

# TEXAS INSIDER

## Greetings TCJIUG members and potential future members!

After holding a membership with TCJIUG for nine years, it is with great pride and true excitement that I begin my service as your President. In 2010, as a new communications supervisor and TAC, I was desperate to find training and personal connections that could help guide me in my new role. It was by pure happenstance, I found the TCJIUG notification on the APB summary. Little did I know, my life would never be the same. During my tenure, I have served on the publications committee, the entertainment committee, as Secretary/Treasurer and as Vice President. While I was content in my VP role, our Past President, Pam Pierce, encouraged me to step up and take on this new role. I have very large shoes to fill and will do my best to make her proud.

For those of you that are not familiar with our organization, we are a 503c non-profit organization; providing a plethora of diverse training opportunities throughout our conference. The training we provide gives you enough information to want more, need more, or be just dangerous enough to make changes at your own agency. After eight years and diligent work from Pam, TCJIUG has expanded our training agenda to include more than just the necessary DPS courses. We now have a phenomenal training committee, Committee Chair, Sherry Walton, and Sgt. Brett Audilet from Liberty Co. SO. They have certainly breathed new life into our training curriculum, and I cannot wait to see what they have planned for next year. Of course, any suggestions or recommendations from our members are always welcome.

My vision for the organization is to increase membership, continue to bring innovative training, and provide an extensive networking opportunity for our members across the state. We are comprised of, but not limited to, Telecommunicators, Supervisors, TACs, Records Managers, Peace Officers, Corrections Officers, and IT. While these roles are critical to public safety, I hope to embrace other members of the criminal justice community, such as representatives from courts and corrections, as well. The information and insight they bring would be invaluable.

The more members we have; the greater the impact in the law enforcement community. The more we learn from each other; the greater the knowledge we have. The more we network and connect with each other; the greater our support resources will be during a time of need.

I look forward to serving you, as does your TCJIUG Board: Sheila Powell, Vice President, DeDe Jasso, Secretary/Treasurer, Sgt. Brett Audilet, Board Position 1, and Steve Ryckman, Board Position 2.

Respectfully,

Windy Kraus  
TCJIUG President



### In this NewsLetter:

- \* Letter from President Windy Kraus
- \* TCJIUG Executive Panel
- \* TCJIUG Working Groups
- \* Letter from Past President Pam Pierce
- \* Family Violence Bills in 86th Legislative Session
- \* HB 1090—What does it mean for your agency?
- \* Save The Date for 2020 Conference



### TCJIUG Working Groups

The following working groups are established to help with the conference and other planning for the organization. If you want additional information or can help out, contact the committee chair(s) listed below:

Entertainment	Dede Navarro	<a href="mailto:entertainment@tcjiug.com">entertainment@tcjiug.com</a>
Publications	Steve Ryckman	<a href="mailto:publications@tcjiug.com">publications@tcjiug.com</a>
Training	Sherry Walton & Brett Audilet	<a href="mailto:training@tcjiug.com">training@tcjiug.com</a>
Vendors	Tracy Childress	<a href="mailto:vendors@tcjiug.com">vendors@tcjiug.com</a>

### TCJIUG Executive Panel

#### Current Officers:

President - Windy Kraus

Vice President - Sheila Powell

Secretary/Treasurer - Dede Navarro

#### Board Members:

Position 1 - Sgt. Brett Audilet

Position 2 - Steve Ryckman

Position 3 - Vacant



Dear TCJIUG Members,

It was after great thought I decided to step out of the role of President. The past 8 years as your President were so much more than I expected they would be. Although I had interacted with many of you previously in my role at TxDPS, I became so much more appreciative of the many roles and responsibilities you carry at your agency when I became “one of you” with my move to Travis County Sheriff’s Office. YOU ROCK!

