TEXAS DEPARTMENT OF MOTOR VEHICLES

AUTO BURGLARY AND THEFT PREVENTION AUTHORITY

GRANTS, BUDGET & REPORTS COMMITTEE

3:30 p.m.
Wednesday,
July 10, 2019

Lone Star Room
Building 1
4000 Jackson Avenue
Austin, Texas

COMMITTEE MEMBERS:

Mike Rodriguez, Chair
Ashley Hunter (absent)
Justin Owen

STAFF:

Bryan Wilson, Director
David Richards, General Counsel
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MR. RODRIGUEZ: My name is Mike Rodriguez, and I'm pleased to open the Grants Budget and Reports Committee Meeting of the Automobile Burglary and Theft Prevention Authority. It is 3:32 p.m., and I am now calling the Committee meeting for July 10, 2019 to order.

I want to note for the record that the public notices of this meeting containing all items on the agenda was timely filed with the Office of the Secretary of State on Tuesday, July 1, 2019. Before we begin today's meeting, place all cell phones and other communication devices in the silent mode, please.

If you wish to address the Committee during today's meeting, please complete a speaker's card at the registration table. To comment on an agenda item, please complete a yellow card and identify the agenda item. If it is not an agenda item, we will take your comments during the public comment portion of the meeting.

And now I would like to have a roll call of the Committee members. Member Hunter?

(No response.)

MR. RODRIGUEZ: Or member Owen?

MR. OWEN: Present.

MR. RODRIGUEZ: Let the record reflect that I am Mike Rodriguez. I'm here too. We have a quorum.
Also let the record reflect that member -- Board member Ashley Hunter is absent today. Comments?

(No response.)

MR. RODRIGUEZ: Member Owen?

MR. OWEN: No, sir. I'll reserve them for tomorrow.

MR. RODRIGUEZ: I'll reserve mine, too. Can we go over -- let me start with Item No. 2.

MR. WILSON: Hello, Chairman Rodriguez, member Owen. For the record, my name is Bryan Wilson. I'm the ABTPA director.

I wanted to start with Agenda Item No. 2 -- is to discuss a recommendation to ask this Committee to recommend to the full Board to de-obligate -- excuse me -- I apologize -- to de-obligate about $110,000 from Harris County, based on a grant adjustment that they submitted on April 25 for an action that their Commissioners Court took on March 25. And that action would require that we reduce the grant award by $110,000 so that we can spend those funds into this next grant cycle.

So under State obligation processes, when we issue an award, there's a requisition created and a PO that obligates that fund so that those funds cannot be spent for anything other than that process. And so this
Board would develop a recommendation -- or to accept staff's recommendation and recommend to the full Board as the Committee to de-obligate this $110,000.

MR. OWEN: I make a motion to accept staff's recommendation.

MR. RODRIGUEZ: I second.

MS. MENOSKEY: Justin, can you make sure your mike's on?

MR. OWEN: It is.

MS. MENOSKEY: It is? Okay.

MR. OWEN: I'll just talk loud. Is that better?

MR. WILSON: Yes. That's much better. Thank you.

MR. OWEN: Do I need to make another motion?

MR. RICHARDS: You need to recommend to the Board to de-obligate.

MR. OWEN: I make a motion that we recommend to the Board to de-obligate the amount of 110,000 from Harris County.

MR. RODRIGUEZ: I second.

Moving on to our Item No. 3, discussing and consider recommending adoption of fiscal year 2019 final budget and fiscal year 2020 budget, including amounts to award in fiscal year 2020 grants.
MR. WILSON: Thank you, Chairman Rodriguez.

For the record, again, my name is Bryan Wilson. What we have here is some additional funds, including the 110 that -- assuming that the Board accepts your recommendation, the 110,000 from Harris County.

There's two items. First, at the top of the page -- we're on page 17 of your Board book. And so the first item was an issue that took place in January when the Board authorized, through the -- there was what was called an unexpended balance authority provided by the Governor and the Legislature, that we needed to do grants for.

We understood that it was going to be carried forward, but the Governor and the Legislative Budget Board put that money in grants. We were going to amend the contract. So -- and then also for other reasons related to the complexities of state government, we're asking that this item be converted from a contract amendment with Texas A&M University just to a plain grant that we'll conduct -- it's what was called a deliverable base grant.

And so we're going to obligate $35,000. We're really just moving it from a computer line into this line, and then the -- and then we need you to obligate up to 800,000, and the reason is, as we get closer to the
end of the budget cycle, we will move every penny we have from any other obligation that we have into that line, but we can't exceed 800,000.

Right now, you'll see on another -- later on in the -- I guess it's on page 81. Just ask you to cross-reference real quick. Let me confirm. Dan, is that 81 or -- yes, 81. You'll see a budget over here for FY '19 at the top of page 81, and you'll see that we have about 778,000 right now that we have available to obligate, but if I can get another dollar, squeeze another dollar, I will, out of that pot.

So what this vote is, is to accept a revised budget really for '19 that would now obligate up to 800,000 into the ongoing grants that go into '20. Okay?

That's the way we've been able to sell it to the State Comptroller, and these are continuing -- most of these grants are continuing grants, and so we have to fit into the State processes in how we award grants.

So we'll obligate that -- this 800,000, plus the 35 that we already -- we had already allocated previously, but in the wrong category. And then for FY 2020, then we would adopt this budget. What I'm asking you to recommend to the full Board, that you adopt this budget, and so that we can move forward into the new grant cycle.
That's all I have. Are there any questions?

MR. OWEN: I make a motion to recommend to the Board that the ABTPA Board adopt the FY '19 budget and obligate an amount not to exceed 800,000 for fiscal year '19 ongoing grants, as displayed on page 17 in the ABTPA Board meeting board.

I further move that the ABTPA Board adopt -- well, I recommend that the ABTPA Board adopt the fiscal year '20 budget, as displayed on page 17 of the Board meeting book.

MR. RODRIGUEZ: I second that.

Moving on to Agenda Item No. 4, Review, Discuss and Consider Recommended Changes to the Fiscal Year 2020 Request for Applications and ABTPA Grant Review Process.

MR. WILSON: Okay. This is the fun part of the meeting. For the record, I'm Bryan Wilson, ABTPA director. So the Board had adopted in 2014 a process that was applied partially in 2019, was used in 2018, but the Board did not follow that process for that particular year, and then it's been used again.

So this is kind of a first step in deliberation, Committee, where I just want to give you the opportunity to consider, first off, what the process is, and then second, to consider if you want to recommend
to the full Board any other alternatives or other
c onsiderations that should be made prior to this program.

So what the process is right now is a
combination of scoring grants based on a template that
the Board had developed as part of their redesign process
in 2014, and that included looking at several factors,
some objective and some subjective.

It required that the Board members themselves
had designees to score the grant applications based on
known criteria or predetermined criteria, and then based
on that score, that staff would do so as well. At least
two staff would do that as well, and then combine those
scores, and then apply that to determine the amount of
the money.

Now, there's things that it takes into
consideration, and you'll see some -- in the results
page, you'll see some shocking items, and you go, how on
Earth did that happen? Well, if, you know -- if somebody
reduced the amount of money that that jurisdiction spent,
then it would keep all things equal.

Because the system was designed -- the
mathematical formula was designed to say -- for instance,
if somebody was spending $100,000, getting $200,000, but
now they've reduced their expenditure to $50,000, and
asked for $3 million, it would automatically reduce that
so that the ceiling of what they could ask for was
brought down to what they were willing to spend. And the
reason is, is because the Board, by law and by adopted
rule, Texas Administrative Code, is limited to -- or is
not allowed to supplant local funds with State funds.

You can't take a dollar that was spent by a
city or a county and just say, oh, don't spend that
money. We'll give you State money for that, and you quit
spending your money. That's not authorized under State
law generally through the Uniform Grant Management
Standards.

It's not authorized under the Board-adopted
Texas Administrative Code. So when you see some of these
anomalies in that sheet, it doesn't mean that you can't
fix them, but it means that there has to be -- you have
to enter in -- or the Board would have to delegate the
authority to enter into negotiation if somebody greatly
reduced their contribution to this program and then asked
for more money.

Does that make sense? So let's just quickly
walk through the process. So what we had in this round
was three Board members who scored, and that was Shay
Gause, Armin Mizani, and Ashley. Then we had two staff
members -- Tessie Ajala.

I know many of you haven't met him yet. We'll
talk about that -- him tomorrow, but he's our new Grant Coordinator II position that was filled when Dominic Gonzalez left. And then myself was the other scorer. And overall, if you look at -- if you go into the scoring sheet, you see, overall, there was large agreement.

There was at least one outlier on all programs, and then -- and so what the scoring system allowed each jurisdiction to do -- and I've put that on -- starting on page 21. And what that -- and I'm not going to -- believe me. I'm not going to stand here and talk for two hours, but I do want to cover the highlights of how it works.

So what you see here in the grant budget cycle is 20 points. So for the budget alone -- and I had to remove the -- two of the Board members did not score, and to keep everything even, I removed the third member, just so -- I want to be clear.

The budget was only scored by staff, the 20 points that are allocated, because I can't have -- mathematically, I can't have two people not do something and then have the other one skew the results. So I took all the Board members out of the budget calculation, and so there's two staff members who scored the budget, and so that -- the budget was 20 points.

And so what we did was -- so there was -- was
it reasonable? Number one. Was it clearly identified?
In other words, the contribution that that jurisdiction
was going to make to the program, was it clearly
identified.

And then the third -- were there adequate
descriptions and was it clear about what they were going
to do? Now, in other words, they -- if they were asking
for a position, what did the position do? What was it?
And so -- and the other thing about the budget is, I will
say, that -- to answer those questions, we have to toggle
between multiple sections.

You can't just look at what they said in the
personnel description, because if they said they were
going to paint horses red, and then you go to the
functions of the project and what they're describing in
the functions doesn't involve horses, then there's an
inconsistency that can't be accepted, and you have to
give them a low score.

And that happens a lot. I mean, obviously,
I'm being silly in my example, but the function --
whatever position they're asking for actually has to be
related to what they say they're going to do. A lot of
times, they'll say, the position is responsible for
covet operations and bait car operations.

You go to the functions. There are no bait
car operations, and there's no money in the budget requesting bait car technology. It's just an example, again. So then the second thing is need, and I did get the Board to agree prior to 2018 cycle to at least allow me to put two of those need categories into what's called a -- two of them are an objective standard.

So we go to DPS data, and if that jurisdiction -- even if it's the smallest jurisdiction in that county, if that county -- because DPS puts out data by county. That's the only reliable source. But if that jurisdiction was located in Harris County, and that's the highest, they get 10 points automatically.

Even if they only had two auto thefts, they get 10 points because -- but at least it's subjective, and they're located where high incidence of jurisdiction. So it's not totally fair, but it's still a method to assign what the location of that jurisdiction is.

Now, the second -- the other two, Issue No. 5 and 7, are -- those are -- were scored by the Board and staff based on what was said. What did the grant tell us in the applicant? So for instance, on page 28, you'll see that they told us how many motor vehicle thefts that they had in their jurisdiction, and you'll see in that list on the -- I guess it would be the fourth column, so page 28, fourth column -- you'll see that my staff and I
were able to confirm, based on DPS data, most of the
jurisdictions.

But there were some we could not confirm. And
then the other thing is, if you go over to the fifth
column, you'll see that some of the jurisdictions only
use their agency in making up the -- again, page 8 on the
fifth column, called How Confirmed.

So what's really critical is, when you're
scoring the section, you see one agency just used their
agency information by itself. They had -- I'm just
making up the number -- 1,000 auto thefts, just them
alone, while another agency not only counted their
jurisdiction, their immediate partners in this task
force, but then they also covered the giant swath of the
state, that maybe that they have occasional phone calls
or coordination with from time to time.

And so there's some of them that we confirmed
what they did. We could recreate -- in other words,
that's what this page is really about. Did we confirm
it? Yes or no. And we did confirm it, what -- where all
did we have to go to reconfirm that?

Now, this is not going to get you to a number
to -- on what to award, but it does give you some
veracity and some comparison, where one jurisdiction just
used their jurisdiction and they have 1,000 auto thefts,
and you don't have to look any further, and one might have done 200 auto thefts, but if they'd include lots of other jurisdictions that they've occasionally talked to, they call coverage, then now they can get to 1,000, but that's the only way they can.

They don't actually have officers in that jurisdiction or those other jurisdictions. So going back to page -- I left off the page -- I guess, 22. Twenty-three was the Motor Vehicle Problem described in the application.

That was still part of the need assessment.

Now, under the Board-adopted system, I wanted to be really careful to make sure you understand why some of these jurisdictions got -- later on, when we talk about the sections that they're -- that the system itself said this grant should not be funded.

And so if, under the Board-adopted system -- if they got a poor, they were automatically disqualified.

Now, what does poor mean? Poor means no auto theft was occurring in their jurisdiction or very little, and it also meant that they had no motor vehicle -- burglary of a motor vehicle or very low incidence of motor vehicle.

So I want to be clear that when you look at the needs section, that is an automatically -- under the Board -- look. I didn't do this. This is what the Board
adopted. It's automatically disqualifying if they can't get to the -- in other words, they have to be good or higher to get considered for a grant under the Board-adopted system.

Then after that we move into the Reasonable, Timely section -- realistic. And again, each one of the Board members were given this table and saying -- as well as staff. We all used the same table, saying if you see that most activities are consistent with the statute, give them an eight. If they need major revisions, give them a six.

So same with Reasonable Public Awareness Plan. And then in number 10, if you -- and I know most of you read the applications -- in number 10, you had jurisdictions who were contiguous to other ABTPA-funded task forces and other jurisdictions, that clearly described how they were relating to those other jurisdictions, and then you had others that never even mentioned that they were next to or contiguous with.

I mean, the whole point of number 10 was -- and the instructions were to clearly describe how you interface with other auto theft programs, especially ones for ABTPA. So anyway, you get through 10, and then there's the -- 11 moves on to how they'll evaluate the system.
Many of the applications clearly describe how they're going to collect the data, how they're going to provide the -- fill out the reports, the ABTPA, but then others did a great job of clearly saying, this will go to command staff once a month.

It will be explained. It will be incorporated with our CompStat system. We'll have full-time analysts, and actually taking information that's being done in their program and then fed back into their intelligence system with their command staff, or in many cases -- there was a few of them that, as a board of governors of multi-jurisdictions -- they'll feed back into that, to make decisions about how to apply resources, people and to come up with new strategies.

So huge difference on number 11. And then finally, there's an extra credit. One was purely objective. It's what was the percentage. Dan would go through, carefully calculate, Dan Price, our accountant, and he just applied the -- if it was 20 percent, they got zero points.

If it was 20.01 and literally I think somebody actually hit the .01 or .02, and still got two points of extra credit, and on up like that. So -- and then the last one was -- if they had new or innovative ideas that we haven't done before.
Some of -- it was a couple of them I know that I gave some additional points to, having full-time staff assigned to ports, using new kinds of technology, prosecutors -- in other words, things that we're not doing now that are supposed to be new and innovative for our program.

It may not be new and innovative in the entire world, but it's new and innovative. Some of them had regular -- discussed specific intelligence methodologies that they would implement. So those were examples of things that would have gotten five points on extra credit.

So at the end of that, there was some rules on page 27. We tried to apply those rules the best we could on a spreadsheet that was developed by a statistical genius from MIT or somewhere like that, that y'all hired years ago before I got here.

We've modified to actually make the math work. So that's how -- so when you -- in a minute, when we get to the outcomes, you're going to have two columns that you're going to choose from, and then you're going to have a deliberation about what else you might want to consider to get to a number to recommend for the grants.

So -- but I want you to -- I hope that was helpful. Are there any questions about that issue?
MR. OWEN: No questions.

MR. RODRIGUEZ: No questions?

MR. WILSON: All right. Then the last thing that's under this -- and I don't have a developed motion, because I don't know that you'll have anything as a committee, but if there are other factors that you want to take into consideration to see if we can monetize, this would be a good time to provide that information.

So you know, I put some reference points on here, like from page -- I had already told you about page 28, whether I was able to confirm the numbers that they provided. On page 29, I've given you some costs per LEO, costs per clearance case for BMV, and costs per clearance case for motor vehicle theft.

So if you accept their reporting on face value, which sometimes might be questionable -- we haven't been able to monitor as well as we could -- you could have distortions in any one of these categories. Probably the most standard is how much does it cost per LEO on the task force itself?

And remember: This is based on the request for what they requested in the new or continued. Now, there's one other thing that I would like to say and make sure that the Committee understands, is this data, this scoring system, was only applied to new and continued
It physically, mathematically does not work when I try to apply it to a subset, especially the way that many of the grantees filled out the modified. They left most of the -- many of the fields blank, so there would be nothing to score, so they pretty much all come close to zero or nothing.

Does that make sense? So they were -- if they had a continued grant and they filled out a modified, they were relying on the modified to be the controlling document. So I can't apply a separate -- or apply this scoring system to a largely incomplete grant application on a modified.

They might have included something like, I want a prosecutor to go with my continued grant, I want an LPR to go with my continued grant. So there's nothing I can really score or sink my -- I can't apply the scoring system to a modified.

Okay. So that's all I have to say. So if you have other factors, either today or prior to the meeting tomorrow that you want us to find or to identify or to gather, we will do our best to make sure that you have that prior to your meeting tomorrow.

