

DPS Chaparral



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September 2003

Texas Highway Patrol Division is born

In a historic reorganization, the Department's largest division is changing names, opting for one patch and redrawing some of its boundaries.

Starting Sept. 1, the Traffic Law Enforcement Division, formed in 1968, gave way to the new Texas Highway Patrol (THP) Division.

"The new name is more recognizable to the public and is more descriptive of the Division's enforcement responsibilities," said DPS Director Col. **Thomas A. Davis Jr.**

The division, once made up of several commissioned services, now has only two—Highway Patrol (HP) and Commercial Vehicle Enforcement (CVE). The new HP Service incorporates Highway Patrol, Capitol, Vehicle Inspection and the Safety Education services. The growing License and Weight Service is now called Commercial Vehicle Enforcement. While the names have changed, the functions remain basically unchanged.



All the above-mentioned services have switched to a single multi-colored patch with a red background and the "Texas Highway Patrol" inscription. (In fact, all DPS uniformed commissioned personnel will wear the new patch, designating their division within the Department.)

Growth is the driving force behind many of the changes, including increasing the number of regions from six to eight. Legislative authorization created 170 new patrol trooper positions—and the current recruit classes graduating Sept. 5 will start filling those slots. In addition, federal funding will nearly double the size of the L&W Service (now known as Commercial Vehicle Enforcement) from 401 to 704 in preparation for the eventual opening of the Mexico border to commercial vehicle traffic.

Some of the highlights include:

- A new district for Region 6, including an additional captain. The 14 counties on the western edge of the district make up the new 6C with the

see TLE on page 2

Dear Fellow Employee:

During the past two years, 494 trooper-trainees graduated from the Training Academy, and approximately 160 more will graduate during a ceremony on September 5. Welcome aboard!

That large number of new troopers means that we have a young workforce out on the road. But it's important to remember that these new troopers are better trained and better prepared for the jobs they are performing than perhaps any other recruit class in the history of DPS.

We have a big year ahead of us. A large number of retirements means that many of you will have the opportunity to move into management positions. Take advantage of this; use the opportunity to make positive changes for the agency. Our strength lies in our ability to adapt to new ways of policing.



I remind you to be alert to any unusual activity. Our nation is still under a terrorism threat, and it's up to all of us—commissioned and non-commissioned—to help protect our homeland. If you have anything to report, please call the new Texas Security Alert Hotline at 1-866-786-5972.

Thomas A. Davis Jr.

Awards

DPS presented the Director's Award to its youngest recipient. Cameron Coplin, 13, received the award after her stepfather lost control of the family's Suburban. Keith Williams and his three stepchildren were traveling on I-35 when Mr. Williams went into insulin shock and lost control of the vehicle. After several miles, Cameron was able to regain control by grabbing the wheel of the car and pressing down the brake with her hand. Tr. **Nathan Scherbek**, HP San Marcos, nominated Coplin for the award.

Dwayne Urbanovsky, HP Georgetown, was awarded the Director's Citation following his attempts to save an infant's life. While off duty, Tr. Urbanovsky learned that a child was not breathing or responding. He immediately began CPR, contacted EMS, took charge of the scene and directed Starflight to airlift the infant. Despite his efforts, the baby passed away. Urbanovsky attended the burial and visited the parents' home to console family members. Several family members contacted DPS to express their appreciation.

New name for TLE, contd. from page 1

district office in Bryan.

- The Capitol District is now designated as Region 7.

- A new Region 8, carved from portions of Regions 3 and 4, encompasses 13 border counties from Cameron to Val Verde. It was created to handle the increase in CVE personnel needed to police cross-border commercial traffic associated with NAFTA. The regional headquarters and a new major position are now located in McAllen. (Maj. **Artemio Garza** transferred from Corpus Christi to take this opening.)

DPS online: www.txdps.state.tx.us

Short Shots

Critical Incident Response Team by Dr. **Fran Douglas**

The DPS Critical Incident Response Team has developed a new call-out procedure to activate peer support for DPS employees and their families.

Designated team members in each region, referred to as "regional contacts," will dispatch team members as needed to respond to critical incidents affecting DPS employees and their families. DPS Communications Operators have the names of the regional contacts and can notify the contacts of the need for team response.

A request for team response can also be made directly to Psychological Services by calling 512-424-2211. The list of regional contacts, as well as all of the Critical Incident Response Team members, will soon be listed on the DPS Intranet.

