiving a portion of the total contract value of all contracts expected to be awarded in a fiscal year in accordance with the following adjusted percentages and defined procurement categories:

- a. 57.2 % of all Special Trade construction contracts;
- b. 12.6 % for Commodities contracts;
- c. 20.0 % for Professional Services contracts;
- d. 33.0 % for all Other Services contracts; and
- e. 26.1 % for all other Building Construction contracts.

Historically Underutilized Business (HUB) Requirements

- a. In all instances where bidding is required by law, the agency must obtain at least 3 bids, 2 of which must be from TBPC certified HUBs.
- b. In instances where no bids are required, purchasers are to make every effort possible to ensure that such purchases are made from a certified Historically underutilized Business whenever possible.

The agency continually strives to increase expenditures with HUB vendors through the dissemination of information and literature leading to registration, by eligible HUBs with the TBPC, CMBL list.

D. 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? (Tex. Government Code, Sec. 2161.252; TAC 111.14)

Yes, the standard HUB Subcontracting Plan is below:



HUB SUBCONTRACTING PLAN (HSP)

In accordance with Gov't Code §2161.252, the contracting agency has determined that subcontracting opportunities are probable under this contract. Therefore, respondents, including State of Texas certified Historically Underutilized Businesses (HUBs), must complete and submit a State of Texas HUB Subcontracting Plan (HSP) with their solicitation response.

NOTE: Responses that do not include a completed HSP shall be rejected pursuant to Gov't Code §2161.252(b).

The HUB Program promotes equal business opportunities for economically disadvantaged persons to contract with the State of Texas in accordance with the goals specified in the State of Texas Disparity Study. The HUB goals defined in 1 TAC §111.13 are: *11.9 percent for heavy construction other than building contracts, 26.1 percent for all building construction, including general contractors and operative builders contracts, 57.2 percent for all special trade construction contracts, 20 percent for professional services contracts, 33 percent for all other services contracts, and 12.6 percent for commodities contracts.*

■- Agency Special Instructions/Additional Requirements - -

SECTION 1

- RESPONDENT AND SOLICITATION INFORMATION

a. Respondent (Company) Name: _____

State of Texas VID #:

Point of Contact:

Phone #:

b. Is your company a State of Texas certified HUB? - Yes - No

c. Solicitation #:

SECTION 2

SUBCONTRACTING INTENTIONS

After having divided the contract work into reasonable lots or portions to the extent consistent with prudent industry practices, the respondent must determine what portion(s) of work, including goods or services, will be subcontracted. Note: In accordance with 1 TAC §111.12., a "Subcontractor" means a person who contracts with a vendor to work, to supply commodities, or contribute toward completing work for a governmental entity. Check the appropriate box that identifies your subcontracting intentions:

- **Yes, I will be subcontracting portion(s) of the contract.**

(If Yes, in the spaces provided below, list the portions of work you will be subcontracting, and go to page 2.)

- **No, I will not be subcontracting any portion of the contract, and will be fulfilling the entire contract with my own resources. (If No, complete SECTION 9 and 10.)**

Line Item # - Subcontracting Opportunity Description	Line Item # - Subcontracting Opportunity Description
(#1) -	(#11) -
(#2) -	(#12) -
(#3) -	(#13) -
(#4) -	(#14) -
(#5) -	(#15) -
(#6) -	(#16) -
(#7) -	(#17) -
(#8) -	(#18) -
(#9) -	(#19) -
(#10) -	(#20) -

Enter your company's name here: _____

Solicitation #: _____

IMPORTANT: You must complete a copy of this page for each of the subcontracting opportunities you listed in SECTION 2. You may photocopy this page or download copies at http://www.tbpc.state.tx.us/communities/procurement/prog/hub/hub-forms/hsp_sep06_cont2.doc.

SECTION 3

- SUBCONTRACTING OPPORTUNITY

Enter the line item number and description of the subcontracting opportunity you listed in SECTION 2.

Line Kern # _____ Description: _____

■ MENTOR-PROTEGE PROGRAM

If respondent is participating as a Mentor in a State of Texas Mentor Protege Program, submitting their Protege (Protege must be a State of Texas certified HUB) as a subcontractor to perform the portion of work (subcontracting opportunity) listed in SECTION 3, constitutes a good faith effort towards that specific portion of work. Will you be subcontracting the portion of work listed in SECTION 3 to your Protege?