MR. RODRIGUEZ: I'd like to know if -- I know we've got the arrest numbers and the recoveries. Do we
have or do you have, that your staff has, any mechanism in place or a way to get -- as far as the task forces was reporting to you, for budget purposes on time, you know, the amount that is to be reimbursed back to them on time?

Is there anything that we have in place or TPS in place that can get me those numbers or those task forces that do that, you know, in a way where -- could staff, your staff and yourself, in a way that you always need to be moving back and forth and requesting certain data from them that is the -- in a timely manner, and it's not pushed back to the way it should -- and the way other task forces do.

I'll accept that, and I know that we've got the arrests and we've got the recoveries. Now, we're also -- if you had that in case -- I would like to have --

MR. WILSON: Okay.

MR. RODRIGUEZ: -- a list of task forces that you shouldn't be having problems with.

MR. WILSON: Yes. We have what's called an expenditure report and progress report, status report. We do have very few -- usually every great once in a while, a task force will call. They're in a major operation. There's -- Hurricane Harvey was a good example of last time.
We had, you know, Beaumont and many other --
couldn't even get to their office or couldn't -- so we,
you know -- but that's -- for progress report, it's very
rare. Every once in a while, I'll get a call, and it's
usually just one or two days late.

But on the expenditure reports, we do have
jurisdictions that have had significant problems and
numerous, numerous attempts to rectify -- quickly pay. I
would say, well over two-thirds of our grantees pretty
much submit one time.

Most of our costs -- as you know, or both of
you know, you know, police officers and what they get
paid or law enforcement officers and officials, are
standard, very standard. And so we do have a tracking
system that shows how many times we've had to push back
and return documents.

And so we have about three or four that are
consistently very difficult to pay, and we can provide
that information shortly after this meeting.

MR. RODRIGUEZ: And the reason I'm asking for
that -- it's not to make a decision as to who's going to
get funded or not. It's more for -- a specific task
force is doing that.

And that task force gets funded again, that we
bring it to the table and address the problem. Because I
know that there's task forces for that particular
problem, so that we bring it to the table and we address
that, and that -- pray not to happen again, and continue
happening.

There's a lot of things that I would like also
to discuss. It's a good thing that we have most of the
task forces here. Some -- allow them to talk to us and
exchange with us some of the questions that we have --
that I have.

I know that Justin has some too. So before we
make any recommendations, I would like to have that, you
know, and consider that, if they come forward.

MR. WILSON: Okay.

MR. RODRIGUEZ: Can you --

MR. WILSON: Yeah.

MR. RODRIGUEZ: -- help me?

MR. WILSON: Yeah. Just for -- well, just --
yeah. '18 and -- for '18 and first quarters. I'm sorry.

What?

MR. RICHARDS: I agree. Don't go back too
far. I mean --

MR. WILSON: Yeah.

MR. RICHARDS: -- '18 is plenty.

MR. WILSON: Okay. Just -- '18 and first
quarter of '19. Thank you, Chairman. Anything else?
MR. RODRIGUEZ: Do you want to take a break? I will get those --

MR. WILSON: How long do you think it will take, Dan? Oh, you have it?

MR. PRICE: Yeah. We should have to get it in a format that we can give it to them, but we have the --

MR. RODRIGUEZ: It can just be a spreadsheet. It doesn't have to be --

MR. WILSON: Okay.

MR. RODRIGUEZ: -- or just a list.

MR. WILSON: Yes, sir.

MR. OWEN: What's your feeling on the error rate? Continue to be some grantees that consistently permit the same errors after being --

MR. RODRIGUEZ: So I -- in talking to Director Wilson and talking to staff in the past, and it's being brought up to my attention that some grantees continue defaulting on the specific reports or reimbursement. And I know it's not -- again, this is not -- it has nothing to do with the officers and the investigators and command doing their work.

It's got to do with keeping up with the grants and keeping up with the specific rules that are in place so that we can make this grant work. So every time that we go back to the Legislature, there's no mechanism in
place that can push certain reports out.

One -- and I'll give you an example, is a task force helps another task force or another city that's not a grantee or is not funded by ABTPA. We help them. The city makes an arrest. They execute a search warrant.

They execute multiple arrest warrants. And a grantee sometimes does not put that as a stat, because there's no mechanism in place to put that. Yes, they will create an assist, but it doesn't create -- okay. We did -- because of us, because of the expertise that we bring to the table, you know, it wouldn't have happened, if it wasn't for that task force to help.

So I'm trying to get, in talking in Bryan and talking to Chairman Hansen is -- we need to start creating a mechanism so that we can report those things and we can better tell our story to the Legislature so that we can get more funding.

I know that there is strict use. I know tomorrow Chairman Hansen is going to address that, as far as funding, but if we want to continue, for these legislators to keep listening to us, we've got to change our culture.

We've got to change the way we operate and the way we do things. We're not just a recovery command. We're not a -- we're not just going to be out there...
recovering cars and saying we're the entity that helps
insurances recover cars.

I want to get away from that. I want to make
sure that when we talk about how -- we talk about the
nexus that that brings, that is this -- it's not only one
crime we're investigating. It's that one crime that is
connected to the murder, to a robbery, a kidnapping, to
certain gangs, to the cartels in Mexico, and how that,
you know, we can package it up and make sure that we set
our story into great work that we do, because right now,
the only stats that we provide is assist and amount of
arrests and amount of recoveries.

But when you say this to the legislators, to
me, it seems that maybe it's not that they don't care.
It's just that they lose interest, because to them, is
that's why you're getting almost $13 million to do
prevention, and recovery is equal.

I think we start seeing the problem -- is that
this one crime creates, and the nexus that it has to
different things. I think we'll be in a better position
in the future, and this is -- I mean, I have a start date
here and an end date, and that's what I want to leave
behind.

I believe that, you know, we have been making
some things that can say our story better, that can put
our task forces out there and say what they're doing, not only creating just numbers and stats, but saying, this is what we do every day, and what we bring to the table.

And if we don't have these task forces out there, you know, who else is going to do it? I know it's going to be up to the chief of police and the sheriff to continue doing what we're going, but at this point, during these times, everybody needs money for their budget, and it's hard.

It's hard. So that's what I'm trying to get.

And I also want to make sure that the grantees know that we need to continue following the rules. If we're going to put -- you know, we're going to do, you know, 10 OPRs, you know, and you bring back to the table zero, if you're going to be doing multiple, you know, operations and we bring 50, and you bring back 10, you know, that -- we need to make sure we address that and that every grantee knows that we need to follow the rules.

We need to say -- when we say something, we're going to do it, just to make sure that we push that for the next legislative review.

LT. HANSEN: Question for the Chairman? Tommy Hansen. Chairman Rodriguez, do you think or feel that there's a possibility that when NIBRS goes on full effect in Texas that this may help capture some of the
information that you're talking about linking, what these folks are doing to all of this other criminal activity?

MR. RODRIGUEZ: Yeah. NIBRS to me, it's another mechanism. Chairman Rodriguez for the record.

Again, Chairman Hansen, to me NIBRS is -- it's just another mechanism to create stats. What I want to do and what I want to convey here is that I just don't want to give out numbers, and say this is what we're doing.

Yes, it says a lot -- numbers don't lie. But I do want to connect the great stories from every task force. That's how -- and again, go back to the same example that I was saying, that we go and assist and we do a tremendous job assisting, but then we don't take the credit.

We just say we took a number for assist, or we don't get that -- those three or four arrests or the five or 10 recoveries that happen. So I just think that we should have just a better mechanism to how we -- you know, we say what we did.

MR. WILSON: So Chairman, if you'll allow me, the -- I just want to be clear that this specific agenda item was for you to think about alternatives to what we're fixing to talk about in the recommendations. So what staff put together on the next pages, but I wanted
to at least give you the shot, you and the Committee, to
at least take a shot at something else that you might
want to consider as an alternative before we step into
the next thing.

And this is where I do the reveal of the
actual Board-adopted methodology and what those outcomes
are, and then what the director is recommending. So if
there's anything else, we're try to get that --

MR. PRICE: It's being printed right now.

MR. WILSON: Okay. It's being printed. And
so what -- the way we keep up with this kind of
information -- so we're in the second -- you know, we've
already passed the second quarter at this point.

We're -- I'm sorry. We passed the third quarter.

And so what the reports shows -- will show is
that, as of the fifth -- so here we are in the -- past
the third quarter, and I have one, two, three, four
jurisdictions that I still haven't been able to pay
because of conflicts that we have between simply telling
me how much you spent on the officers that were assigned
to this program and the cash -- the corresponding cash
match for the officers and any equipment or supplies or
things like that.

So -- okay. Yes. Thank you. I'll leave you
one, and hand one up there. So you can see between '18
and '19, we're getting better. Each submission represents that there's some -- we've identified an error. Some of them are typos, wrong labels, things like that.

They're really -- these are fixed and they turn right back around. But you can get a picture real quick of some of the outliers on this sheet, that -- and there's even one that really jumps out of '18, but then there's been absolutely no -- hardly anything that this -- is for this year.

Does this help answer your question, Chairman Rodriguez?

MR. RODRIGUEZ: Yes. Thank you.

MR. WILSON: Right. And so of the -- so this is not fully reflective because some of these already include third quarter and some of them don't. But they're -- of the four that are outstanding in '19 -- for the first quarter of '19 or first -- yeah.

It looks like he put first two quarters of '19. Do you have one, David? Okay. Okay. Anything else? Then we're ready to move on?

MR. RODRIGUEZ: Ready to move on.

MR. WILSON: Okay. So page 33, if you'll join me on page 33, please, of your Board book? I want to be clear that -- and as David has been around me for a
little while, he knows I like to rehearse this before we talk about grants.

The statutory authority -- the only statutory authority you have to give grants is in Subsection 6, and it says that you must award grants based primarily on the incidence of motor vehicle burglary and theft. So across the state and not based on geographical preferences.

The Board, back in January, when I asked you, what do you want to do -- you know, do you want to carry forward the same RFA? I've got -- cleaned up some language that y'all had questions about, the last cycle, and you listed five things that you told the -- in other words, the -- you know, this -- you're to fund motor vehicle theft enforcement teams, but there are five things that you said you would make a priority.

I asked you if you wanted to change them, drop them, just, you know -- you voted to authorize me to publish these five things out, and that's the cooperative authority, the crime analysts, and trend analysis, instead of just -- and instead of just having investigators, that you would actually try to go out and figure out -- like you were talking about, Chairman, nexus, and looking at the stats and what's connected to other crimes, that kind of analytical tools.

You said that you wanted to focus on economic
crimes, organized economic crimes, so you said you wanted
to do gangs and things where, you know, sophisticated
to steal cars, that we'd make a priority for
task forces to be housed together, if -- that that was a
big -- that was an important thing to this Board, that
it's not just random funding a bunch of guys around, but
that they would work together as an economic theft team,
as required in the statute.

And the last thing, that if we had the
opportunity, we would fund prosecutors, because over and
over and over, so many of these jurisdictions, they do
great work, and they get to the prosecutor's office, and
there's no assistance whatsoever.

We've seen it in insurance fraud, where it
came in as a motor vehicle theft. We see it in a lot of
the burglaries of a motor vehicle that are actually
closely related with what is now termed predatory theft
where we have some very serious actors doing some serious
crimes and harmful crimes to people.

So -- but a lot of times, it's a misdemeanor
BMV, and so just doesn't get the opportunity to be
prosecuted. So that was our -- that was your priorities
for that. So the statutory requirement and the
priorities -- I wanted to hold in front of you.

And so what I did on page 34 -- I took liberty
to ask the Board to take some -- to take, as you said very eloquently, Chairman -- to change the culture.

Right now, we're more worried about funding than we are of reducing victims or reducing auto theft as a culture, and that's my assessment, and many of you -- and I'm not talking about individual officers who are out there busting their chops every day trying to stop it.

I'm talking about the system of how we should make choices. It's about funding, a lot more about funding than it is about what we can do as a system to really change the outcomes of this state. So I'm asking that you start with -- and again, not that that's a final determination, but that you start with the system that you adopted.

These priorities and the funding, the scoring that these Board members and staff have done. I'm not saying that's the end. I'm saying, start at that point. I'm asking you as a Committee and as a Board. The second thing is, I'm asking you to not fund any more than one grant in any single county or part of a county.

As director, I've been doing this now for, I believe, I guess coming on six years, five years. And I'm asking you -- the number one problem we have is when we're going to the Legislature, it makes no sense that everybody has a grant that stands on its own, and I'm
asking you to stop funding -- either require them --
almost every other state has gone to this type of model,
where you require jurisdictions to work together, if
they're going to housed in the same, or just fund one of
them, but don't do both or don't do multiples.

We have -- the other thing is to direct the
staff to negotiate with any jurisdiction that offered to
go back -- in other words, if you choose to do number
two, if you choose to recommend number two, that you give
me the authority to go back and negotiate with the funded
grantee in that jurisdiction the opportunity to provide
additional funding to add those officers that are
being -- that are not being funded.

So for instance, if you decided that you've
got two competing grants in the same location, you agree
to fund one, or you -- this Board decides to fund one of
them, not both, that I have the authority to go and offer
the funded jurisdiction additional funds to -- at the
rate that I set in this -- in the document, to get those
officers to come into the new task force and be
reimbursed at the rate that we agreed to.

So up to that array. I mean, obviously, we're
not going to give $100,000 if somebody only makes 50 or
whatever, but at least allow me to have the authority to
go and work with the funded jurisdiction to bring as many
officers, trained officers, back into the new organization and thus meet your statutory requirements for funding auto theft, economic auto theft teams, which is -- that's your mandate.

The fourth thing that I'm asking is to decide whether to provide a waiver to a new application that includes supplanting. So if somebody applied for a grant that had a grant last year -- so it's a new -- they're asking to revamp it -- there's two jurisdictions that if you decide to fund them, they apply as a new grant, and if you decide to fund them, that the new result of their -- of you deciding to fund them would result in supplanting -- that you would be trading current money that's being used at the -- that's being funded by the local government -- you're going to pay -- use State funds for them to replace their local funds for state funds.

There's two -- at least two of those. I think we have a page -- yes. It's part of this recommendation on the side. So there's, I think, four or five. The last thing that I'm recommending is that ABTPA should not consider any modifieds unless they specifically meet a statutory or priority standard.

Now, I don't think we have enough money to do any of the modifieds, but if you decide that you do want
to spend some money, there's some of them that are
outside -- I think, after reviewing the grant, are
outside of our legal scope, and then -- but the rest --
there's only one that hits one of these items on your
priority list, which is a prosecutor.

So that's where my recommendations starts. Do
you want me to go on, Chairman Rodriguez, or do you
want -- have any questions thus far about my
recommendations?

MR. OWEN: Just to know for the record, I
didn't have the opportunity to be at the January meeting.
I just have a question. On these five preferred items
for the grant, could it be possible that those were going
to be used since the Board was expecting additional
funds, that's how they were going to divvy up the
additional funds as a priority?

MR. WILSON: It wasn't stated that way,
because at the time, we didn't know what our funds were,
so we -- like I said, cooperative priority means that,
you know, it's a multi-agency task force. So that's been
our priority for quite some time, as far as stated
priority in the RFA.

It could have been a really good way to award
additional funds, but most of the grants, I will say,
came in pretty much what they were asking for in the
past, so -- but if they were new, a lot of times, they
couldn't meet their -- either their local jurisdiction
couldn't meet the current standard -- because remember a
continued has to be substantially the same program, and
within 5 percent of any of the cost elements.

So that's the only way you could apply for a
new. If you want -- I mean, I'm sorry, a continued
application. The system would not allow you to go beyond
the 5 percent or if you radically changed what your
program was, it just didn't -- it wouldn't -- we wouldn't
have authorized that. So --

MR. RICHARDS: And that wasn't the intent. I
mean, it wasn't a contingency, regardless of what funding
you've got, these were the priorities that the Board
voted on.

MR. OWEN: Thank you, Mr. Richards.

MR. WILSON: Any other questions?

MR. RODRIGUEZ: Go ahead and continue.

MR. WILSON: Okay. So that's my
recommendations to this Committee. That's -- I want to
be clear about that. What you see on page 34 is the --
after we've spent hours and hours and hours carefully
going over this and spending years doing this work, we're
making these recommendations to this Board.

I want to be clear about that. This is not
binding on you or the Board. So if you start with page 35, and we'll just talk about the continued applications, the -- when you look at the -- if you look at the amount that they received in the second column, it's the FY '19 amount.

So that's why it's a continued -- is they already have a grant. The amount requested is what they asked for, for this cycle in this grant, and then I applied your scoring system, the Board's scoring system to this grant, that's the value in the fourth column that the system -- that the spreadsheet provided.

So in that continued -- on page 35, you see that there's three that are recommended not to fund -- four. Excuse me. And in one, two, three of those continued grants, the system, based on the needs score or the -- in other words, just applying the points that you told us to go look at, three Board members and two staff members -- the scoring system that you provided says these are not supposed to be funded under our current model.

And there is one on there that does have a value, and it's mainly driven by the fact that, as I said earlier, if you're a very -- a small jurisdiction in a large place, then you would have a high value on the need assessment.
So in that case, the system, the scoring system that provided a grant amount, but the director is recommending that you negotiate that into a different -- into a Houston grant. Go ahead. So I've finished with the continued.