Please contact **Frances Douglas** at 512-424-5251 or **Kathryn Hollis** at 512-424-2211 with any questions regarding the Critical Incident Response Team.

Other THP personnel moves and promotions due to reorganization or retirements:

Maj. **James Sanders**, Reg. 3 Corpus Christi

Maj. **Stan Clark**, Reg. 1 Garland

Maj. **Tim Thompson**, Reg. 6 Waco

Maj. **Luis Gonzalez**, THP Austin

Maj. **John Galvan**, THP Austin

Maj. **Mark Rogers**, THP (CVE) Austin

The Team is also still accepting applications for new members to attend the basic training in December. Please contact Kathryn Hollis for an application. We can really use additional peers in Region 8!

Mile Markers

Promotions

CLE

Todd Gary Brackhahn, Sgt., HP El Paso to Sgt., Narcotics Midland; **Geoffrey C. Aycock**, Tr. IV, HP Ballinger to Sgt., MVT Brownsville.

TLE

Kelly Jaye Wilkison, Tr. II, HP Lufkin to Sgt., Capitol Austin.

Deaths

Kimberly Monique Brown, Admin. Tech. II, Special Crimes Austin (Dec. 1996-Aug. 2003) died August 5, 2003; **Linda Holt Mucala**, Examiner, DL Hallettsville (Sept. 1992-July 2003) died July 28, 2003; **Betty Earl Graham**, ret. Admin. Tech. I, Rangers Houston (June 1981-Aug. 1992) died June 22, 2003.

NOTE: Retirements will appear in the October 2003 Chaparral.



On the mend...

Best wishes for a speedy recovery from line-of-duty injuries go to:

Christopher Estes, HP Texarkana, back on duty after car wreck in June

Paul Sigman, HP Texarkana
Alfred Eason, HP New Caney

James Cain, HP Paris

DPS "on the air": 512-424-7777

askthecolonel@txdps.state.tx.us

Several new traffic laws take effect

The texts of these bills can be found at www.capitol.state.tx.us. Select the enrolled version.

· **SB 193** requires drivers nearing a stopped emergency vehicle that has lights activated, unless otherwise directed by a law enforcement officer, to:

§ Vacate the lane closest to the emergency vehicle, if the highway has two or more lanes traveling the direction of the emergency vehicle; or

§ Slow to a speed not more than 20 miles per hour (mph) less than the posted speed limit when the posted speed limit is 25 mph or more; or

§ Slow to a speed not more than five mph when the posted speed limit is less than 25 mph.

A violation is punishable by a maximum fine of \$200. If the violation results in property damage, the maximum fine increases to \$500. If the violation results in bodily injury, the offense is enhanced to a Class B misdemeanor.

· Having a video display that is visible from the driver's seat is illegal. **SB 209** expands the definition of video receiving equipment to include digital videodisc players, videocassette players or similar equipment. This equipment may be used only if it is located so that the video display is not visible from the operator's seat.

· **HB 1326** automatically suspends for one year the driver license of anyone convicted of illegally racing on a public roadway. Before the license can be reinstated, the driver would have to complete 10 hours of community service. The penalty for

street racing increases to a Class B misdemeanor. The law also increases the punishment for drivers who are racing drunk, who have open containers of alcohol in the vehicle when racing, who seriously injure or kill someone during the race or who have been convicted multiple times of illegal racing. The offenses range from a Class A misdemeanor a second-degree felony.

· **SB 439** makes it illegal to add reflective material, lights, emblems or anything else that changes the color of the license plate or makes it difficult to read the letters on the license plate. The name of the state where the vehicle is registered must be visible.

· **SB 45** makes it a state jail felony to drive while intoxicated with a passenger younger than 15.

· **SB 613** suspends the driver license of anyone under 21 who is convicted of the manufacture, delivery, possession, transportation or use of an abusable volatile chemical.

· **HB 2096** makes human trafficking a second-degree felony; if the person trafficked is younger than 14 years of age or the commission of the offense results in the death, the offense is a first-degree felony. The bill also makes it a Class B misdemeanor to transport a person in a trailer or semi-trailer.

· **HB 292** strengthens an existing law and allows a police officer to have a blood or breath alcohol sample taken from a driver involved in an alcohol-related crash that kills or seriously injures another person,

either in a motor vehicle or a boat.

· **SB 895** requires that a parent or family member participating in the Parent-Taught Driver Education Program have a valid license for the previous three years.

