

**From:** [Sunset Advisory Commission](#)  
**To:** [Janet Wood](#)  
**Subject:** FW: Public Input Form for Agencies Under Review (Private/Before Publication)  
**Date:** Friday, November 18, 2022 1:42:16 PM

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**From:** Texas Sunset Advisory Commission <[sunset@sunset.texas.gov](mailto:sunset@sunset.texas.gov)>  
**Sent:** Friday, November 18, 2022 1:39 PM  
**To:** Sunset Advisory Commission <[Sunset.AdvisoryCommission@sunset.texas.gov](mailto:Sunset.AdvisoryCommission@sunset.texas.gov)>  
**Subject:** Public Input Form for Agencies Under Review (Private/Before Publication)

Submitted on Fri, 11/18/2022 - 12:32

Submitted by: Visitor

Submitted values are:

**Choose the agency that you would like to provide input about**

[Texas Commission on Law Enforcement](#)

#### **Public Comments**

1

#### **First Name**

Bart

#### **Last Name**

Terrell

#### **Title**

Police Officer

#### **Email**

#### **City**

Prosper

#### **State**

Texas

#### **Your Comments or Concerns**

In reference to survey regarding the Sunset Commission's Executive Summary report. I agree that TCOLE (Texas Commission on Law Enforcement) needs to subscribe to the DPS system to periodically check the criminal history status of current TCOLE license holders. I have personally witnessed employees who have been arrested, convicted, and served sentences, all while continuing to work at a law enforcement agency, as they failed to report the incident.

I also concur that TCOLE should have the authority to temporarily suspend a licensee in case of Imminent threat to public safety.

However, regarding the statement that Texas also lacks statewide standards of professional conduct for law enforcement personnel, relying instead on inconsistently set and enforced local standards. I have to wonder if such a set of standards were instituted, who would have to investigate? TCOLE? Or would the investigation still fall upon the agency the licensee worked for? If TCOLE became the ultimate regulator of standards of conduct, they would be responsible for ensuring that the officers' due process is protected on administrative investigations under the Garrity rule. Would they have the authority to investigate criminal complaints against officers? If it is left for the local agency to investigate, what rules will TCOLE develop to determine if the local agency is following their accepted standards they set forth. As someone who has been licensed for 40 years and has conducted hundreds of Internal Affairs complaints and cases of officer Misconduct and corruption, the Staff report minimizes the cost and legal consequences of investigating Licensees across the State of Texas. Also in reference to the ability to keep complainants confidential. It is understandable in a criminal investigation but would possible be a violation of the 6th amendment to be unable to confront your accuser in court.

I also concur with the Summary report regarding training of candidates and recurrent training of current license holders, with the following thought. Too many of the current required courses are redundant and unnecessary. Consisting of a repeat of the same class with the same subject matter is not an efficient way to instruct individuals.

**Your Proposed Solution**

I recommend that a review of what the cost would be to hire 20 to 30 Officers to investigate and standards of conduct that are recommended in the Summary report.

**My Comments Will Be Made Public**

Yes