I was going to do one section at a time, so if you have any questions or --

MR. RODRIGUEZ: That's continuing the new applications?

MR. WILSON: Okay, okay. In -- on page 36, there were this group -- and the same pattern applies, so they -- these also were scored by the three Board members and the two staff. There's the -- now, if you'll notice that all but two of them have a -- had an FY '19 grant.

And I did make an error on the bottom of the spreadsheet, because there was a grant request for that jurisdiction and I just -- I guess we just missed it. I don't know what else to say. If you want to put in that value, the grant request -- Dan, do you have it handy for TAVTI on the bottom of page -- the chart on page 36?

If I can get to it -- but I just need to --

MR. PRICE: 49,000 -- my name is Dan Price for the record. It's $49,960 -- is the request.

MR. WILSON: 49,000 --

MR. PRICE: $960.
MR. WILSON: -- $60. Is that correct? For the TAVTI?

MR. PRICE: That's the request for TAVTI.

MR. WILSON: It doesn't sound --

MR. PRICE: Oh, I'm sorry. I'm sorry. I am corrected. That's the --

MR. WILSON: $94,470.

MR. OWEN: Which column, Bryan, is that?

MR. WILSON: That is the third column under TAVTI, Texas Association of Vehicle Theft Investigators -- Motor -- no -- Vehicle Theft Investigators. Sorry. Now, the -- one of the problems with TAVTI is we couldn't score. That's probably why we accidentally left the thing out -- is because it didn't fit into the motor vehicle theft analysis or a lot of the items.

So that is the exception. We could not score that grant based on the information provided. So under the fourth column, you see again that each one of the new grants qualified for some level of funding, except for the Hidalgo County Sheriffs Office, which was largely incomplete.

It was scored, and did not meet the requirements. And then the fifth column would be the ABTPA's staff recommendation for these entities. So
again, the recommendation is to fund these, except for the ones that -- so if it's -- if you see the word, fund, and it's funding the motor -- in other words, the Board's adopted system -- if it says, do not fund, you'll see a note to the right, whether -- not to do anything or whether to see another jurisdiction and ask that grant be incorporated into an economic auto theft team.

Are there any questions?

LT. HANSEN: I have a question for the Chairman. Tommy Hansen. Chairman Rodriguez, based on the presentation here given for new applications that continued, since that's our primary issue here, going back to "director recommends," number two, this obviously played a part in these -- okay.

This obviously plays a part in these recommendations. I would like to know what the Committee's take is on these questions concerning some of the merging topics of number two -- was the Committee's take on that.

MR. OWEN: Justin Owen. In a perfect world, yes, that would be optimal. It would be great to have just one in each county or each area, and they'd work together. Thirty years in law enforcement has taught me it's not a perfect world.

There are outside forces that sometimes
manipulate how things operate, and I'm not saying it
could never happen. I would love to see it happen, but
it needs to be started. That negotiation needs to start
and be given time.

I don't believe it should be forced upon
anyone.

MR. RODRIGUEZ: Chairman Rodriguez for the
record. I agree with what you said -- just said, Justin.
I also believe that it is very hard to force task forces
to work together with other jurisdictions.

I don't see -- again, it shouldn't be up to us
to push that. I strongly believe that we should work a
lot closer. I think we should work a lot -- we have work
to do when it comes to working together, and I can tell
you this.

I went to visit the Dallas-area task forces,
and I was very impressed as to what I saw and I heard,
and I spoke to the detectives there in command. You
know, I still came back to Laredo, and to myself, I was
thinking that we have a lot of work to do.

And the reason I say that -- because some of
the issues that clearly come up is the fact that, you
know, we're good at sharing and assembling information
amongst an area, but the fact that we don't get together
and discuss the mission, discuss what's next, what we're
going to do -- it's not there.

And again, you know, I go back to the same thing, that some task forces, to this day, they're still, you know, romanticize about the past, how great we were of finding VINs and we still say, you know what? We're the only ones that can do that, when in fact you can do a Google search and find that out real quick.

So to me, it's all about changes in culture. It's about moving forward, and we're going to not approach it by saying -- you know, to get a grant you're going to have to be working with another grantee. We're not going to do that.

We're -- I'm more inclined to say, let's start pushing it by going out there, meeting with them, and getting these commanders together, getting the chain of commands together, because at the end of the day, this is the reason why we're lacking funding.

This is the reason why we don't get funding, because we don't -- again, we don't say what we do, and we can do a lot better, if we do it together. So that is my take on that.

LT. HANSEN: Thank you.

MR. WILSON: Can I get five minutes for a rebuttal or --

MR. RODRIGUEZ: Go ahead, Bryan.
MR. WILSON: Yeah. I would like to say, nobody's forcing anybody. That's not what the recommendation is. But what the one thing this Board has -- that lots of agencies have to deal with this reality. Okay?

They're under-funded. They can't keep duplicating services in the same thing. The grant asks them to describe how they weren't going to duplicate the services. And what this Board can do by driving the process is, if it fits your adopted -- again, I didn't recommend something like crazy idea that this crazy man had.

It's this document that said, you will fund multi-jurisdiction task forces, and if you have two of them in the same place, you're only going to fund one. And it's not forcing -- you'll give the opportunity. In other words, we have a little bit of money that we could at least give the opportunity to bring it in, no forcing.

The second thing is -- at least this Board can make choices about what it has control over, and that you're not going to keep funding the same culture that's more worried about funding than it is about the impact of the auto theft.

Again, I'm not talking about individual police officers or sworn officers. I'm talking about systems
that are in place to discourage collaboration when -- if
there's only one in the area, everybody's going to go to
that one.

And so I just want to say, you know, for that
standpoint -- I wasn't talking about going to a
jurisdiction and say, you have to play nice together.
That's what the feds did in the Legal Services
Corporation.

It doesn't work. They've done it in
numerous -- child protection. They've done it in other
areas. They've tried in substance abuse. It doesn't
work. You can't force people. But you can open
opportunities for dialogue with funding.

So I just want to be clear about that issue,
on what that recommendation is. Only fund one. Make the
opportunity available for the ones that didn't -- that
might get excluded this time.

The second thing -- I do want to make sure
if -- not related to what you just said, but there's --
that there was -- that the last column on these two pages
is what I was talking about earlier when I was
introducing this section, that there are people -- I'm
sorry -- groups, applications that did not meet a
threshold or changed so that -- that's that yellow -- I
mean, that -- yes -- in the supplanting issue. So I will
I'm not trying to embarrass anybody, but I will call one out, that it's a shock on this page to anybody who looks at this page, and that's the City of Houston, over 11,000 auto thefts a year, probably closer to 18, is recommended for $343,000 on the Board-adopted system, yet we have almost, I guess, about a one-third of all the thefts in Texas occurring in one place, but they're recommended under this system.

And the reason is, is that yes, over on the far, right-hand side. Last year, they contributed $1.4 million to this program -- in other words, in this current year, FY '19. They lowered that in the new request to about a little over $600,000.

And so the equation that we used takes that into consideration, because proportionally we cannot -- we can't replace local dollars with State dollars. And they may have a good answer for that. I'm just telling you -- I'm looking at the numbers and that's what happened here.

You see something similar in Harris County who has, again, really high numbers for auto theft, and they've got a very low number, and it's not because of their auto theft. It's because they reduced the amount of contribution.
Now, by contrast, I want to show you that San Antonio did largely the same thing that the City of Houston did, where they spent 561,000 of their own money in this next year, and they agreed in the future year, in FY '20, in their application, to still spend $561,000, but then they asked for 2.2 million or really large amount.

So I want you to see how the formula works, because if you held -- if you offered to spend the exact same amount of money, and just asked for more money, then you -- then they're still committed to the same level, so therefore they didn't reduce their obligation.

Does that make sense? But when you lower your obligation and ask for a bunch more State money, the equation just strips out all the money, because proportionately, you can't pass that threshold in the equation. Okay?

MR. PRICE: Mr. Chairman, may I make a comment, please?

MR. RODRIGUEZ: Go ahead.

MR. RICHARDS: Mr. Chairman, member Owen, I've been with this program, advising, for going on six years. One of the themes throughout my tenure here as legal counsel has always been my concern about the structural integrity of this program.
But it's not about -- as Mr. Wilson said, the program people, the staff, the Board, have great integrity and do great things. The fact of the matter is, y'all are respected, as you should be, and it keeps going back to the structural integrity in my mind.

Take for example, more from a legal point, the Board met in a called meeting back in January, and adopted a request for applications and set forth the criteria that the Board set, and I dare say, it was probably a unanimous vote.

It was important to them, based on the law that governs the Board and this program, based on the rules that govern this program, and I'm concerned for the structural integrity going forward, that if you're not going to follow -- and I'm not saying you, but if the Board as an entity is not going to follow what they vote upon as being the criteria they're going to judge grant applications, then that to me is just another negative mark that doesn't need to be brought to bear.

The funding -- I mean, the bad thing about the funding episode -- we were all excited. We thought we were going to get more money this time, and oh, they passed one bill and said we're going to get 20 percent. Lo and behold, they didn't put it in the appropriation bill, and we're still where we're at.
And so I think we really need to be mindful of what the Board is charged with doing. If you're going to create a roadmap, i.e. through a document such as the RFA, that you're telling the world and you're telling your grantees who are seeking funding that this is what we as a Board appointed by the Governor believe and work for this Board to continue, this program to continue statewide, will maintain the integrity of the program.

You know, I don't doubt that a dialogue needs to be had with the grantees and the multi-jurisdictions. There's always the human nature issue that factors in, and factors in, in the legal profession as well. Meanwhile, back at the ranch, we're still not getting more money.

The bad thing about this is we're -- hard decisions need to be made. They're tough decisions. They may impact some jurisdictions versus others. But as Bryan said, sometimes as a Board we have to make hard decisions to force the process forward, and you know, to totally negate or -- I mean, again, I don't have a vote. Y'all can vote however you want to do it. You can say that the RFA that we put out and told the world, told the Governor, told the Legislature we're going to abide by, we had, you know, a change of heart six months later.
But my concern for the structural integrity going forward of this program -- just based on the fact that -- I mean, y'all did great work. The task force did great work, but you're not compensated each time, and while we thought we were going to get more money this last session, it didn't happen.

So I think, you know -- my recommendation to y'all, and again, it's -- I don't have a vote -- is to think outside the box. That's why Mr. Wilson came forward with his proposals. And at the same time, have those negotiations in your jurisdictions to cooperate.

But you know, sometimes the hard decision of forcing that discussion has to be made by a board, and that's what you're charged with doing. That's my two cents to that. I do -- I am concerned that you pass an RFA.

You voted on an RFA that may or may not be followed. You can tweak it, sure. However you want to do it. But I want to -- I mean, from a legal standpoint, I want to make sure that you're mindful of the fact that we do take a vote in an open meeting that -- and I'm not just talking to you two.

I'm talking to the other two as well, and I'll say the same thing to the Board tomorrow -- that you take it seriously, and either follow to the letter or at least
follow as best you can. So thank you.

MR. RODRIGUEZ: Thank you, David.

MR. GAUSE: Mr. Chairman, if you don't mind?

Shay Gause.

MR. RODRIGUEZ: Go ahead.

MR. GAUSE: Director Wilson, you mentioned the county aspect here, and I know we may have moved a little away from alternatives, but to your point, we made a recommendation. We put an RFA out, and now it's uncomfortable and the idea that we could move from it is, for me, even more uncomfortable. Right?

Oh, sorry. Do I need to start over?

MS. MENOSKEY: No. Just --

MR. GAUSE: We're good for now. All right.

Thank you. So given that, and understanding the county aspect that you referenced, are there other alternatives, apart from, like, county, city, municipality reference? We're talking about co-location. We're talking about working together.

That is, I was scoring -- it's pretty difficult to use some of the system as you mentioned, but one of the things I was able to do was go back to the Senate district and see who was within a Senate district. That gets close to the county but not exactly the same.

Are there other alternatives outside of this
county-driven mindset that can cause -- if I heard -- not to put words in your mouth, but if I heard the sandbox theory right, it can be an issue. If we're in a Senate district, it may not change it that much, but it takes the label off the county problem to some degree, where there are multiple agencies.

I don't know that that follows as a recommendation or a thought, but I mean, this is difficult. This will be tough. If a label is causing a problem, are there alternatives to the label?

MR. WILSON: Part of the scoring system -- thank you for the question -- part of the scoring system is that the DPS data is organized in a way -- because this is supposed to be a data-driven process. Right? In other words, if you have -- you have two pieces of the statute.

It says you -- this Board will allocate funds based on the incident of motor vehicle theft and burglary. We've got that. The second part -- there's a later statute that says the Board shall rely on DPS data for their allocations.

So the -- you know, that's the limiting factor -- is -- while there are 4,286, on or off, because some check in and some check out all the time -- there are about 4,000 individual law enforcement reporting
agencies in the state of Texas. But DPS, at least sanely, organizes all of them into the 254 reporting jurisdictions or counties, so that at least we can know where the stand -- now, jurisdictions that fall across, you know, multiple counties -- they report contiguously into two different -- or you know, they report to two different counties for their summary totals.

I've seen that in the DPS reports before, where somebody -- like Plano is probably an example of a large -- really large jurisdiction that lies across two different jurisdictions. So I hope that answered your question.

But that's the drive. We -- and to fill in the rest of you, for legislative sessions, we programmed our system to be able to report by Senatorial and House district, but again, if any part of a jurisdiction lies in a county, then -- so you know, have a Senatorial district that goes across two counties.

Well, both of those counties are reported in our system. It was just a way for us to be able -- when Mr. Hansen was going around talking to Senators, we could quickly print out who was involved, how much money, what kind of data was available.

So there's one other consideration, and then I'll stop talking altogether on these -- this set of
pages -- or I guess two more. Turn to page 37. You'll see the list of modified applications I've already mentioned before.

But I do want to tell you that if you follow either one of my recommendations, to follow your Board-approved allocation or my recommendation, you will not meet the statutory obligation in the appropriations Article 9 that requires you to spend $5.2 million on border and port security.

I want to be clear. This Committee needs to know that neither one of these recommendations -- that the Legislature this session has doubled our -- more than doubled our border -- almost doubled, from 5.7 per biennium to 10.4.

And so if you -- I might need Dan's help on this, but if you follow your process, we'll be $1 million short, and if you follow my recommendations, we'll be a million and a half short of meeting the obligation in the first year of the biennium.

We'd have to either ask for a waiver -- now, that's assuming we don't go back and fix these supplanting issues, like with Houston and Harris because, you know, that would fix a big part of it. But I just want you to know, in considering this, you have one other thing that the Legislature threw at you as a Board that
we weren't prepared to meet, and that's the new
requirement of $10.4 million a year to -- 10.2 -- 10.4 --
$10.4 million per year -- per biennium just for border
and port jurisdictions.

And that's a problem. I don't know what to do
other than -- you should apply the system the best you
can, to the incidence of motor vehicle, and we have to go
back later and vote to ask the LBB and the Governor to
waive that requirement -- I don't know what else to do.

Or you have to shore up the borders and ports.

(Pause.)

MR. RODRIGUEZ: Director Wilson, how much did
you say it was for border security? It was 10.2?

MR. WILSON: It's 10.4 per biennium, so that's
5.2 per year of this biennium.

MR. RODRIGUEZ: Thank you.

MR. WILSON: And just for the record, that was
an earmark of existing funds, no additional dollars
provided.

(Pause.)

LT. HANSEN: Tommy Hansen. A question for
legal. On the LBB issue concerning the port deal --

MR. RICHARDS: Are we talking LBB what now?

LT. HANSEN: On dealing with the LBB
concerning adjustment of the port earmark, what would
be -- would it be appropriate for the Board -- the Committee to recommend to the Board that we begin moving forward with a request to modify that?

MR. RICHARDS: For a waiver?

LT. HANSEN: For a waiver?

MR. RICHARDS: That's one avenue you could undertake. Sure, absolutely.

MR. WILSON: Well, it's not posted, though. So we couldn't do it at this meeting.

LT. HANSEN: No, I know. But I mean, I'm just looking for -- to move forward.

MR. WILSON: It's already -- I mean, once the Board makes a decision on grant awards, if they fall short, then I would already begin that process and bring it up to the Board to authorize, like we did the UB authority two years ago.

So I would generate that and make sure that the Board took action on it. But we wouldn't -- we couldn't do it in this meeting.

MR. RICHARDS: Either August --

MR. WILSON: Yeah. I mean, it would have to be a meeting that was properly posted and included as an agenda item.

LT. HANSEN: Thank you.
MR. RODRIGUEZ: Director Wilson, do you know where the -- what page is the previous years' awards, the numbers for the previous years?

MR. WILSON: On page 35 and 36, the first column is what they got the current year.


MR. WILSON: Make sure to turn the -- have you filled out a card?

MR. RODRIGUEZ: I'm sorry?

MR. WILSON: Have you filled out a card?

MR. RODRIGUEZ: He doesn't need a card. I just have, like, a --

MR. WILSON: Okay.

MR. RODRIGUEZ: -- question for them.

MR. WILSON: Okay.

MR. PRICE: Yeah, but he'll need to fill out a card, though, to --

MR. RODRIGUEZ: Okay.