- Yes (If Yes, complete SECTION 8 and 10.) - No / Not Applicable (If No or Not Applicable, go to SECTION 5.)

SECTION 4

SECTION 5

- PROFESSIONAL SERVICES CONTRACTS ONLY This section applies to Professional Services Contracts only. All other contracts go to SECTION 6.

Does your HSP contain subcontracting of 20% or more with HUB(s)? - Yes (If Yes, complete SECTION 8 and 10.) - No / Not Applicable (If No or Not Applicable, go to SECTION 6.)

In accordance with Gov't Code §2254.004, "Professional Services" means services: (A) within the scope of the practice, as defined by state law of accounting; architecture; landscape architecture; land surveying; medicine; optometry; professional engineering; real estate appraising; or professional nursing; or (B) provided in connection with the professional employment or practice of a person who is licensed or registered as a certified public accountant; an architect; a landscape architect; a land surveyor; a physician, including a surgeon; an optometrist; a professional engineer, a state certified or state licensed real estate appraiser, or a registered nurse.

SECTION 6

NOTIFICATION OF SUBCONTRACTING OPPORTUNITY

Complying with a, b and c of this section constitutes Good Faith Effort towards the portion of work listed in SECTION 3. After performing the requirements of this section, complete SECTION 7,8 and 10.

- a. Provide written notification of the subcontracting opportunity listed in SECTION 3 to **three (3)** or more HUBs. Use the State of Texas' Centralized Master Bidders List (CMBL), found at <http://www2.tbpc.state.tx.us/cmb/cmbhub.html>, and its HUB Directory, found at <http://www2.tbpc.state.tx.us/cmb/hubonly.html>, to identify available HUBs. **Note: Attach supporting documentation (letters, phone logs, fax transmittals, electronic mail, etc.) demonstrating evidence of the good faith effort performed.**
- b. Provide written notification of the subcontracting opportunity listed in SECTION 3 to a minority or women trade organization or development center to assist in identifying potential HUBs by disseminating the subcontracting opportunity to their members/participants. A list of trade organizations and development centers may be accessed at <http://www.tbpc.state.tx.us/hub/minoritywomenbuslinks.html>. **Note: Attach supporting documentation (letters, phone logs, fax transmittals, electronic mail, etc.) demonstrating evidence of the good faith effort performed.**
- c. Written notifications should include the scope of the work, information regarding the location to review plans and specifications, bonding and insurance requirements, required qualifications, and identify a contact person. Unless the contracting agency has specified a different time period, you must allow the HUBs no less than five (5) working days from their receipt of notice to respond, **and** provide notice of your subcontracting opportunity to a minority or women trade organization or development center no less than five (5) working days prior to the submission of your response to the contracting agency.

SECTION 7

- HUB FIRMS CONTACTED FOR SUBCONTRACTING OPPORTUNITY

List **three (3)** State of Texas certified HUBs you notified regarding the portion of work (subcontracting opportunity) listed in SECTION 3. Specify the vendor ID number, date you provided notice, and if you received a response. **Note: Attach supporting documentation (letters, phone logs, fax transmittals, electronic mail, etc.) demonstrating evidence of the good faith effort performed.**

Company Name	VID #	Notice Date <small>(mmVdd/yyyy)</small>	Was Response Received?
		____/____/____	D-Yes D-No
		____/____/____	D-Yes D-No
		____/____/____	[U-Yes

Self-Evaluation Report

SECTION 8

SUBCONTRACTOR SELECTION

List the subcontractors you selected to perform the portion of work (subcontracting opportunity) listed in SECTION 3. Also, specify the expected percentage of work to be subcontracted, the approximate dollar value of the work to be subcontracted, and indicate if the company is a Texas certified HUB.

Company Name	VID#	Expected % of Contract	Approximate Dollar Amount	Texas Certified HUB?
_____	_____	%	\$	D-Yes D-No*
		_____ %	_____ \$	D-Yes D-No*

***If the subcontractor(s) you selected is not a Texas certified HUB, provide written justification of your selection process below:**

I Enter your company's name here: _____

Solicitation #:

SECTION 9 - **SELF PERFORMANCE JUSTIFICATION** (If you responded "No" to SECTION 2, you must complete SECTION 9 and 10.)