We’ve seen many changes in the Criminal Justice systems specific to our shared Criminal Justice state/federal software tools since I became a TCJIUG Board Member. To name a few of the significant impacts: FBI Security Policy and the Texas “Security Packets”, Omnixx Force and Trainer implementation - and replacement by OpenFox Messenger and Configurator with Nextest; UCR to NIBRS; and the “New” DL system. There are so many individual items within those tools that also changed, and efforts were made to invite instructors to make presentations that would enhance our understanding, and thus our ability to understand and meet the new requirements or properly use the new information at our fingertips. We gained new friends when we welcomed new speakers and new topics (Kim Piechowiak from the Office of Court Administration, Jennifer Fernandez from Guadalupe County Shelter, and the folks from the Texas Council on Family Violence come to mind readily.) We gained and lost a friend with the passing of Alan Ferretti, who was first a speaker regarding the CJIS Security Policy, then a vendor with our organization.

This year’s conference introduced us to several new topics and speakers. I can’t say enough about our Training Coordinator for this year’s conference, Sherry Walton, and her helper, Sgt. Brett Audilet! We had more than one speaker become unavailable on relatively short notice, and the Sherry/Brett team didn’t hesitate to find a competent, capable speaker to fill the spot with relative (and at times entertaining) information.

At the writing of this article, and after the conference elections were held, our Secretary/Treasurer, Lindsey Hiracheta left the employment of criminal justice. She’s completing her degree to become a teacher. This vacated the Secretary/Treasurer position on the TCJIUG Board. DeDe Jasso has agreed to fill the remainder of the term as Secretary/Treasurer. We all know DeDe as our Entertainment Committee Chairperson, and since she has done so well with that responsibility, I have no doubt she will succeed in the new role as well.

I have no doubt that the role of President will be fulfilled well by Windy Kraus. She’s been an awesome Vice President, my voice of reason and sometimes sanity when TCJIUG conference challenges arose. I’m planning to be her support now in my new role as Chair of the TCJIUG Advisory Committee. I’m not “gone”, just wearing a new hat, so to speak. If any of you ever need me, I’m still around. “Friend Me on Facebook” and while you’re on Facebook, find TCJIUG and “like” then “follow” it. Post things of mutual Criminal Justice Interest, and comment if you would, so that the page keeps appearing in followers’ newsfeed.

I salute you all!

Pam Pierce  
Central Warrants Office Manager,  
TCIC/NCIC Terminal Agency Coordinator,  
TCIC/TLETS Associate Trainer  
Travis County Sheriff’s Office  
Email: [pam.pierce@traviscountytexas.gov](mailto:pam.pierce@traviscountytexas.gov)





## **Family Violence Bills Considered During the 86<sup>th</sup> Legislative Session**

By

Kimberly A.F. Piechowiak

Office of Court Administration Protective Order Resource Attorney

The 86<sup>th</sup> Texas legislative session was interesting to say the least. A couple of sessions ago, my office was assigned the duty of creating a task force to identify data gaps pertaining to family violence, sexual assault, dating violence, stalking, and dating violence. Past President Pam Pierce and the other task force members narrowed down several recommendations, some of which made their way into bills that have been passed by the 86<sup>th</sup> Texas Legislature. For example:

HB 1528 (eff. 9/1/19) incorporated many other bills to become one that mandates several new requirements for defendants in class C family violence cases, and the courts that hear them.

Defendants will now be required to enter pleas in these cases in open court and will no longer be allowed to pay the fines online or by mail.

Convictions for family violence class C cases will now be reported by the court to DPS for inclusion in TCIC, NCIC, and NICS as applicable by law. This will require municipal and justice courts to implement procedures to fingerprint defendants as part of the plea process and forward the prints and disposition form to DPS for entry.

CCH must now include whether an affirmative finding of family violence was made by the court.

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*Family Violence Bills article continued.....*

SB 2390 (eff. 9/1/19) extends the procedures implemented to protect address confidentiality of victims in protective orders to Magistrate's Orders of Emergency Protection. Specifically, the magistrate can order the court clerk to redact the address from the public record and maintain a separate confidential court record for use by the court and law enforcement. This separate file will contain all pertinent information for entry into TCIC and enforcement by peace officers; and will not be released to the public or the defendant in the case.

SB 325 (eff. 9/1/19, implementation by June 2020) requires the Office of Court Administration to establish a protective order registry that allows case management systems to interface it, and restricts access to authorized users (prosecutors, police, etc.) to access PO info and images. In addition, limited public access will be available if the victim requests such access.