MR. PRICE: -- at some point.

MR. RODRIGUEZ: Will you fill out a card so I can just ask a question?

MR. WILSON: I mean, you can do the card afterwards. Just -- I'm just -- I'm sorry, Chair. I'm
MR. RODRIGUEZ: Can you come over here so we can use the mic, please? The task force from Corpus.

CAPT. ASBERY: I'm the captain over the Criminal Investigation Division. The supervisor of the task force is out of town. He wasn't able to attend.

MR. RODRIGUEZ: I want to make it very easy for you. So the question that I have is we have 916 auto thefts per year. Am I correct?

CAPT. ASBERY: Correct.

MR. RODRIGUEZ: In your city?

CAPT. ASBERY: All right. I'm going to pull up the numbers so I can go along with you, what we reported.

MR. RODRIGUEZ: Can you just state your name for the record?

CAPT. ASBERY: Oh, yeah. I'm sorry about that. My name is Denny Asbery, and I'm a captain with the Corpus Christi Police Department, and yes, that is the numbers we reported.

MR. RODRIGUEZ: Do you know the previous years?
CAPT. ASBERY: Whoops.

MR. RODRIGUEZ: What was the number reported the previous years?

CAPT. ASBERY: Let's see. For auto thefts?

In -- you're talking about 2018?


CAPT. ASBERY: '17?

MR. WILSON: '17.

MR. RODRIGUEZ: '17. I'm sorry.

CAPT. ASBERY: '17. We reported 731.

MR. RODRIGUEZ: 731. Have you identified what's the reason for the increase?

CAPT. ASBERY: Yes. As a matter of fact, we had quite a bit of discussions last month with our chief of police about it, because across the board, not only the auto thefts but the auto burglaries went up dramatically between '17 and '18, and one of the things -- we had an anomaly in '18.

We had a large number of individuals that were involved in both auto burglaries and auto thefts, robberies, and a group or crew that was actually stealing vehicles, robbing stores, and committed a homicide.

These individuals were -- continually were being arrested prior to the homicide, and prior to some of the more violent crimes -- were being arrested and PR bonding out
immediately, and continuing to do the crimes again.  

Some of them, we made numerous cases on before they were finally locked up. Those individuals are currently in jail and that -- as soon as that started happening, our numbers started going back down again. 

MR. RODRIGUEZ: Okay. I know I've -- I spoke here before with other commanders, past commanders, when I was a sergeant for Laredo Auto Theft -- 

CAPT. ASBERY: Yes, sir. 

MR. RODRIGUEZ: -- and all this always -- the mission of Corpus always to decrease that number. But I think that does -- some of the -- also the problems that are occurring in the city of Corpus is the fact that some of the incidents that we've got is the fact that they're stealing the cars in your city and taking them to Mexico. 

CAPT. ASBERY: Correct. 

MR. RODRIGUEZ: And I think that that's a big problem, and that's the reason why -- I'm not just -- I'm wanting to ask you for an increase, because there's been an increase in -- I know it's not been said in the news, but -- and the problem that Mexico is having, but the bottom line -- I think it remains a problem, not only in your city but also in San Antonio, the Austin area. 

CAPT. ASBERY: Yes. 

MR. RODRIGUEZ: These individuals keep doing
this. So we -- I would like to take this opportunity to extend the help of the border task forces to your task force.

And this is what I -- when I talk about collaborating and talking more often, is that we share this information and we move forward, like working together and trying to figure out who is doing what in your city to make sure that we decrease this number, and at the end of the day, when we fund a grantee, is to be able to do that.

That should be our mission, to decrease the number of auto thefts in our city. Starting back in 2009, the city of Laredo had upward 1,800 auto thefts per year, and now it's only 169, and this is the reason why I always stress the fact that we need to work together, because that number didn't just come from ABTPA grant organizations.

It was because of the collaboration with other agencies and working together with other task forces, that we were able to accomplish that.

Captain, I do want to -- of course, I read your application, and I applaud the City of Corpus for being all-in, because your application says that the amount of money that you get supported in, it's really good. So I just want to applaud the City of Corpus for doing that and
for believing that this is a number-one priority for the City of Corpus Christi.

CAPT. ASBERY: Thank you. And I wanted to point out also -- we've been looking at our numbers for 2019, and they're substantially lower. They're going back to more -- to a level similar to 2017.

MR. RODRIGUEZ: Thank you, Captain. I appreciate it.

CAPT. ASBERY: Sure.

MALE VOICE: Are you still going to hold me to it?

MR. RODRIGUEZ: Eagle Pass? Are we going to hear from Eagle Pass?

SGT. CARDONA: Yes.

MR. RODRIGUEZ: And if you want to fill out a card, please, and state your name and your rank.

SGT. CARDONA: Sergeant Rene Cardona with Eagle Pass Police Department.

MR. RODRIGUEZ: As you can see, Rene, this is an mechanism that was put in place to kind of grade the application that you put in.

SGT. CARDONA: Yes, sir.

MR. RODRIGUEZ: It shows you're under Not Fund.

SGT. CARDONA: Yes, sir.

MR. RODRIGUEZ: And along this the fact that
you're a border city, and the other thing is that I know that the numbers that were put in as -- the numbers that are -- there were put into your application, was that for Maverick County and Eagle Pass, the City of Eagle Pass, or was just that -- just for the task force itself?

SGT. CARDONA: Just the City of Eagle Pass.

MR. RODRIGUEZ: So we didn't take into consideration Maverick?

SGT. CARDONA: No, sir.

MR. RODRIGUEZ: And the reason I'm asking you is because in your application, you put in that you're also serving Dimmit County, so -- I'm sorry. Maverick, Uvalde, Valverde, Del Rio, and Zavala County?

SGT. CARDONA: Yes, sir. It's secondary coverage. We usually respond upon being called for inspections or assistance and vehicle crossings and so on, and that's within our area of responsibility and expertise. That's what we provide for the surrounding counties.

MR. RODRIGUEZ: By any chance do you have the numbers for those areas, the amount of auto thefts that happen --

SGT. CARDONA: No, sir.

MR. RODRIGUEZ: -- in those areas?

SGT. CARDONA: No, I don't.
MR. RODRIGUEZ: Okay. And I'll tell you what, Rene, the problem is -- the problem that I think that is happening in Eagle Pass -- it's not only that the amount of cars that are being stolen in your city, it's the amount of cars that are going through your city.

It would just need to be again -- do a better job in trying to capture and be able to respond to those. And I know that you requested an OPR on your modified one, and that's a good start. The other thing is also the collaboration with CBP and BP and Department of Public Safety --

SGT. CARDONA: Yes, sir.

MR. RODRIGUEZ: -- because that collaboration you put in, that -- those briefings that you have on a daily basis with your guys, you know, with patrols and all that, what to look for and all that. I know you're doing it, but the amount of cars that are being -- compared with the amount of arrests that I have seen in your application and as stats, you know, it cannot be -- to me, it doesn't seem like a real number.

I think that we -- either we're doing something wrong, and I would like to go back and see what can be done in your area, because I do not want to leave it open. We already had to reopen --

SGT. CARDONA: Yes, sir.
MR. RODRIGUEZ: -- and we need Eagle Pass open. You know, it's going to be hard to get you guys back in, when we start seeing that there's a problem, and we've already seen it. There's multiple sources that tell us that there's vehicles going through your city --

SGT. CARDONA: Yes, sir.

MR. RODRIGUEZ: -- and so again, to me, I -- this is the problem. When we go -- this is what creates a problem in this mechanism that we use when we're creating applications, that we don't see hotspots, and obviously Houston is one.

You know, how can we give Houston $343,000, when I know that there's probably 11,000, 12,000 cars stolen a year? But again, this is something that I want you to keep in mind. If you get funded, this is a cycle that we need to just do a lot. I guess, the approach to your operations has to change.

SGT. CARDONA: Yes, sir.

MR. RODRIGUEZ: Completely. Just because of the mere fact that the numbers -- we just talked about it with Justin and we just know on your end, it shouldn't be that. It should be a lot more.

SGT. CARDONA: Yes, sir.

MR. RODRIGUEZ: So just wanted to ask you about that. If possible, you can text somebody or make a phone
call. If we could get the numbers for Maverick, Uvalde
and --

MR. WILSON: I have it here, sir.

MR. RODRIGUEZ: You have them?

MR. WILSON: Yes, sir.

MR. RODRIGUEZ: Okay. Can -- do you have that
number?

MR. WILSON: Yes. It's -- Dimmit is seven,
Dimmit County.

MR. RODRIGUEZ: Dimmit.

MR. WILSON: Kinney is zero. Maverick is five.

Uvalde, 11. I'm sorry -- and then that's the SO, and PD
is 13. Valverde, five. That's the SO. Del Rio, 18. And
Zavala is two. Sixty-one total, a grand total of 77.

MR. RODRIGUEZ: Thank you, Rene.

(Pause.)

MR. OWEN: Is there a representative from
Paris? Please come up. And yes, sir. If you hadn't
managed to fill out a sheet, please do so.

MR. WILSON: Excuse me, Mr. Chairman.

(Pause.)

MR. OWEN: Please state your name for the
record.

DETECTIVE ROWTON: Yes. I'm David Rowton. I'm
a detective with the Paris Police Department and Auto
Theft Task Force there in Paris.

MR. OWEN: Thank you, sir. We had some -- we just wanted to clarify some things about your grant. The number that you're claiming, recoveries and arrests and such, are those only being claimed in the Paris area, or your coverage area?

DETECTIVE ROWTON: I believe it's just -- I didn't prepare it. My partner did. And I believe he's just recording just the city of Paris, because the -- when I've seen the numbers, that's kind of low --

MR. OWEN: That's --

DETECTIVE ROWTON: -- that was on the application. I believe Grayson County and Bowie County are NSV hotspots. We cover both of those areas, and we have nine total. I know Grayson County has quite a few, because I work with them quite often on some of the investigations.

So -- yeah. Those numbers to me look a little low.

MR. OWEN: That's why I called you up, because they look low to us too.

DETECTIVE ROWTON: Yes, sir.

MR. OWEN: Would you be able to -- can you call somebody to provide some documentation, or Bryan, can you pull those up?
MR. WILSON: Yeah. I'm working on it. So do you want to know what the '18 data that they reported as their task force collecting?

MR. OWEN: I want to know their coverage area, what that data is as well, kind of like you did with the coverage area for Eagle Pass.

MR. WILSON: Oh, that sheet. Okay.

MR. OWEN: Because I believe they're not claiming their coverage area. They're just claiming Paris.

MR. WILSON: Okay. So Paris was 45 by themselves, and then their coverage includes 641, but it's got 40 or 41 different jurisdictions included in that.

MR. OWEN: Sure.

MR. WILSON: Now, that's just their auto theft. I want to be clear on what I'm talking about there. Motor vehicle theft.

MR. OWEN: On that coverage area, is there any overlapping with other task forces?

MR. WILSON: I don't think so.

DETECTIVE ROWTON: No. The closest one is, I believe, Smith County and -- but I don't think -- there's none of our task forces overlap at all.

MR. WILSON: Because they're pretty much along the Red River all the way to Texarkana. Smith doesn't go
past, I guess, Marshall -- or what's -- Longview, Cass County.

(Pause.)

MR. WILSON: So Mr. Chairman -- so that sheet I gave you earlier today -- so when you talk about the task force officers -- what I was giving you a minute ago was motor vehicle theft. The task force officers in '18 reported for Paris that they recovered 72 vehicles, and they -- so far this year, 51 vehicles, so they'll be on track to be around where they were last year.

As far as the number of persons arrested -- still off that same sheet I gave you earlier. Last year, they reported -- and this is just the task force officers -- 77 arrests last year and 248 so far this year.

MALE VOICE: That's in Montgomery County.

MR. WILSON: I'm sorry. Okay. I guess I should get a piece of paper then while I adjust for that. Twenty-four, and then 47. It still went up. Not quite that much.

MR. RODRIGUEZ: Pasadena?

(Pause.)

SGT. MOON: I'm Tim Moon, I'm a sergeant, Pasadena PD. I'm sergeant over the Auto Theft Division.

MR. RODRIGUEZ: Sergeant, you signed up?

SGT. MOON: Yes.
MR. RODRIGUEZ: You signed up to speak regarding --

SGT. MOON: Yes.

MR. RODRIGUEZ: -- item 6?

SGT. MOON: Right. Because we're not -- you know, it's proposed for us not to be funded. I'm the small city in a large county that I think he brought up. We only fund one officer. We have actually six officers and a sergeant that's assigned to our Auto Theft Division.

We serve pretty much southeast Harris County in assisting them. We do all the 68-A's. You know, Houston -- you know, they have a lot of 68-A's that they do on their own. They don't do any outside of the city of Houston.

We do all of Baytown, Laporte, all the -- in south Harris County. We've even started doing them from Pearland, as far -- just the 68-A's alone. We -- our burglaries, our car burglaries have gone through the roof this year.

Houston, everybody in Harris County, the burglaries have gone through the roof, and as far as what Justin Owen talked about, you know, the culture and all that -- it's just -- we have our own fish to fry, and Houston, Harris County, they have their own fish to fry, and us to work as a task force -- it sounds great on
paper, but it's just not that feasible.

I mean, we interact. We interact with Houston sometimes. We interact with Harris County sometimes. But I mean, we go into Houston on our own. We follow crooks.

We put trackers on cars. We follow them all over the place.

You know, our crooks are our crooks, and their crooks are our crooks, but we have our own entity, and this is -- you know, it's like I've said, it's just -- $68,000 is what y'all are saying that we would get if y'all would fund us, and that's not even completely one officer.

But we do -- all six of the officers and the sergeant, we all participate in this.

MR. RODRIGUEZ: Sergeant, do you remember the amount of vehicles that were stolen in your city last year?

SGT. MOON: I don't have the numbers in front of me that were stolen last year.

MR. RODRIGUEZ: Because right now, I think for '18, it's 345.

SGT. MOON: Okay.

MR. RODRIGUEZ: And Bryan, do you know the 2017 stat for the city?

MR. WILSON: I can get it real quick. I
thought you were going another way, and I'm trying to anticipate, and you took off to the left. So -- okay. So in their grant application, they said 417. I don't have the DPS report.

We focused our efforts on '18.

MR. RODRIGUEZ: So we can say that the number has been reduced?

SGT. MOON: Yes, sir. Our car burglaries have gone up, but the auto thefts have gone down.

MR. RODRIGUEZ: You know, and I think Pasadena -- you know, Deer Park is right next to it?

SGT. MOON: Right.

MR. RODRIGUEZ: And I know that that's the home to the World Series for the ponies --

SGT. MOON: Uh-huh.

MR. RODRIGUEZ: -- and it's an event that, you know, I've been there myself, and I think it's very important that we keep on pushing. You know, like you said, the burglaries are up to the roof, and now that you have a decrease in auto theft, I think you're doing a great job.

SGT. MOON: Yeah. The -- right now, auto thefts have gone to the side as far as -- you know, what's so sad is, you know, BMVs are misdemeanors and district attorneys' offices just -- I mean, it's just a revolving
door.

I mean, we've had -- we had one that filed on
about a month ago that had 15 convictions, was out on bond
from Brazoria County, $20,000 bond, and he got arrested
again and got another bond. And so I don't -- he got no-
bonded.

He hadn't been caught yet. We filed on him,
but he hadn't been caught yet. What they'll do is --
they'll see the judge, and then he'll get another bond.
So that's the biggest problem right now with our car
burglaries is -- there's no -- I mean, it's a part of
doing business.

We had a -- in our city, we have ALDIs, all
around the Harris County area. They're kind of a unique
grocery store, because the fact that you have to get a
cart -- like at -- like going to the airport. We used to
have to put a quarter in to get a cart.

That's how they do it. And what the -- this
one guy was preying on women that would put their purse in
their seat and go back up and return it. And we ended up
making arrests, just a traffic arrest, because we didn't
have anything on him.

We knew he was good for them. We followed him.

We put a tracker on his car. We followed him for
probably three weeks. No telling how many hours we put
in. I don't -- I couldn't even calculate how many hours put in, of watching him go to all these stores, very, very patient.

We finally got him over in west Harris County in Cinco Ranch. I mean, we caught him for a misdemeanor and he got -- he was already out on a case in Houston, a felony in Houston, $10,000 bond. He got another $1,000 bond.

So that's our problem right now. That's our problem right now that we're concentrating on.

MR. RODRIGUEZ: And I think it's mostly everybody's, you know, same problem, are the repeat offenders.

SGT. MOON: Uh-huh.

MR. RODRIGUEZ: You know, and the fact that, you know, it's the drug user that's out there.

SGT. MOON: Uh-huh.

MR. RODRIGUEZ: It comes from the drugs, and then, you know, breaking into vehicles to get those drugs -- fund those drugs. But you know, I just want to -- again, you said that you have how many officers, aside from --

SGT. MOON: We have six officers that are assigned to our Auto Theft Division, and me, and I participate. I even work cases myself.
MR. RODRIGUEZ: Okay.

MR. WILSON: Mr. Chairman, may I make a comment?

MR. RODRIGUEZ: Sure.

MR. WILSON: I just want to point out a couple things. Now, I have the utmost respect for Tim and his staff. I've been there. But I want -- you know, in their own application, which you have in front of you and you've reviewed, both the burglaries and the thefts have gone down in the application.