· **SB 1445** amends the current law to allow limited use of electronic information from the magnetic strip on the back of driver licenses by banks—and Texas Parks and Wildlife and its vendors.

· **HB 148** makes it a Class A misdemeanor to manufacture, sell or possess a placard that is deceptively similar to a disabled parking placard without proper authorization. A person commits a Class B misdemeanor if they knowingly park in a space designated for persons with disabilities using a counterfeit placard.

· **HB 1784** makes it an offense for a person to park their vehicle where it blocks a disabled access aisle that is designed to aid persons with disabilities.

· **HB 1330** allows an applicant to voluntarily list on their driver license or identification card any health condition that might impede communication with peace officers. The applicant must supply DPS with a written statement from a licensed physician. (This law takes effect Jan. 1, 2004.)

NOTE: An erroneous e-mail has been circulating the Internet, claiming that HB 281, which outlawed talking on a cell phone while driving—or without using a hands-free device—had passed and will take effect September 1. The bill did not pass and will not take effect.

Several new criminal laws take effect

The texts of these bills can be found at www.capitol.state.tx.us. Select the enrolled version.

· **SB 501** allows the holder of a Texas concealed handgun license to carry a concealed handgun in a governmental building. This does not include courthouses, schools or polling places on election day.

· **HB 12** expands the definition of disorderly conduct to include someone looking into a rest room, shower stall or changing room for a lewd or unlawful purpose. The offense is a Class C misdemeanor punishable by up to a \$500 fine.

· **HB 705** requires home repair or delivery companies to check the criminal histories of their employees who enter private residences as part of the service they provide. Services covered under this bill include appliance repair; heating, air conditioning and ventilation systems; plumbing; electrical systems; home product deliveries; or services where an employee would enter a residence to place, assemble or install an item. The statute allows additional civil protection if the resident requests a criminal history prior to the employee being sent to the home. *This law only allows a check of criminal history in Texas—not other states.*

· **SB 443** allows an administrator of a non-profit youth program to check the criminal history of a volunteer or applicant for a program that provides athletic, civic or cultural activities to children under the age of 17. The non-profit organization can check the criminal backgrounds to determine suitability as a volunteer,

but cannot keep the information or give it to anyone else. (Note: this law went into effect on June 20.)

· **SB 408** increases the punishment for someone who makes a terroristic threat against a family member, a member of the household or a public servant. The punishment increases from a Class B to a Class A misdemeanor, which is punishable by a fine not to exceed \$4,000, up to a year in jail, or both.

· Under **HB 325**, someone who witnesses the commission of a felony that could cause serious bodily injury or death and does not immediately report the crime to the police can be prosecuted for a Class A misdemeanor, which is punishable by a fine not to exceed \$4,000, up to a year in jail, or both.

· **HB 420** increases the punishment to the next higher level for various offenses committed against the elderly, including theft and several fraud offenses.

· **HB 532** makes it illegal for a public or private school teacher to engage in sexual activity with a student. The offense is a second degree felony punishable by a maximum prison term of 20 years and a \$10,000 fine.

· **SB 433**, based on the model of family violence protective orders, this bill allows a rape victim to obtain a sexual assault protective order, without regard to the relationship between the victim and the alleged attacker.

· Under **SB 837**, sexual assault of a disabled person is elevated to a charge of aggravated sexual assault,

which is a first degree felony punishable by up to life in prison and up to a \$10,000 fine.

· **SB 693** regulates the use of pyrotechnics or flame effects displays for entertainment and requires that those displays conform with federal regulations.

· **HB 9** creates a homeland defense strategy to improve the state's ability to detect and deter threats to homeland security, respond to homeland security emergencies and recover from those emergencies. The law also declares September 11 each year to be Texas First Responders Day. (Note: this law went into effect on June 22.)

· **HB 11** makes it a capital felony to commit intentional murder while committing the offense of terroristic threat. A capital felony is punished by life in prison or death.

· **HB 284** allows a person to carry a handgun, knife or club in a recreational vehicle, travel trailer, camping trailer, truck camper, motor home or horse trailer with living quarters.

· **HB 562** expands the pool of inmates who are required to submit DNA samples to CODIS (the state's Combined DNA Index System). A juvenile or adult convicted of capital murder must submit a DNA sample for inclusion in the database.

· **HB 716** makes it a Class B misdemeanor for a non-participant to assault a sports participant, including the athlete, coach, referee, etc.