Does your response/proposal contain an explanation demonstrating how your company will fulfill the entire contract with its own resources?

- Yes If Yes, in the space provided below, list the specific page/section of your proposal which identifies how your company will perform the entire contract with its own equipment, supplies, materials and/or employees.

- No If No, in the space provided below, explain how your company will perform the entire contract with its own equipment, supplies, materials, and/or employees.

SECTION 10 - **AFFIRMATION**

Self-Evaluation Report

As evidenced by my signature below, I affirm that I am an authorized representative of the respondent listed in SECTION 1, and that the information and supporting documentation submitted with the HSP are true and correct. Respondent understands and agrees that, if awarded any portion of the solicitation:

- The respondent must submit monthly compliance reports (Prime Contractor Progress Assessment Report - PAR) to the contracting agency, verifying their compliance with the HSP, including the use/expenditures they have made to subcontractors. (The PAR is available at <http://lvmw.tbpcMats.UMs/communitiBSlprocurement/proglhub/hub-forms/progressass6ssmentrpt>).
- The respondent must seek approval from the contracting agency prior to making any modifications to their HSP. If the HSP is modified without the contracting agency's prior approval, respondent may be subject to debarment pursuant to Gov't Code §2161.253(d).
- The respondent must, upon request, allow the contracting agency to perform on-site reviews of the company's headquarters and/or work-site where services are to be performed and must provide documents regarding staff and other resources.

Signature

Printed Name

Title

Date

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

	Response / Agency Contact
1. Do you have a HUB coordinator? (Tex. Government Code, Sec. 2161.062; TAC 111.126)	Yes/Oscar Ybarra @ 512/424-2062
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? (Tex. Government Code, Sec. 2161.066; TAC 111.127)	Yes/Oscar Ybarra @ 512/424-2062
3. Has your agency developed a mentor-protege 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? (Tex. Government Code, Sec. 2161.065; TAC 111.128)	Yes/Oscar Ybarra @ 512/424-2062

F. Fill in the chart below detailing your agency's Equal Employment Opportunity (EEO) statistics. See Exhibit 18 Example or [click here to link directly to the example.](#)

Texas Department of Public Safety Exhibit 18: Equal Employment Opportunity Statistics							
FISCAL YEAR 2004							
Job Category	Total Positions	Minority Workforce Percentages					
		Black		Hispanic		Female	
		Agency	Civilian Labor Force %	Agency	Civilian Labor Force %	Agency	Civilian Labor Force %
Officials/Administration	98	8.16%	7%	14.29%	11%	27.55%	31%
Professional	1120	8.21%	9%	15.71%	10%	35.71%	47%
Technical	1750	9.20%	14%	29.20%	18%	55.14%	39%
Protective Services	3094	11.34%	18%	24.66%	21%	6.88%	21%
Para-Professionals	885	16.72%	18%	29.38%	31%	82.37%	56%
Administrative Support	1210	15.79%	19%	23.64%	27%	85.45%	80%
Skilled Craft	84	16.67%	10%	26.19%	28%	5.95%	10%
Service/Maintenance	174	26.44%	18%	35.63%	44%	26.44%	26%

FISCAL YEAR 2005							
Job Category	Total Positions	Minority Workforce Percentages					
		Black		Hispanic		Female	
		Agency	Civilian Labor Force %	Agency	Civilian Labor Force %	Agency	Civilian Labor Force %
Officials/Administration	93	9.68%	7%	13.98%	11%	26.88%	31%
Professional	1192	8.64%	9%	15.02%	10%	36.91%	47%
Technical	1843	9.44%	14%	29.84%	18%	54.86%	39%
Protective Services	3161	11.07%	18%	25.21%	21%	6.96%	21%
Para-Professionals	917	17.78%	18%	30.10%	31%	84.19%	56%
Administrative Support	1165	16.14%	19%	25.41%	27%	84.81%	80%
Skilled Craft	82	17.07%	10%	26.83%	28%	3.66%	10%
Service/Maintenance	177	27.12%	18%	34.46%	44%	28.81%	26%
FISCAL YEAR 2006							
Job Category	Total Positions	Minority Workforce Percentages					
		Black		Hispanic		Female	
		Agency	Civilian Labor Force %	Agency	Civilian Labor Force %	Agency	Civilian Labor Force %
Officials/Administration	91	6.59%	7%	13.19%	11%	27.47%	31%
Professional	1273	8.96%	9%	16.03%	10%	39.83%	47%
Technical	1819	10.23%	14%	30.57%	18%	55.80%	39%
Protective Services	3013	10.69%	18%	25.06%	21%	7.07%	21%
Para-Professionals	1009	17.94%	18%	28.74%	31%	77.50%	56%
Administrative Support	1139	17.30%	19%	24.50%	27%	84.81%	80%
Skilled Craft	99	19.19%	10%	23.23%	28%	4.04%	10%
Service/Maintenance	187	28.88%	18%	36.36%	44%	29.95%	26%