Now, I don't have the burglary information, but this is what is in the grant application that we were scoring. So you know -- so that the issue is, when you're talking about what the result of your operation was, there's part of it -- I said we looked just at the application.

And it goes from 1,000 to -- you know, 979, down to 897. So I just want to advise the Board -- or this Committee to be careful about changing information or relying on other information than what was submitted, because it is -- it's really a slippery slope that you're embarking on, asking questions that might end up with a different result.

We have jurisdictions in this room that have one officer for three to 500 cases. And you have other
jurisdictions, as we heard a few minutes ago before this, that you have one officer for 15 cases -- or actually, 7-1/2 cases.

You've got to put this in context when you're talking about what the recommendations of the Board's process resulted -- and it's not demeaning anybody, because we all live in different places and have different work.

But I want to remind this Committee that there are already 4,000 plus police agencies, law enforcement organizations in this state that are responsible for all -- their sworn officers uphold the laws in their community. This Board's only obligation -- this Committee's only obligation in the determination in this -- the overall ABTPA is only to fund above what a police agency is able to do in creating an economic auto theft team.

So I just would like -- I mean, if we proceed, that's fine, on asking individual jurisdictions questions, but you're missing the cultural strategic opportunities that are in front of you before these -- that are on these applications.

And again, I'm not going to tell the Board what to do or this Committee what to recommend, but I do want you to know that there's information you might glean
that's different and contrary to what the application itself says, or what the official record that's managed by DPS, according to our own statutes, because we have to use DPS data. So --

SGT. MOON: And I was just talking about, you know --

MR. OWEN: Recent.

SGT. MOON: -- in the last -- this is recent. I mean, they're recently -- I mean --

MR. WILSON: Okay.

SGT. MOON: -- this has been in the last couple -- two or three months that --

MR. WILSON: For this year, '19. Okay.

SGT. MOON: -- I mean, this is not --

MR. WILSON: Thank you. I wouldn't want --

SGT. MOON: -- yeah. This is just -- I mean, this is just -- because believe me. We've been kicked in the teeth by the administration over these burglaries, wanting us to fix it, when you know, we're trying to find patterns.

So it's -- it hasn't been over a long period of time.

MR. WILSON: Thank you.

SGT. MOON: This has just happened in the last two or three months. This has increased.
MR. WILSON: And thank you for that, Tim --

SGT. MOON: Yeah. I mean --

MR. WILSON: -- because I want to be clear that --

SGT. MOON: Yeah. I mean, I'm not --

MR. WILSON: We're talking -- we're making sure --

SGT. MOON: -- trying to, you know, jimmy the numbers here. I'm just telling you what we're facing. You can ask everybody in Harris County, all the agencies in Harris County right now. Everything's through the roof as far as the hotel burglaries at night, different things, the car burglaries.

But to get back to one of the reasons I wanted to speak, you know -- if they do create a task force, if Houston ends up getting this, and you don't fund us, you know, number one, we find this out, all this out, yesterday.

I find this out yesterday at six o'clock, 6:00 p.m., and we had to scramble so I could get here this morning. You know, this would have been nice to know that this was going to happen, you know, and y'all -- supposedly this has been discussed for quite some time, and we find out about it six o'clock yesterday evening.

You know, luckily, my chief was in this
morning, and I was able to speak to our chief of police about this. And as Bryan said, you know, it's -- if y'all fund it and no one else participates, then we don't participate, but we will not be sending anybody to the task force, and that's coming from my chief, if they do not fund us and then fund Houston.

We will not be participating in that.

MR. RODRIGUEZ: Thank you, Sarge.

MR. OWEN: Justin Owen. I've got a request for some information. You told us if we followed the Board-approved method, we'd be a million off -- or one was a million, one was 1.5. The information --

MR. WILSON: Border security.

MR. OWEN: -- what I want -- I'd like to know -- the funding that was given last year, how far off are we?

MR. WILSON: Not far at all. It was 5.7 for this year, for the biennium.

MR. OWEN: I mean, the border money. Sorry.

MR. PRICE: They base -- Dan Price.

MR. WILSON: Yes, come over here, Dan.

MR. OWEN: Let me just clarify, based on -- I'm not being clear, and I'm sorry.

MR. WILSON: Oh, I understand. What is it now?

MR. OWEN: Every --
MR. WILSON: Okay.

MR. OWEN: -- entity that was last year was funded identically this year. How far off the border --

MR. WILSON: I understand.

MR. OWEN: -- are we?

MR. WILSON: Right now?

MR. PRICE: Basically, the LBB based their new requirement on last year's number. So that was the number, essentially. Pretty darn close.

MR. OWEN: So I'm not saying this is a recommendation. I'm just asking a question. If the entities that were funded last year were funded identically this year, we would be close?

MR. PRICE: We would be very close. We would probably be there. I would have to go verify that, but it's very, very --

MR. OWEN: Okay.

MR. PRICE: -- close.

MR. OWEN: Thank you.

MR. WILSON: We have a border security report.

MR. RODRIGUEZ: We're going to go ahead and take a break.

(A short recess was taken.)

MR. RODRIGUEZ: We're going to go ahead and reconvene. It's 5:55 p.m.
MR. WILSON: Mr. Chairman?

MR. RODRIGUEZ: Go ahead, Bryan.

MR. WILSON: Yes. This is Bryan Wilson for the record. Just wanted to say that while we were on break, we went and did go and check our border security report that we submitted to the Legislature, and the total was $3.1 million that we spent in border security for the FY '18 cycle.

And the construct is that we did have some additional funds that we carried forward from that year was -- that LBB considered part of that, that brought it up higher. So the way -- like, we were talking earlier today about rolling forward up to 800,000, that if we assigned all of that 800,000 to a border security grant, then that entire amount would be then classified as border security money.

So some of it is a little bit of a shell game, but we wouldn't make it the 10.4 -- we wouldn't have made it this last year, and we will have great difficulty making it. No matter what options you choose, we will have difficulty making the border security.

And to your point, during break, Major Owen is -- the definition of border security -- and we have -- David wrote a memo that went into a Board packet two years ago, I guess, and that is defined as touching a -- a
jurisdiction that touches an intercoastal waterway or the U.S. border with Mexico.

And the only exception that we notified the Governor's Office and LBB, based on that ruling, was that we counted everything in Harris County because that's where the Port of Houston is. Even though it technically doesn't touch the Intercoastal Waterway, it is the third -- nation's third largest port, and we claim that as a border security -- border -- I mean, the statute is called Border and Port Security, and so that's why we claim everything Harris County, Houston, Harris County, Pasadena, and then everybody else, according to the legal definition.

MR. RODRIGUEZ: Thank you.

MR. OWEN: Thank you.

MR. WILSON: Thank you, Mr. Chairman.

MR. OWEN: Would the representative from the TAVTI grant please come up?

(Pause.)

MR. MARSHALL: My name's Brandon Marshall. I'm the current president of the Texas Association of Vehicle Theft Investigators, also part of the Pasadena Task Force.

MR. OWEN: We'd like some information regarding your grant request. As you know, currently training is being handled, and we wanted to give you an opportunity to
explain the extra benefit that we will receive from TAVTI for the almost $100,000 request.

MR. MARSHALL: We were under the assumption -- so I'm going to try to make a long story short. A few years back, it was going to be in conjunction with ABTPA/TAVTI. Most of the members of TAVTI are also part of this grant as well.

So we're all kind of intertwined in this auto theft world, but it was put on TAVTI to come up with training. Brian Johns who's here also is actually on the committee to put the training together. It was put together by Brian, had a curriculum set.

It just wasn't -- takes some time to put that stuff together. We were supposed to be working in conjunction with the grant. And at the time, I don't know where the wires got crossed, but the grant ended up pretty much taking it on and doing that.

They've done a great job. The training has been good. We want to see a more centralized -- kind of, centralized training, where we're all -- not just grants, but any auto theft investigator that wants to be trained in the state of Texas to have the ability to do so.

By having a training coordinator on staff, that would be his or her job to do so -- is to find the training, to schedule the training, to have the
instructors. I'm more -- preferably, I like having the same guy teaching the same class.

I think under -- and correct me if I'm wrong, Bryan. I haven't been to one of your -- I've already been through the basics, so I haven't been to a class, but the instructors kind of change as you go to different areas where it's taught.

We also want to establish a more professional appearance for auto theft investigators, meaning we want to go back to the basic, intermediate, and maybe a master auto theft investigator. And to me, that's selling to our legislators, hey, this -- they're special.

There's something special about what these guys are doing, and not everybody can do it. I do think we've done a poor job in the past of selling ourselves on what we do and how important is, what we do, and how auto theft is a gateway crime into larger crimes.

So along with that, we also wanted to set up a central location for intelligence to run through to where, you know, intelligence from all parts of the state can come through to one area, can be distributed out through a secure server, if we could get one to do that.

So really, the money for the coordinator would be for the salary, and of course, some travel and things like that, pay maybe some instructors. And our goal for
TAVTI is to grow TAVTI. As we grow TAVTI, that gives us more money to have, you know, paid instructors to come into some of these classes and specialized classes.

But that's kind of the goal for me, as being the president of that organization. I want to leave a mark as well, and this was one that hadn't been done. It had never been done. Mr. Wilson was very gracious in, you know, helping kind of through this process and what we could do, Tommy as well.

And we just thought it would be a great idea to really centralize that, to pinpoint it down, to have one person take control over it, take ownership of it, and run with it.

MR. OWEN: Okay. And I did read your grant, but excuse me. I've read 30 others and I'm --

MR. MARSHALL: I understand.

MR. OWEN: -- sorry. I can't remember. I know the training element was in there. Did the grant specifically state anything about the intelligence element?

MR. MARSHALL: I do believe that was a section in there, over the goal.

MR. OWEN: Okay. Because --

MR. MARSHALL: We wanted to --

MR. OWEN: -- we are kind of required to go
back by what's in the grant. That's all I'm --

MR. MARSHALL: Correct.

MR. OWEN: Okay.

MR. RODRIGUEZ: So we're talking about the --

almost the same thing that Bryan Sudan is doing. Correct?

MR. MARSHALL: Correct. Yeah.

MR. RODRIGUEZ: Okay. And when we're talking

about basic, intermediate, and master -- this person would

be the one handling the curriculum for this --

MR. MARSHALL: Correct. Yeah.

MR. RODRIGUEZ: -- training?

MR. MARSHALL: And that would be -- like I

said, it's going to take time to get it going. I mean,

this isn't something we can -- you know, if we're funded,

we can't say, tomorrow we have classes. It's going to

take time to get on the ground and go.

But I think, as that grows and the vision

grows, TAVTI's such a close-knit group. I know y'all know

it is. That there's so many guys that have so much

knowledge that I've relied on through my career, that

still are willing to help with TAVTI with training, even

they're retired and they still come and help because they

want to be a part.

And I think it's a great way to keep those guys

who have retired that had 30-plus years of training in
auto theft that you just can't replace, to be able to retain that knowledge and pass it on to other folks.

MR. WILSON: Mr. Chair, if I may?

MR. RODRIGUEZ: Go ahead.

MR. WILSON: The main reason -- look. Bobby Bailey -- I don't know how many presidents ago -- was president when I came and begged them to take this, when DPS informed me they weren't going to do the training. That's who was president at the time.

So I'm in favor of this concept. What I'm not -- what -- the reason I'm asking it not to be funded, and to just set it aside, because number one, it raises the complexity when we're trying to deal with what to do about Houston or Dallas or all these other places.

Just set it aside for now. We have other mechanisms available. You recently just turned a Texas A&M research grant into a -- you know, $35,000 to do the bait car research that you had authorized back in -- we converted that into a grant, because we've gotten word from legal counsel.

The Comptroller has made some changes to cause us -- to put greater pressure on us, to how -- that we really need to do more grants and less other kinds of transactions like contracts and things like that. The other thing -- like, in ICB, we just did a $200,000 no-
match grant.

Was that in January? You authorized us to go forward with that. And so I think we just need to set TAVTI aside. It's what we want done. It's what they want to provide, but this isn't the right context, and so I would really press on you to set that aside when we're talking about officers and departments and things like that.

If you would set that aside for now. Let's get through the really hard stuff that -- all these people are actually here in the room, including Pasadena. Let's deal with that and then we get a -- develop a plan that's more like what we did with A&M and NICB, with TAVTI, that can go forward and actually provide, I think, both organizations a really healthy long term solution.

MR. MARSHALL: Can I just say real quick? The plan's been in place, and per a conversation with you, it was going to take stress of you for us to be doing this --

MR. WILSON: Again --

MR. MARSHALL: -- so that's why we went ahead and submitted. I don't think it would put any more pressure on the grant for us to take the training from them. For me, it would relieve you of pressure, of what you're dealing with currently.

But that's your decision. I just want say
that, you know, we've had different conversations, and
it's a different conversation today than what we had,
which is fine. But I don't see where it would cause more
trouble for us to take training over in the state of
Texas.

Thank you.

MR. RODRIGUEZ: Thank you. Thank you. And
again, you know, to me it's a consideration of everything
that we're going through right now with the amount of
money that we have, and you know, the recommendations that
was given by staff.

The reason we're bringing up these different
cities and the entity like TAVTI is just so we can budget
what we're -- the amount of money that we have to work
with. Anybody that needs funding -- we're not -- if yes,
then we need to add that to the other side of the --

MR. WILSON: Yeah. I -- again, I do want to
reiterate. As director, I've talked to Brandon. I've
talked to other people about this grant.

It is something we need to do and move outside
of our department, but right now, we're handling it for
about $11,000 a year. If he put in the grant everything
that we need done, combined intelligence operations -- you
know, years ago, I got the FBI to agree to put up a full-
time server, much like what DPS has currently, four
virtual command centers operating in the FBI server.

So I do want to stress that it is what we want
to get done, and it would help our task forces operate
more like a unit, a cultural change, a major one. But at
the same time, it's just not the one for today, and -- but
the grant couldn't be scored as if it were -- it was
put -- and my suggestion, to Brandon's point -- and my
suggestion -- it was put into this mix, because this was
the cycle we had.

It just -- when it came to scoring and
reviewing it and looking at it in context of 15 officers
in Houston and six in Dallas, and you know, it doesn't fit
into this mix. We need to do another strategy.

MR. RODRIGUEZ: Okay. Thank you.

MR. MARSHALL: So Bryan, the 11,000 -- are
you -- is Bryan on staff to do your training or no? But
you don't pay him to do the training?

MR. WILSON: Question from Mr. Marshall was
about the roughly 11,000 that we currently spend on
training. The question was that -- is that what we --
that's only what we pay for travel, supplies, acid for --
DPS provides the acid, but we buy the material, tape
rolls, rubber gloves, loupes -- what do they call them --
loupes, or whatever, to inspect -- whatever.

Those little eyepieces that we buy the
investigators and long mirrors and things like that.
So --

MR. RODRIGUEZ: Do we have anyone from Harris County?

LT. WAGNER: Bryan.

MR. WILSON: Yeah? Thank you.

LT. WAGNER: Lieutenant James Wagner, Harris County Sheriff's Office, Auto Theft Task Force.

MR. RODRIGUEZ: I see you signed up to speak on this item.

LT. WAGNER: I was going to provide that, but did you have some questions, or would you like for me to go first?

MR. RODRIGUEZ: Going with what the grant application that was submitted by your agency, I noticed that there was a lot of changes to it.

LT. WAGNER: Yes, sir.

MR. RODRIGUEZ: Is there a reason why there was a large reduction in the amount of -- against the funds that were put in from Harris County towards the ABTPA grant?

LT. WAGNER: Yes, sir. As you all know, the Harris County Sheriff's Office went through a restructure process. We started out with 32 persons assigned to the task force last year. During a needs assessment, the
Sheriff's Office observed that there were these 32 persons assigned over there, and realized that there was a need to address issues with the Persons Crimes Unit, specifically Violent Crimes Unit, family violence, child abuse, so on and so forth.

There was an excessive number of auto theft investigators, as compared to violent crimes investigators, so the decision was made to reallocate those positions, and along with that, the funding for those positions, in order to address those concerns.

One of the things that we decided to do along with that, and I thought maybe there was a misunderstanding during the grant application workshop -- I thought that we were told that in order to avoid any problems with the grant, that -- to reduce the cash match, we would have to apply for a new grant.

So that's what we did, and we thought that that was the way to avoid any type of supplanting issues, that we could reduce our cash match by doing a new grant. We're going to have to do a new grant anyhow because of the number of investigators that we had reallocated and lost to the grant.

So with that being said, since we were losing funding, also, to Violent Crimes, we decided to go ahead and ask for the maximum amount: the 80 percent requested.
from ABTPA, versus a 20 percent cash match on the part of the Sheriff's Office.

We realized we probably wouldn't get that, but that's what we were asking for in the application process. What we were intending to do is, if we were awarded a grant and allocated whatever funds we had available to us, then we would come back and make a decision on how to use those funds, whether it would be to put up additional cash match on the part of the Sheriff's Office, or to reduce our personnel even further and reallocate additional personnel, based on what we could afford to fund at the Sheriff's Office for ABTPA purposes.

So there's the reason behind it. And basically, this -- Harris County Sheriff's Office -- this would be the 27th year of partnership with the ABTPA and of course we'd like to continue that relationship. We currently have 23 personnel assigned over there to the unit.