Finally, the legislature overwhelmingly passed SB 1084, which would require bond conditions in family violence cases to be entered into TCIC in order for law enforcement and victims to know exactly what the defendants are required to do (or not do) pending trial. However, in a surprise move, a last-minute unrelated amendment was added to create a surcharge exemption for a radioactive waste dump in West Texas. Regrettably, Governor Abbott vetoed the popular bill, stating "Senate Bill 1804 was a laudable effort to address domestic violence, until someone slipped in an ill-considered giveaway to a radioactive waste disposal facility." This issue will likely be put forth again next session.

In conclusion, TCJIUG has been an invaluable resource throughout this and prior sessions. I am looking forward to continued collaboration on implementation of these bills in enhance the safety of victims, law enforcement, and the community at large. Thank you all so much for your input and support.



**TCJIUG**  
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*This newsletter brought to you by your publications committee.*



## HB 1090 has been officially signed Governor Abbott and will be effective September 1, 2019!



By Sheila Powell

### What EXACTLY does this mean for you and your agency?

The Government Code, Section 421.095(1) will add to the definition of a “first responder”:

“an emergency response operator or emergency services dispatcher who provides communication support services for an agency by responding to requests for assistance in emergencies; and other emergency response personnel employed by an agency”

#### Brain Injury Training (Section 1701.264 – Occupation Code)

This discusses training programs for first responders for interacting with persons with traumatic brain injuries. Because telecommunicators will be defined as “first responders”, agencies will need to establish and maintain training for telecommunicators that provides information on:

- The effects of an acquired brain injury and of a traumatic brain injury

and

- Techniques to interact with persons who have an acquired brain injury or a traumatic brain injury

#### Reportable Diseases Confidentiality (Section 81.046 – Health and Safety Code)

This section dictates that any information relating to cases of disease or health conditions can’t be made public or subpoenaed, except:

- Medical information, including information linking someone to another person exposed to a communicable disease, may be released to first responders if they need the information to properly respond to the situation
- A local health department will provide first responders the address of a person who is being monitored for the duration of the disease’s incubation period. However, the physical address may NOT be kept in the CAD system after the monitoring period expires.

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*HB1090 article continued.....*

### **Discrimination Against First Responders Right To Sue (Section 451.0025 – Labor Code)**

This code in general focuses on discrimination, specifically that an employee cannot be “discharge(d) or in any other manner discriminate(d) against” if they file a workers’ compensation claim or hire a lawyer to represent them in this claim.

First responders are further protected. A first responder may claim that a violation was made and they were discriminated against for filing workers’ compensation. If so, the local government entity that supposedly performed this violation will not be protected by government immunity.

### **Liability for Emergency Care (Section 74.151 – Civil Practice and Remedies Code)**

This statute and chapter discuss medical liability and general provisions for citizens. Subchapter D specifies liability for emergency care.

A person is not liable for civil damages for trying to help during an emergency unless it can be proven that they acted “willfully or wantonly negligent.” This section also includes a list of people who qualify for this protection, including a person who administers emergency care as a volunteer who is a first responder.

### **Cost of an Employee**

The First Responder Category MAY effect the overall cost for an employee for your agency (Insurance and Benefit Costs for a First Responder vs. the previous Secretary Category)

Each agency has different benefits packages so there is no answer on how much this change will be. Contact the appropriate personnel within your agency to determine if there needs to be a re-evaluation for the overall cost of an employee and if there would be any budget adjustments

### ***Did you know?***

Past editions of our newsletters as well as other useful information is on the TCJIUG website at:  
<http://www.tcjiug.com>



### **What is TCJIUG?**

TCJIUG is a statewide organization of law enforcement, communications and information systems personnel working to improve the criminal justice system throughout the state, to improve working relationships and to promote the education of its membership.





## April 27th—May 1st, 2020



**The 2020 Annual TCJIUG Conference will be held April 27th - May 1st, 2020 at the Emerald Beach Hotel in Corpus Christi, TX. Watch our website for more information.**

### ***Does your agency have items we could use for door prizes?***

Like getting door prizes? We do too! If your agency has items that could be used as door prizes for our conference next year, please let us know.

We are always looking for new items for our conference! Even if they are small items, we can group them together to create a gift basket.

Contact a board member if you can assist with supplying any door prizes.



*"A bad day at the beach is still better than a good day anywhere else"*