G. 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 contained in Chapter 18 of the DPS General Manual, Section 5.01 and reads as follows:

“It is the policy of the Texas Department of Public Safety to hire qualified people to perform the many tasks necessary in providing high quality service in the field of law enforcement administration and other areas of public safety. An integral part of this policy is to provide equal employment opportunity for all persons; to recruit and administer hiring, working conditions, benefits and privileges of employment, compensation, training, appointments for

advancement including upgrading and promotion, transfers, and terminations of employment within the framework provided by statutes of the state of Texas and the United States without discrimination because of race, color, religion, national origin, sex, age, or disability”.

The EEO Policy is promoted within the agency through the development of a “Recruitment Plan” by the EEO Officer with the full support of the Director. The EEO Officer is charged with the responsibility of developing, implementing, and evaluating Department policies and procedures concerning EEO, develops the Recruitment Plan, and communicates the Department’s EEO policy internally and externally. The Recruitment Plan highlights the current utilization of minorities and females in the work force and establishes reasonable and measurable employment opportunity goals in compliance with state and federal law.

The Plan is disseminated throughout the agency through the Division Chiefs, Special Section Heads, Service Commanders, Regional Commanders, and District Captains, each with the responsibility of evaluating the Plan for their individual areas of responsibility to identify areas where employment of under represented groups can be improved and recommend needed improvements through channels to the Director. The Plan is also posted on official bulletin boards within all DPS offices.

XII. Agency Comments

None

ATTACHMENTS

Submit the following supplemental data or documents with the hard copy of the Self-Evaluation Report. Label each attachment with its number (e.g., Attachment 1). As part of the electronic version, attach a list of items submitted, but do not attach the actual documents to the electronic submission.

Attachments Relating to Key Functions, Powers, and Duties

1. A **copy** of Chapter 411, Government Code, Department of Public Safety.
2. A **copy** of DPS Annual Reports from FY 2002 - 2006.
3. A **copy** of the DPS Chaparral from FY 2005 - 2006.
4. A **list** of publications and brochures describing DPS.
5. A **list** of studies the Department is required to do by legislation or riders.
6. A **list** of legislative or interagency studies relating to DPS that are being performed during the current interim.
7. A **list** of studies from other states, the federal government, or national groups/associations that relate to or affect the Department or agencies with similar duties or functions.

Attachments Relating to Policymaking Structure

8. Biographical information (e.g, education, employment, affiliations, and honors) or resumes of all policymaking body members. See Attachment 6 Example or [click here to link directly to the example](#).
9. A **copy** of Texas Administrative Code, Title 37, Part I, Texas Department of Public Safety.

Attachments Relating to Funding

10. A **copy** of the DPS Legislative Appropriations Request for FY 2008-2009.
11. A **copy** of the DPS Annual Financial Reports from FY 2004 - 2006.
12. A **copy** of the DPS Operating Budgets from FY 2005 - 2007.

Attachments Relating to Organization

13. A map of DPS regional boundaries and regional headquarters locations.

Attachments Relating to Agency Performance Evaluation

14. A **copy** of DPS Quarterly Performance Reports for FY 2004 - 2006.
15. A **copy** of any recent studies on the Department or any of its functions conducted by outside management consultants or academic institutions.
16. A **copy** of the current DPS Internal Audit Plan.
17. A **list** of internal audit reports from FY 2003 - 2007 completed by or in progress at the Department.
18. A **list** of State Auditor reports from FY 2003 - 2007 that relate to the Department or its functions.
19. A **copy** of customer service surveys conducted by the Department in FY 2006.
20. A **copy** of the DPS Strategic Plan FY 2007 - 2011
21. A **copy** of the Overview of the Texas Department of Public Safety