Splitting that up and assigning only one or two people to HPD just really isn't feasible. I mean, we have a large county. There are 2 million people, the population in the incorporated areas of the city, and another 2 million outside in the unincorporated areas. So to combine that into one task force centralized within the city, we just wouldn't be able to address the concerns.
I think with the city and the county as large as it is, you do require two additional task forces. We do collaborate with other entities, maybe not specific other task forces or law enforcement-related. But some area.

In other words, we have two specific officers -- three, a supervisor and two investigators, that are assigned directly with DPS Violent Crimes Task Forces, and they go out and investigate strictly violent crimes associated with vehicle thefts, carjacking, violent -- stolen vehicles used to commit robberies, and so on and so forth.

We also have an NICB agent embedded with our task force that works out of our offices with us. We have a DMV criminal investigations agent that is embedded with our task force. So we have other entities that we work with in Harris County, and then alongside of that, we do collaborate with any bordering, you know, jurisdiction, whether it be HPD, Pasadena, or any other task force.

We're working with Laredo, Grand Prairie, you know, Tarrant County, and across the state. You know, we're working with Florida on some cases, as well as California on some cases right now. So --

MR. RODRIGUEZ: Let's see. You went from 32 investigators to 23?
LT. WAGNER: Thirty-two people. We have clerical staff on that also. So we had four clerical persons. So it was 28 certified officers. There were also four supervisors and myself included on that. Currently, what we have is 15 actual investigators, four sergeants, myself, and then two clerks and grant manager, and that makes the 23.

So 15 actual investigators.

MR. RODRIGUEZ: We'll see the amount of totals for Harris County was 5,955 for DPS stats. Is that correct? And then Houston had 11,661. Is it that -- Houston's number, is it a combination of both the county and them --

MR. WILSON: Oh, well, that --

MR. RODRIGUEZ: -- or is it just for the city?

MR. WILSON: -- spreadsheet. Now, every time I think you're going left, you go right. So okay. Here we go. Let's see. You want Harris County. So Harris County is 5,955 -- is just Harris County.

LT. WAGNER: Correct.

MR. WILSON: That's the unincorporated area of Harris County.

LT. WAGNER: That's our agency. Yes.

MR. RODRIGUEZ: And the city of Houston has 11,661?
MR. WILSON: 11,661. Yes, sir.

MR. RODRIGUEZ: And that's just for the city?

MR. WILSON: That is just inside the city limits of the city of Houston.

MR. RODRIGUEZ: So in combination, we're talking over 16 -- almost 17,000 cars stolen in that area, in that jurisdiction?

MR. WILSON: Yes. It stays right around 18 to 19,000 every year in that jurisdiction. So -- because you've got to remember, part of Houston actually goes into -- and I don't -- this is one of those details about DPS data I mentioned earlier.

I'm really not quite sure, but the city of Houston actually does go into Fort Bend County, and it also goes into Montgomery County. And so there's some numbers here -- I don't know if you're reporting -- or that we put together the whole county of what.

I guess I could compare it to Montgomery real quick, but there's -- there are parts of Houston that are in other counties. So something to keep in mind, that -- when they do that. We have the same issue with Austin as well, where you're actually covering -- the city of Austin goes into three different counties.

Now, we don't claim -- or they generally don't claim the entire area. I don't know. Houston, do you
know --

FEMALE VOICE: Only the City of Houston cases.

MR. WILSON: Okay.

MR. RODRIGUEZ: And 11,661?

FEMALE VOICE: Correct.

MR. WILSON: Regardless of the county. Correct?

FEMALE VOICE: Correct. HPD works at its [inaudible].

MR. WILSON: Thank you.

MR. RODRIGUEZ: So it's obvious we have a problem in Harris County and Houston. And I believe we now have 15 officers within the county to -- not officers, staff?

LT. WAGNER: Fifteen investigators.

MR. RODRIGUEZ: Fifteen investigators?

LT. WAGNER: Twenty-three staff.

MR. RODRIGUEZ: Twenty-three staff.

LT. WAGNER: Yes.

MR. WILSON: Lieutenant Wagner, that's 20 sworn officers. Correct?

LT. WAGNER: Yes.

MR. WILSON: Twenty sworn officers. I just want to be clear about that.

LT. WAGNER: So myself, a lieutenant, four
sergeants, and then 15 investigators, and then there's three clerical staff, a grant manager and two clerks.

MR. WILSON: Sorry. I just didn't want that --

LT. WAGNER: Okay.

MR. WILSON: -- to get --

MR. RODRIGUEZ: Thank you.

LT. WAGNER: Yes, sir.

MR. RODRIGUEZ: Do we have Houston?

MR. WILSON: Before that, can I respond to one issue that brought this particular grant down, if you follow your process. And so that -- in FY '19, the current year, even if you take away the -- we just did a de-obligation, which would have reduced the city of -- I'm sorry -- county of Harris down by -- down to $2.1 million, that the new grant application is requesting the same or more money, and their obligation is only 500,000.

So under the supplanting law that I mentioned when I was doing my laying out the information, I just want you to understand as a Board and as a Committee, you have to deal with two issues for Harris County. You have to deal -- are we going to fund? And then you would have to deliberately either waive or require additional match funds to meet their obligation, which they might not do.

I don't know. But I'm just telling you, you have to address that, either through a waiver or through a
requirement, a special condition of that grant, saying, we will give you X amount of dollars if you provide additional match.

And it can be -- again, as a Board, you have the authority to make choices. You just have to make them as wisely as you can, subject to the body politic of not just these people, but other jurisdictions that are also being grant funded, at different levels, in this room, representing anywhere from 20 percent match all the way up to -- I think -- I don't know.

I know that at least -- I mean, Harris County has traditionally been at over two-thirds match in the history of -- as far as I know, they've always been at two-thirds or greater, and there's a few more that are like that, that they only get -- some grantees only get reimbursed 20 cents on the dollars.

So Harris County has been at 33 cents on the dollar for several years, because as each successive grant, we've got cut. We got a $2-1/2 million cut here. This -- they pick up the slack. They picked up the slack. So several -- Houston, others, have picked up the slack over and over and over, and now they're at the breaking point.

So I'm -- I guess not breaking. Nobody's going broke, but I'm saying it just changes the dynamics.
LT. WAGNER: Well, that's what we -- during the needs assessment, the realization came about that we were funding these task forces at 66 percent. Harris County Sheriff's Office was putting up 66 percent, and ABTPA was putting up 33 percent, and that weighed in on some of the determination to take some of that funding and say, hey, we could better use our own funds over here at this other area.

Now, again, depending on what, if anything, we are awarded, we'd make a decision on how we would allocate that money, whether we would have to cut additional positions or whether we would have enough to go ahead and maybe step up a little bit more and add additional cash match.

I can't make that decision here. Obviously, that would be for the command staff. But there's other options out there and available for us to move forward. Again, when we did the grant, we were under the impression of -- if we were going to have to do a new grant and we might as well ask for the 80/20, and it was a request.

MR. WILSON: That was the instructions, but the thing is, it still requires the Board to make a choice. So I want to be clear about that.

MR. RODRIGUEZ: Thank you.

MR. WILSON: Thank you, James.
MR. RODRIGUEZ: The City of Houston?

MS. HITZMAN: We already filled out a form.

MR. RODRIGUEZ: You already filled it out?

MR. WILSON: Go ahead and identify yourself.

CDR. HITZMAN: Okay. My name is Dana Hitzman. I'm the commander of the Auto Theft Division for the Houston Police Department.

MS. HOANG: And my name is Leann Hoang. I'm financial manager.

MR. RODRIGUEZ: That goes -- can you explain why the award amount that the employee recommended was 343,000 for Houston?

MR. WILSON: This goes back to the -- sorry. I'm trying to get over there.

MR. RODRIGUEZ: Page 36.

MR. WILSON: This goes back to the calculation I explained earlier, the -- they spent about one point -- well, set aside -- City of Houston spent $1.4 million in match last year. They applied -- they followed the rules. They applied for a new grant, but under the scoring system, the -- to address the supplanting, that when you go through -- they're only offering in the new grant cycle 602,000.

So the Board would either grant a same -- just exactly what I just said for Harris County. You know,
they'd have to change the amount, grant a waiver, or fund a higher amount, and then ask them to contribute more.

So --

MS. HOANG: Well, let's clarify it. On the cash match, it's 602, but in-kind match is also -- it's 602. That's -- the City of Houston still committed $1.2 million. Last year, when we do the -- we did the budgets, we didn't know it reimbursed based on cap of 34 percent.

So I went to Director Wilson and we discussed -- and Director Wilson, Mr. Wilson, suggests -- this is how we do our budgets, so if we put an in-kind match, still a cash match through the City -- the City has to pay for that position, any positions.

So -- but if we didn't meet the cash match -- just say we have one person turn over, leave the position, we can use that cash match to move that person in, and still, we'll hire that person, but we'll take time to hire, so we would meet the cash match, for us to collect the 34 percent.

Last year, we had a lot of turnover, so we have some saving, but then we don't need the cash match. Therefore, we didn't get reimbursement based on our actual costs. So actual costs to us is $809,000, but we didn't get reimbursed by that, because we didn't meet the cash
match.

So my concern to Director Wilson, and he recommended that's how we do it, so that's why we do what we did. And now, I don't know why it's become a problem, because if you add in cash match and in-kind, it's $1.2 million.

And we add additional FTE positions into the grant. That's why we asked for more money. If you -- just like Harris County, if you're not funding us for that position, we can always go back and readjust our grant applications, you know, but you have to consider cash award and in-kind costs, total amount, not just cash match only.

The City has to pay for both in-kind and cash match.

CDR. HITZMAN: And I'd like to -- the cash match is 20 percent, but we're actually at 28 percent, so we're still above what was asked.

MR. RODRIGUEZ: In the application?

CDR. HITZMAN: Yes.

MS. HOANG: Yes.

MR. WILSON: Do you want me to respond or --

MR. RODRIGUEZ: Can you respond to that?

MR. WILSON: Yeah. I -- to be clear, City of -- you know, this is -- you hear me say this theme a
lot. Everybody has a police department. They're already on the ground. Our job is not to fund police departments. Our job, in my reading of the statute, is to fund over and above.

Now, what my recollection of this conversation that Ms. Hoang is referring to is, there were -- there's two -- there's actually four distinct units that are in the auto theft section. Two of them are reactive. Two of them are proactive.

I suggested that, for the clarity, such as San Antonio and several of the larger jurisdictions -- I know El Paso does this. They actually have a much bigger structure on the in-kind and the combined together. So I had suggested that they take their other unit that's not grant-funded, not shown on the in-kind at all, and move those to in-kind.

For instance, last year, San Antonio had a big officer shortage. They took their in-kind officers, moved them over to the grant. They get reimbursed at the full rate, and when those positions get filled, they move them back or they can leave them there, whatever best -- again, I don't tell cities how to organize their business, but you have to have officers on in-kind.

I think the distinction or the misunderstanding here is, they took -- instead of bringing that other 16-
unit -- that's the proactive, and moving them onto the
grant as in-kind, so now they have the flexibility to move
people in and out of the grant, they just reduced or took
half their expenses and put them in in-kind.

So it was a miscommunication, misunderstanding,
but at the end of the day, I was trying to get Houston to
have greater flexibility. The meeting that we were having
was the fact that if Houston doesn't spend all of its --
in other words, if they don't spend all of their money,
they can't get all of our money.

And the way that larger jurisdictions like El
Paso and San Antonio solve that problem is, keeping a
cadre of sworn officers that are involved in the grant,
the same level of work, the same type of work. It can't
be some random patrol officer over on the other side in
another unit that has nothing to do with auto theft, but
people that are working on the same types of cases that
can't necessarily be shown as match.

So again, it's a structural issue. But this
Board, in continuing to fund all kinds of variation -- and
I'm not -- I'm just not -- I'm not criticizing the Board,
but some of this is -- you're making -- it's because
instead of just doing economic auto theft teams above
police departments and focusing your efforts on that, you
get all kinds of permutations of things that have
different structures, different rates, different reimbursement rates.

You know, again, we just talked Harris County -- two-thirds is their money, one-third ours, and then you turn right back around, and you'll see several of these grantees are reflected in this document that are right at the minimum.

They barely make the minimum. Some of them -- questionable whether they -- if it wasn't for DPS or NICB, they wouldn't make the minimum. But the Board is authorized to allow that to count, which a city like Houston who is running a huge operation, doesn't have the same tactical advantage to do that kind of budgeting.

So again, it's a procedural issue at one level and a misunderstanding at another. So --

MS. HOANG: Let me clarify what Mr. Wilson said. All these positions are 100 percent worked on grants. We have an auto theft division which Commander -- they are totally different. Office positions are enhanced, what all the divisions from HPD is doing.

These 22 law enforcement is working on -- directly on this grant, ABTPA grant. So it was not supplanting. We don't put them -- but I don't put them in in-kind match, just in case, because pensions change. All those people go -- you know, move away, get promotions.
You know how the law officers do. They get promoted. They go to other divisions. They change all the time. So the people we might hire to come in might not be the same pay rate. They might get hired at lower. If higher, it's great.

We met the cash match. If it's lower, we will not. But when the cap is 34 percent, that's when we dinged on. That's why I want to make sure that I put them in-kind, so with the in-kind flexibility, we will meet the cash match of 28 percent, which the grant only requires 20 percent.

The City still committed $1.2 million last -- like we did -- they did 1.4, but we didn't meet that 1.4. So I budgeted to $1.2 million this year, still a cash back to the -- there's still cash to the City of Houston, forked out from the budget.

It's not --

CDR. HITZMAN: I'd also like to make a couple points, just from some earlier conversations, and just to get a scope of how Houston works. We have over 50 classified officers in the Auto Theft Division, another 22 classified, when you include auto dealers, which is part of the Auto Theft Division that managers and has oversight over the automobile industry for the city of Houston.
In some points, I feel like we're being -- you know, it's a disadvantage to us to be a large agency. Some of the things that were discussed earlier, such as intelligence methodology -- you know, they're looking for new things to be brought to the table.

We already have that in Houston. We have an entire division for criminal intelligence. Auto Theft Division has our own criminal analyst, a crime analyst assigned to the division that works only for us and our abilities.

We -- the crime analysis is expanding throughout the department. We're sending more officers -- I just sent two people last week to an link analysis class from Auto Theft Division. Something else that was mentioned about the predatory theft legislation.

That came from the City of Houston, actually from the former lieutenant of the ABTPA grant in the Harris County District Attorney's Office. That's the kind of work that you get out of the City of Houston for auto theft, and that is what we bring to the table. We're, you know, not looking just for funding for the sake of funding.

We're looking to have an impact on auto theft crimes in the city of Houston. This grant also addressed juggling, an emerging crime, all across the state, but in
the city of Houston, and not only -- the cash match was
reallocated to in-kind, but we also added additional
positions -- we'd like to add additional positions to
address that juggling operation.

Those are manpower-intensive, when you have to
set up surveillance on these crooks for juggling
operations. So that's what we bring to the table. The
$343,000 was certainly disappointing, you know, and for
what we bring to the table and the resources that we bring
to address auto theft crime.

We're asking for the Board to reconsider and
fund us at our proposed amount.

MR. WILSON: So I do want to say that the City
of Houston grant, as written, notwithstanding the
supplanting issue or what appears to be supplanting, was
one of the highest-rated grants for the quality of what we
were trying to fund.

It includes something that we're statutorily
mandated to do, such as having officers assigned to the
port. 70,000 vehicles, the application says, go out of
that port every year. We have no --

CDR. HITZMAN: It's 115,000.

MR. WILSON: Okay. I read your application.

CDR. HITZMAN: Okay.

MR. WILSON: A hundred -- we have -- we don't
have a full-time, dedicated presence. And maybe DPS does, but auto theft doesn't. I mean, you've met with CBP. I mean, it's a core mission. It's what we're responsible for, and we don't do it.

CDR. HITZMAN: We have Sergeant Raul Cruz who --

MR. WILSON: Okay.

CDR. HITZMAN: -- works under the grant at the port.

MR. WILSON: Okay. Full-time? Okay. Ninety-nine percent of all available points went to Harris -- I mean, to -- excuse me, City of Houston. So this funding allocation is not based on the quality of the proposed work.

It's not based on the quality -- it's a problem that they made in -- whether misunderstanding or if I told them false information, whatever they want to say -- the issue was about last year, they spent 600 -- I mean, what I said a minute ago -- City of Houston, 1.4 million.

That's for new application, and they dropped the -- and I hear what Ms. Hoang is saying with the -- but when you move that to the right side of the equation, it's no longer match. Cash match is what's on the barrel-head, exchanging -- you provide the funds, and we reimburse a specific percentage of that funds. So --
MR. RODRIGUEZ: Yes, I agree. I agree with what you said, and this is the reason why we're here, because I know that when you look at the book and you see that funding, it doesn't make any sense, but that's the reason why we're here.

And at the end of the day, it's going to be up to us to find out who is going to get what. I know that we're short on funding. Houston does a very good job in everything that you guys do, but going back to the analysts and the counterintelligence, I know that there were certain PDs and certain SO's that have it already in place.

And what I keep telling everybody is that we need to start sharing, and we need to start connecting so that we can tell our story at the end of the fiscal year. At the end of every fiscal year, we have that document, because we're very bad at doing that, and because it's my intel. It's my source. It's my CI, and I'm not going to share it. But within our auto theft group, we need to just get better at that.

I'm not about who's going to get the credit. I'm about, at the end of these two years, we're going to get more funding, because at the end of the day, everybody's going to get the credit. So that's what I'm talking about, when we have these intelligence divisions,
that we share with everybody what we're doing.

And Laredo shares with Houston. Houston shares with Brownsville, Pharr, Mission. We have task forces over there that when I went to the Valley -- and we have task forces over there that really don't know what's going on in Houston.

And to me, that's very important for them to know, the biggest city up north, what's going on, and they don't -- they didn't know. So that's very concerning to me. And again, I keep pushing for that, because that's what's going to get us past what where we're at right now.

So again, I applaud Houston for everything that they do. I know that I went to your website and saw everything, something that you just said that you have. So again, you know, it's not about your operations. It was about mainly financial items, and again, that's the reason why we're here.

So thank you. Thank you for the information you gave to us today.

MS. HOANG: Thank you.

CDR. HITZMAN: Thank you.

(Pause.)

MR. OWEN: Is there a representative from Dallas PD? Please. Have you done the sheet yet, sir?

SGT. RODEN: Yes. I have a few of them.
MR. RODRIGUEZ: Bryan, did you do that?

SGT. RODEN: Yes. I filled one out. I can turn one in, and I can fill another one out.

MR. OWEN: All right. Please state your name for the record.

SGT. RODEN: Bryan Roden, sergeant over the Auto Theft Task Force there.

MS. TABER: And Johnna Taber. I'm with the Dallas Police Department, Financial and Contract Management.

MR. OWEN: Thank you. So your amount requested more than doubled, and naturally, I did read your application. Could you real briefly tell us -- don't go into great detail. Real briefly tell us what we get for double.

SGT. RODEN: Well, what we --

MR. OWEN: Be brief. I don't want to --

SGT. RODEN: Well, I mean --

MR. OWEN: I mean, if you're adding people, say, we're adding X number --

SGT. RODEN: Well, we --

MR. OWEN: -- of this. We're adding intel.

SGT. RODEN: We're adding -- I've already expanded the operation by two people, and I got approved to add a third, if funded, and if -- y'all have all seen...
the news lately. Getting officers to come to cities has kind of been a problem, and the command staff has believed in what I pitched to them about this grant, and I've said good things about this grant, and you know, the decisions behind it, and so I was able to add people onto the grant. We was able to upgrade our office assistant to a crime technician, and just like in most big cities, we have a huge fusion center that's federally funded, and we have the ability to send out information. The office assistant, with that upgrade, will allow us to send this information out to other grantees and other agencies around us, not just grantees, because you know, there's a lot of agencies around us who we work with that are a part of this grant.

That's a little bit, in a nutshell.

MR. OWEN: That was good. So you did mention you're working outside the city of Dallas?

SGT. RODEN: Yes.

MR. OWEN: Okay.

SGT. RODEN: Yes. If you -- I guess if you looked in the back of your packet, there's a commendation from an adjacent city that we try to help cover, due to their manpower that, you know, they -- I guess it's in your -- the last page of your packet there.

Just one quick example, and there's other ones
too. Carrollton, we go up to Carrollton, helped them out, arrested a cargo theft suspect up there. We have federal investigations that lead all around the city into the county.

So we go outside the city quite often to arrest our suspects.

MR. OWEN: Just bear with me just for a second.

SGT. RODEN: Take your time.

MR. RODRIGUEZ: The -- you also have the same structure as -- well, not the same, but you also have another unit that also works the burglary of vehicles and auto theft-related investigations. Correct?

SGT. RODEN: Yes. We --

MR. RODRIGUEZ: That's the agency, right, no only the grant-funded one?

SGT. RODEN: Yes. There is a unit that --

well, BMVs get outsourced to the station. That's not our bread and butter. We do work them. We work all of our tailgate offenses and things like that, because there's a lot of that stuff -- comes on line, and we do a lot of the, you know, internet stuff with that kind of stuff.

There is a unit that does no-leads cases, that you know, you can -- we've had over 5,500 offenses this year in the city of Dallas. You know, a lot of those no-leads cases go to Downtown Auto Theft, and they will work
those.

We're not going to -- we can't get burdened down with those, when we're out there trying to arrest people and put people in jail and interview suspects, and you know, kind of the -- you know, I don't want to downplay what they do, but the -- you know, the kind of high-profile cases we work with.

MR. OWEN: We're just looking at the arrests and the vehicles right now. We'll see if there's anything -- I don't have anything further.

MR. RODRIGUEZ: No. Thank you, Bryan.

MR. OWEN: Thank you.

SGT. RODEN: Is that -- I did fill out one of these, and are we going to open it up to the end, to speak on certain items, or is this my time to do that too?

MR. RODRIGUEZ: Go ahead. This is a good time.

SGT. RODEN: Well, you know, I know this is an emotional time for everybody in here. There's a lot of, you know, sad faces and I sympathize with everybody, and I wish that the world was perfect and we could get what we want.

It's my understanding, you know -- as officers, we're inclined to enforce the law without that emotion. We're able -- we're tasked to do a job and we do it. I would like to think if somebody in here caught a brother
or a family member doing something wrong, that they would make that arrest and do the things that they're supposed to do.

I just believe that the RFA is made to take that emotion out. We're tasked to do a job, and I'd kind of like to reiterate what the -- you know, the attorney said. I forget his name. But our integrity is on the line here. We need to do what's right, and put the money where the problem is, and be able to fund the areas that need the funding.

I don't understand, you know -- if somebody asked me if -- if we can't follow the RFA, then how can we judge other grantees when they don't turn stuff in at a proper time? If we're all to follow the rules -- and I think we all need to follow the rules.

MR. RODRIGUEZ:  Thank you.

MR. OWEN:  A representative from Dallas County? Please state your name for the record.

CAPT. CARTER-BASS:  I am Shelia Carter-Bass, captain of the North Texas Auto Theft Task Force.

CHIEF FOSTER:  And I'm Debbie Foster. Was assistant chief deputy at the Dallas County Sheriff's Department.

MR. OWEN:  We're just looking over -- right now, I'm looking at the number of persons arrested for
motor vehicle theft, and according to the figures that we received from staff, in 2018, Dallas County reported 28 arrests, and 2019 reported 812.

That's a massive increase. Is that an error possibly, or did you change the way that arrests are documented? We just need some kind of clarification.

CAPT. CARTER-BASS: Definitely an error. I did not report 812 arrests. We did not have 812 arrests for '19.

MR. OWEN: That's what I thought. Thank you for clarifying that. Do you -- off the top of your head, do you have any idea of a rough number of what you do have so far this year, just roughly? About 250, 230?

CAPT. CARTER-BASS: Twenty-something less than 50.

MR. OWEN: Okay. So it's within line with last -- the previous year --

CAPT. CARTER-BASS: Yes.

MR. OWEN: -- you're saying?

CAPT. CARTER-BASS: Uh-huh.

MR. OWEN: Okay, okay.

CAPT. CARTER-BASS: Yes. And we define -- those arrests are arrests that are made directly by the task force rather than the collaborative work.

MR. OWEN: Yes, ma'am. Okay. Just pardon me
while I go up to the stolen vehicle rate. Okay. And
1,200 for '18 and then 809 so this year, so -- do those
sound accurate --

CAPT. CARTER-BASS: Yes.

MR. OWEN: -- to you?

CAPT. CARTER-BASS: Uh-huh.

MR. OWEN: Thank you. Okay. On your grant
application, you're requesting less money than last year.
Would you like to expand on why? And if it's already in
the application, forgive me, again. I can't remember all
the applications.

CAPT. CARTER-BASS: They -- we lost the DPS
representative on our -- for 2019. So in order to meet a
cash match and to provide the services that we needed, we
needed to drop that amount down. And on the other hand,
Dallas County would put in more funds than previous year.

MR. OWEN: I'm not trying to put you on the
spot, but with the large number of vehicles that you've
recovered, the arrests do seem a little low. I understand
with LoJack operations and other different types of
things, there aren't a lot of arrests, but being a
grantee, it kind of surprises -- and I'm a little tired.

Do you have any explanation for the disparity?

CAPT. CARTER-BASS: I believe it's the
definition of what we've used for an arrest. Our arrests
or county -- when we actually put the hands on a suspect and take them to jail, those are the numbers that are reflected there.

It does not reflect collaborative arrests, where we may have worked with one of the agencies in our coverage area of the next county that resulted in an arrest.

MR. OWEN: There's not a lot of unincorporated area in Dallas County. Is that accurate?

CAPT. CARTER-BASS: That is very accurate, in that there is even more unincorporated in areas in other counties, Kauffman, Rockwall, and we also address those areas, and the cities within those other four counties. We work closely with -- very closely with some of these cities within the other counties and others, not so much. But even in those collaborative efforts, those arrests would not necessarily show up on our progress report, because of the way we report it, which how it was in place when I went -- came to the task force two years ago.

MR. OWEN: Do you have anything brief you'd like to add regarding your grant?

CAPT. CARTER-BASS: I did sign up to speak, and that was to oppose the recommendation by Director Wilson to not fund Dallas County. I would like the ABTPA Board
to the authorization, the 725,000, I believe it was. I'm sorry.

I don't have that in front of me. But Dallas County is in a unique situation. Most of the area in Dallas County and the other urban counties in that area have been annexed. So 23 years ago, even when we started figuring it -- when it started under the District Attorney's Office, the whole concept was to support and provide services across the jurisdictions.

We continue to support and work with other agencies throughout what I call the greater Dallas County, Kaufman County, Collin County, Rockwall County, even Denton County. We continue to provide support there, and we -- you don't see the direct dollars, but funding -- Dallas County pays for efforts and services through these other counties that would show in an in-kind, but that's something that hasn't been tracked.

And it's important for us to be able to get across to the Board that, even though these numbers within the unincorporated area, which is a very small area, do not represent the services that we provide.

It does not represent the needs that are out there for the North Texas area.

MR. RODRIGUEZ: Captain, knowing the amount of recoveries that you've done and knowing the amount of
arrests, there's room for some tweaking, improvement, to get the number of arrests up, as opposed to just recovering the vehicles.

Do you feel that there is a big gap in those numbers and that we can improve those numbers if we fund you for another two, three years?

CAPT. CARTER-BASS: Yes.

CHIEF FOSTER: Most definitely.

MR. RODRIGUEZ: Thank you.

MR. OWEN: Thank you, ma'am.

CAPT. CARTER-BASS: Thank you.

MR. RODRIGUEZ: Richard Hale?

SGT. HALE: Thank you, Board, for having me here today. My name is Richard Hale. I'm a sergeant with the Travis County Sheriff's Office. I supervise the Sheriff's Combined Auto Theft Task Force, comprised of 17 counties. We submitted a grant request for $673,933. That amount included a pay raise and some DOE expenses. It was a very simple request, and the way that the response has been with the recommended amount by the ABTPA would leave us $13,762 short on paying our salary obligation.

So at a minimum, I would request that we be allowed to meet the minimum salary for all the grantees, and that amount would be $645,253, and that's all I have.
MR. OWEN: Could you repeat that amount please?

SGT. HALE: I have it down as 645,253, just to cover the salaries. The other addition to that was for DOE. We incur about $33,000 a year in expenses. They usually come from program income, and that’s not a solid number from year to year.

So those services from time to time aren’t used. And to answer -- or to address the Board in other area, what the task force does, we do collaborate within all the counties, with the cities that are in our jurisdiction that request our assistance, and we work the IH-35 corridor with the Austin Police Department.

We work closely with their bait unit, and we also are concentrated on prolific auto theft offenders and organized crime. We've worked cases with Laredo. And we have -- are still working cases where vehicles are being stolen, taken directly to the border to pick up illegals, human trafficking, coming back to destination points of Austin, Houston, Dallas, San Antonio.

And those continue to be a struggle for us, and we've reached out to our partners to try to collaborate even more to conduct LPR operations, interdictions. But all those things take time and money, and you can't really fund those if you don't have the money to do it.

MR. OWEN: Your arrests jumped quite a bit in
'19 over '18, according to the numbers we have, about four times -- a little over, maybe.

SGT. HALE: So we had debate over the statistical gathering of -- when you have an arrest, is it an actual arrest that the task force person touched or was part of, and not that patrol arrest. So we tried to refine that in a way that -- if our investigators were contacted and had some part in that recovery, then they were told to count that.

So that might be the spike that is showing, but we're constantly looking at that to make sure that we don't double-dip, so to speak, and count a patrol arrest on a vehicle versus an investigator being involved in that investigation.

MR. OWEN: That was my concern. Yeah.

SGT. HALE: Yes.

MR. OWEN: All right. Thank you.

SGT. HALE: Thank you.

MR. OWEN: Did you have anything else to say?

You signed up.

SGT. HALE: No. I just wanted to encourage the Board to consider everyone's request here. I know mine seems inconsequential to what everyone else is asking for, but I think -- you know, one thought pattern might be that -- I know there may be additional funding that is
coming.

I don't know for sure, but you know, I've spent countless hours at the Capitol with Chairman Hansen to try to make this happen, and again, the funding may or may not happen, but it seems like everyone hears now. We were begging at the Capitol, and now we're begging for money here, and everyone here has been doing a very good job for the most part in doing what the grant has asked them to do: meet the GSAs, meet their targets, be proactive in every way that they can.

And if there's a way to perhaps give everyone a starting point, if we do get this funding, that might be something that the Board could consider, and then if the funding does come through, then you have a new starting point to see what we can do with additional funding, opposed to the framework that we're in.

We're kind of in that box, where we have to stay within those financial guidelines, and if something changes, it may change the way that everyone operates. That's all I would have to say. Thank you.

MR. OWEN: Thank you.

MR. RODRIGUEZ: Stan Davis?

CAPT. DAVIS: Good. I'm Stan Davis. I'm a captain with Mansfield Police Department. I'm also the commander of the Tri-County Auto Theft Task Force, where
I've served since we've implemented it in 2011, and I just want to say -- I see the recommendation by the ABTPA staff to not fund us.

I'm not 100 percent sure why that is. I think it could be in part that, because we have two task forces in North Central Texas that border up to each other. I want to say to you that in no way is there any duplication of any efforts by both of these task forces.

We work extremely close together. Probably within every two-week period, we're asking for their assistance or they're asking for our assistance, because we do work so closely together. Now, we do have a couple of cities, Mansfield PD and Burleson.

These cities lie both in Johnson and Tarrant counties. So Tarrant County serves Tarrant County. We serve Johnson and Ellis counties, and just the cities that lie just inside Tarrant County. It's just on the southern edge of Tarrant, so it's just a small area.

And I would say this. If I saw the recommendation right, it would fund two Mansfield officers. To do away with this task force to me would be disastrous. Our stats -- if you look at our stats, comparative to some of the larger agencies, most agencies in our area, we're pretty comparable.

And if you took our numbers, and I'm just going
to use a number as -- for fun, for random, but if you took
our numbers and we had 1,000 recoveries and 500 arrests,
and a neighboring agency had the same numbers, and you did
away with our task force and you put us with them, it's
not like those two numbers are going to double.

Those numbers are going to go away. They're
not going to -- that other agencies' numbers are going to
stay the same. If they do increase, they're going to be
so slight -- they're going to be very marginal. So doing
away with our task force would be disastrous.

I don't believe we are supplanting. If there
are supplanting issues, I believe that we can handle those
quite easily. So that's really what I wanted to say.

MR. OWEN:  Okay. Your request was not three
times, but well over what you thought you -- can you real
briefly explain the reason for the jump?

CAPT. DAVIS:  Yes, sir. When I started in
2011, it was myself and two other investigators. I
remember the first day we sat down, I said, are we going
to have enough to keep us busy? And I've been a police
officer with Mansfield for 37 years.

I've busier than I've ever been in my life.

This is insane, what we do. It's not necessarily the
cases that come in that victims report, but the things
that we do, that we find on our own, that more than
likely, outside of law enforcement expertise, no one else
would ever find: VIN switches and cars hitting in
locations and changing it up.

So it's just been astronomically the amount of
cases and the workload that our guys have. They love it,
but the stress on them is extremely high. Our
anticipation was -- let's bring some agencies on. We're
obviously going to do more, but we hoped to bring the
workload down a little bit more, and at the same time,
increase our stats.

MR. RODRIGUEZ: Director Wilson, the numbers on
the -- reported by DPS on the City of Mansfield is 145 --
I'm sorry -- 140?

MR. WILSON: I'm sorry?

MR. RODRIGUEZ: It was 140 reported by DPS?

MR. WILSON: Was that for Midlothian? Twelve.

MR. RODRIGUEZ: For Mansfield.

MR. WILSON: Midlothian is 123, Alvarado is 10,
Burleson is 52, Kennedale is 17, and Mansfield is 49, for
a total of 140.

CAPT. DAVIS: Is that for recoveries or is
that --

MR. WILSON: It's DPS motor vehicle thefts
reported.

CAPT. DAVIS: Okay. And the numbers we
recorded was because we service all of Johnson and Ellis County. We included all of those numbers as well. So the -- I think it's 455 total --

MR. RODRIGUEZ: 445.
CAPT. DAVIS: I'm sorry. Yeah. Okay.
MR. RODRIGUEZ: Do you have any task force officer from Burleson?
CAPT. DAVIS: Yes, sir.
MR. RODRIGUEZ: Okay. Thank you, Stan.
CAPT. DAVIS: Thank you.
MR. RODRIGUEZ: Now, some of you already came over and spoke, but I have a couple of other requests here. And if you already said what you had to say, you can just say, I'm ok. Dana Hitzman?
CDR. HITZMAN: I've already spoken.
SGT. BUCK: I'm Sergeant Buck with the Victoria Police Department. I supervise the Auto Theft Task Force, but I also supervise the Major Crimes Division, which is person crimes, murder, robbery, that kind of stuff. So --
DET. SEPULVEDA: I'm Detective Sepulveda, Victoria Police Department.
MR. RODRIGUEZ: Do you want to talk --
SGT. BUCK: Yeah. I appreciate the opportunity
to talk to the Board. We appreciate it. I just want to run down a couple things, and I have a couple of them. Starts -- I'll try to be brief. We work mainly the 59/77 corridor.

Not only do we service obviously the Victoria Police Department, but we cover Dewitt, Lavaca, Calhoun, and Goliad, and Victoria County also, within that area of our coverage. These are the only two specialized, trained detectives that I supervise in auto theft and auto recovery, VIN recovery, those type things.

I've been to the specialized training, but I'm not on the grant. I help them when I can, probably a third of my time, which is not listed on the grant right now. Right now, our juggings are skyrocketing. We just did some training in Houston on Monday that was excellent with one of their detectives that specializes in juggings, and we actually caught some a couple weeks ago, learned a lot of stuff.

And then we went to the training and learned a lot more, but because of their efforts to catch them and bait them and stuff, obviously they're moving out of the area. We're collaborating with Corpus and departments along that line, so those are on the way up.

Without the grant funding, I don't know that we would have the time and opportunity to develop those
relationships and spend the time outside of our
jurisdiction to combat those type of crimes. We actually
had a special operation set up for the day after we caught
the juggers, with the help of Wharton County and Victoria
County, to work with Corpus and these other jurisdictions
in the corridor, because all of the juggers are -- a lot
of the juggers are coming out of Houston.

The resources and funding is a big deal for us.

We're a small department. I feel like if -- or without
the grant, we're going to -- obviously, we would -- our
guys would focus more on Victoria, not that we wouldn't
collaborate.

But by focusing more on Victoria, all we're
doing is pushing those guys out to these other agencies
that we highly collaborate with now, and it's just going
to put a bigger burden on them, because now, our --
because without the grant, we're focused more on Victoria.

Just to give you an idea, within the last year
or so, we conducted a special operation with Dimmit --
with our -- using our license plate reader, which would go
away without the grant, with Dimmit County. That also was
Customs and Border Patrol, Homeland Security
Investigations, Dimmit County -- were all involved in
that.

Dimmit County is southeast of Eagle Pass. We
went up there and recovered a vehicle out of San Antonio, a vehicle out of Austin, like, the Austin/Travis County supervisor mentioned, that both of those vehicles are stolen and made it across the border and then back for the illegals.

Our operation was to hopefully interdict them prior to going across the border, none of which we did, but we learned a lot, and we're hoping to plan another operation with them. Without the grant funding, those type of operations, we would not be able to do.

In addition to that, we've also collaborated with Austin PD, Williamson County, Bexar County, DPS, Houston PD on these recent juggling, and those are the -- like you talked about, the collaborations are important to us.

But with our staffing and budget issues, like a lot of departments have, without the grant funding, some of that's going to go away. Last but not least, we feel like, for the two detectives and what you guys get for the area that we cover, you get the best bang -- you got a lot of bang for your buck.

And we're very good stewards of the money that the State gives us to do the best for our partners in our area, and especially given the 59/77 corridor, and now what we're finding out with the 183 corridor running up,
because these gangs out of Austin/Williamson County,
everything from San Antonio, all the way to Georgetown.
And we've met with APD on that, because they're coming to
Victoria and committing carjackings and stealing vehicles
and getting in pursuits.

So that's kind of where we're at. I have more
on my list, but I think those are the high points.

DET. SEPULVEDA: If I may speak as well? One
of the things -- I've been in law enforcement 20 years, 17
with the Victoria Police Department. I'm new to ABTPA.
I've been on the grant for a year and a half, and of a
year and a half, just four months ago, I was assigned the
task force manager.

So when I did the application, if it's
incorrect or not to the standards, I plead ignorance,
because this is my first time. The previous grant writer
had no input. He just quit. He said he was kind of tired
and burned out, so he was burned out, and what happened
was -- I was just left there doing this on my own, the
first time ever doing it.

So if I were to have this little score sheet
here, that would have been really, really helpful. I
didn't -- I never knew this was around. So this was
available. That would have been great for filling out
this grant.
That would have helped immensely, because I had a lot of questions, and I wasn't sure if I was putting too much, too little. I had never done it before. I basically went off what was done before, the previous five years, and I actually expanded on a lot of it, and now it's -- I'm just kind of worried that it was previously accepted, and it was kind of -- to be honest with you, it was rubber-stamped.

And when I went into more detail and expanded on all the activity we were going to -- we are going to increase our activity on 59 and 77, targeting juggings and stolen vehicles. We're going to hit that highway really hard.

And you know, the task force guy before had a different mindset. It's me and a new guy, where we're go-getters. We're hard-chargers, and we're out to get the, you know -- we'll get the best bang for your buck. And if this goes away, we won't be able to do that.

Those juggings -- there's a lot of preparation, days in advance, before we caught those guys. It was supposed to -- our operation was for Friday, but when they hit us Thursday, we had everything set up, all the contacts up and down 59, even south, if they went south.

We made all the efforts. All we did was, get on the phone, say, hey, it's happening today. Let's go.
We hit the streets, and through those efforts and all that work, we were able to catch those guys before they made it back to Houston.

So that wouldn't be happening if the task force wasn't around. I'd be at my desk looking at videos, and that's our suspect. I could send it to Houston. Maybe they knew who it is. That's it. But there would be no proactivity whatsoever.

It would be just all reactive.

SGT. BUCK: And to your point, and I think you're kind of seeing a theme here, the way the stats are kept and how we submit them, and they're counted, and how we count arrests and how we count recovered vehicles and things. We -- it's been within the last couple of years.

I know Director Wilson tried to address it, but I don't believe we still have a consistent way for all of us to report our stats, to where you guys have a consistent story to go tell the Legislature and stuff on what we're doing and how we're doing it, because we all count them different.

Most of the stuff that you have on our grant is our stats within the incorporated city limits of Victoria.

To include these other stats, we can do that, but then we're not sure if we're stepping out, and it's going to make the grant get refused because our numbers look really
weird like some of these other guys' numbers. And as far as what constitutes an arrest on our part, you know -- if they call us and we collaborate and we help them find a VIN or something like that, you know, do we count that?

If we went out there and did that, they're going to count it too, so now are we double-dipping? So the stats is -- to me is a really big deal, on how this stuff is graded and scored, and how you guys, you know, get a handle of what we're doing, especially a small department that has a big footprint in the area.

And I didn't even mention 68-A's. If we quit doing them, they're going to have to go to Corpus. They're going to have to go to San Antonio. They're going to have to go somewhere else, because we do not only the on-site, but we do off-sites all over that five-county area.

DET. SEPULVEDA: And another thing was the numbers are being reported to DPS. I know we may have low numbers as far as vehicles being stolen, but there's a lot of stolen vehicles that go through Victoria County. You -- 59, and you know, U.S. 59 and 77, that's a major corridor that goes to Mexico.

You know, they take the stolens there, and then bring them back, and they're going through our town, and quite often, we have no resources, if this isn't there, to
actually go into to catch them, and that's what we have planned.

If you look at our grant application, I put in there that we were going to target those major highways, and even if we push them out to the smaller towns, we can -- you know, they are neighboring agencies, so we can help them. But if they start moving out -- Port Lavaca is Calhoun County.

A lot of times we find that they take 35, which is up the coast, to bypass 77 and 59. So we can -- if it starts to move that way, we have that jurisdiction, to move over to help those guys, and we have good connections with those guys, that they call us whenever they have a rise or a spike in crimes.

So that's just the collaborative issues that we have if that goes away. It just -- it would be -- it just -- it would help out a lot, as far as catching these guys.

MR. RODRIGUEZ: Let me ask you a question. The assist you did at, you said, Dimmit County?

SGT. BUCK: Yes, sir, that's correct.

MR. RODRIGUEZ: Would you classify that stat as an assist?

SGT. BUCK: We worked with NICB, and like -- and that's what got me going. It's an assist. Now,
granted, Customs and Border Protection chased those
vehicles down, but we went in, did the -- actually the
calling to San Antonio and to Travis County or Austin,
where they were stolen at, to see when they were stolen,
when did we think they went to Mexico, what can we do
better to interdict those vehicles?

So yes. And the other stat was just an assist.
We worked with Israel out of NICB. He was there on scene
with us to help us with logistical issues and things like
that. But yeah. That's what I'm talking about. We
didn't count those as recovered vehicles.

We didn't actually stop them, but we went there
and actually conducted the investigation on where they
came from, you know, talked to APD and talked to San
Antonio PD or Bexar County about where they came from, all
that kind of stuff.

So that -- and that's exactly what I'm talking
about.

MR. RODRIGUEZ: Thank you, Herschel.

SGT. BUCK: Thank you.

DET. SEPULVEDA: Thank you.

(Pause.)

MR. RODRIGUEZ: Can we ask Dan's help here on
figuring out some numbers?

MR. WILSON: Sure. Yeah. Mr. Roden would like
to say something, though.

MR. RODRIGUEZ: All right.

MR. RODEN: Just one more thing. I know everybody is pressed for time, but my lovely finance officer wanted me to remind something -- that the money that we've got, the 555 -- that was the cap. And that yes, we are expanding, but that money was capped when it was cut several years ago, and we were normally getting, you know, seven, six, seven, 800,000.

And some of that money that we're asking for is just for us to catch up from the inflation that we were from when we were being capped at. The expanding and all that stuff is still taking place. But she wanted me to remind you guys of that.

I appreciate it.

MR. OWEN: Kenneth, would you come up, please?

You signed up to speak.

MR. RICHBOURG: Yes. I'd just like to address the --

MR. OWEN: I'm sorry. You need to say your name for the record.

MR. RICHBOURG: Kenneth Richbourg. I'm with DPS, and I'm the commander of the Smith County East Texas Auto Theft Task Force. I'd just like to talk to you all about the funding issue, like everybody else has. Over
the past several years, we've reached out and -- not
myself so much, but had my sheriffs and representatives
spoken to.

They've supported ABTPA. They've filed bills
on our behalf, and I think we've had a lot to do with
that. The funding level that we have recommended now is
quite a bit less than what the current year is. I think
for us in our rural East Texas area, that means the loss
of an investigator.

I know everybody else is facing that problem
also. I think -- maybe I'm wrong, but I think in the
rural area it's a little more difficult to absorb than it
is in a big city. So I would like y'all to consider that.

So the amount of loss would probably be the loss of an
investigator.

So I would just ask that you maintain our
funding as close as possible to what it is. Two years
ago, I sat here, had the same situation. Although I was
going to get additional funding, came back the following
day. Learned that it had been dropped again.

So I asked that if possible -- that it be
maintained so we can maintain our personnel, and we are a
multi-jurisdictional task force, which is, I think, what
all of y'all have asked us to do. That's all I have.

MR. OWEN: Thank you.
(Pause.)

MR. RODRIGUEZ: We'll take a short recess, 15 minutes.

(A recess was taken.)

MR. RODRIGUEZ: We're going to reconvene at 8:43 p.m.

Again, this was a very tough -- these numbers are -- you know, I like numbers, but you know, budgeting and numbers, when it comes to money and when it comes to, you know, making cuts -- because we have to make cuts.

We're at $12.2 million for our budget. I know that Director Wilson conveyed to us that last year, the previous biennium, that he had about $1 million that we were -- it was spent in the past years' grants. So with that in mind, this year, we didn't have that 1 million.

So we're back to 12.2. So making the hard decisions as to who was going to get funded and who's not, well, I can tell you that tonight, everybody -- we came to a decision and a recommendation from me and Board member Owen that everyone is going to get funded.

The grantees that were with us this past biennium, they're going -- you're going to get funded. There's going to be some cuts. Some are going -- we're going to have to take some cuts, just because we don't have the money that we had last year, the previous
So -- but everybody is going to get money. There's going to have to be some changes, of course, to the grant management of it. But I can tell you tonight, you know, that you -- the grantees that were with us the past fiscal year, you're going to get funded.

There is -- the recommendation is going to be put out tomorrow. You should be getting the awards that we're recommending for each entity within the next two hours. That's what Daniel is doing right now.

And then that way, you can come back tomorrow, and with the Board in mind, because they're going to have to make also decisions, tough decisions, together as a Board, as to if we're going to move forward with our recommendation or if we're going to have to make some modifications. So I expect for all of you to be here tomorrow, and again, if any Board member has a question, then maybe you can respond to those questions.

So again, the tough part was that we only have $12.2 million, and there has to be some cuts made. And you take into consideration not only, you know, the fact that some people had arrests, some people don't have arrests, or the amount of recoveries -- and we took a lot of things into consideration.

But at the end of the day, is -- okay, if we're
going to give an agency $1 million this year but then next
year, you're going to have an increase in auto theft, and
we're going to give you another $1 million, and we're
going to keep investing in your agency, but then we're not
getting a solution, we're not getting a decrease; we're
back to the same number or an increase.

So we looked at all that. We looked at
history, as to how much our money -- what you're doing
with the amount of money that ABTPA is giving you, and if
we're just recovering vehicles, and we're not making any
arrests, then that puts up a red flag for this -- for us
and of course for the Board.

But at the end of the day, there was a lot of
things that we're taking into consideration, not only --
you know, this is why we're here tonight, and the fact
that there was a mechanism in place to grade each
application -- I understand what our counsel said, and I
understand what Director Wilson said about the way
everything was graded.

But I also understand the concept, you know,
that when we're -- as law enforcement officers, when we're
out there, when we're working with data and when we're
working with hotspots, especially in the area of Houston,
Dallas, you know, those places where we know that we have
to put in the effort and the money to continue decreasing
the amount of auto thefts -- you know, I'm not going to --
I'm not just going to turn away and say, well, I'm going
to go back to what's in here.

I can't. We can't. If you want to continue
with this mission of reducing the auto theft, you know,
we're going to have to make some changes. And tomorrow,
with the recommendation, I know that there's going to be
some recommendation by staff as to how we're going to
change the amount of money that was put in place by your
agency in the application, and then the amount of money
that was recommended for your agency, what changes we're
going to have to make to be able to allocate those funds
to y'all.

So with that in mind, Justin, do you have
anything to say?

MR. OWEN: Thank y'all for your patience. I
know it's been a long night, and please try to get some
rest tonight. I know that may not be easy. I appreciate
all the testimony, those of you that testified with
passion, and the work that you're doing.

We really do appreciate it. Thank y'all, each
and every one of y'all.

MALE VOICE: For clarity, are y'all emailing
out the recommendations in two hours?

MR. WILSON: Well, again, this is Bryan Wilson
for the record. I just want to be sure that they're not able to take a vote right now. So tomorrow, it will be two members, rather than the Committee. It will be two members of the Committee who will present a slate of recommendations, which I'll send out in about an hour or two.

We want to go home, too.

MALE VOICE: That's --

MR. WILSON: Yeah. We have a distribution list. So if you got the Board packet electronically, you'll get this.

MALE VOICE: Okay.

MR. WILSON: If you didn't, then I don't know what to tell you. Just get it from somebody -- at this late hour, just please get it from somebody that is getting it. So at that point, you -- there will not be a Committee recommendation as a result of today's -- tonight's action.

There will be a recommendation by two members of the Committee who will move and second, and then the Board will take up the full deliberation. Does that make -- normally, you would go from a committee recommendation into a Board meeting.

This time, it's too complicated. We can't come up with the slate fast enough, so they'll just consider
the -- there will be two members of the Board who will present to the full Board tomorrow. Okay? And so keep in mind, this is only a draft of their proposed solution.

   It's not an official, voted -- it's not an official recommendation of this Committee. Okay? So it's not a done deal until --

   MALE VOICE: No. The Board --

   MR. WILSON: It has to go before the Board. So it is only two members that will propose a recommendation of two members. Okay? Thank you.

   MR. RODRIGUEZ: Does someone want to forgo Item No. 7, No. 8 on the agenda?

   MR. OWEN: Move to adjourn.

   MR. RODRIGUEZ: I have a motion to adjourn.

Meeting adjourned.

   (Whereupon, at 8:51 p.m., the meeting was adjourned.)
CERTIFICATE

MEETING OF:   TxDMV ABTPA Grants, Budget & Reports Committee
LOCATION:    Austin, Texas
DATE:    July 10, 2019

I do hereby certify that the foregoing pages, numbers 1 through 147, inclusive, are the true, accurate, and complete transcript prepared from the verbal recording made by electronic recording by Elizabeth Stoddard before the Texas Department of Motor Vehicles.

DATE:    July 18, 2019

/s/ Nancy H. King
(Transcriber)

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