

CITY COUNCIL MEETING DECEMBER 11, 2023

AMENDED MINUTES

MINUTES OF THE PLUM GROVE CITY COUNCIL REGULAR OPEN MEETING HELD ON THE 11th DAY OF DECEMBER 2023, AT THE PLUM GROVE CITY HALL, 9485 PLUM GROVE RD, CLEVELAND, TEXAS 77327, IN THE CITY OF PLUM GROVE, COUNTY OF LIBERTY, STATE OF TEXAS AT 7:00 PM.

The Council met in a REGULAR session with the following council members present.

CM denotes Council Member

AM denotes Audience Member

1. Call Meeting to Order at 7:00 P.M.
2. Roll Call

Present-

Mary Arrendell-Mayor

Deborah Bell-CM 1

Rodney Walker-CM 2

Danielle Enloe-Mayor Pro Tem

Lee Walker-CM 4

Kevin Lee-CM 5

Melissa Pouncey-Secretary/Disaster Relief

James Autrey-Emergency Management

Frank Longoria-Police Sgt/Security

Jillian Frazier-Court Administrator

Brandon Frazier-Chief of Police/Fire Chief

Debra Mergel- City attorney

Absent-

Israel Lopez

3. Pledge of Allegiance Mayor Arrendell
4. Invocation Lead by Micheal Sager
5. Public Comments

Diana Chunn- I would like to present a petition against rehiring John Joslin and if anyone would like to sign the petition please come up and sign it now. This covers Joslin's Brady letter; Liberty County will not touch anything from him into the system. They will not prosecute anything with his name on it. He has been, from what I can find in open record requests, he has been charged with perjury on occasion, a couple of official oppression cases, and two felony indictments for tampering with government records. That's just things that I can find. If I want to dig deeper, I am sure I can find more and there are certain things that we can't get our hands on. If he comes back, there is nowhere in the budget to pay his salary we can't afford to hire him. What do you plan on doing with the current chief because if you fire him, you have opened yourself up to a lawsuit. He also has a complaint against him from the current city secretary. If hiring him the council will not be protecting her. The citizens that have signed the petition are willing to move forward with a lawsuit against the council that votes to hire him back. John Joslin was let go for good reasons and cause. He has been told on multiple

occasions to have his attorney contact our city attorney. He keeps going around that and talking to the council members. Liberty County will not touch any of his cases. If anyone would like to see the information it is here. Please sign the petition to keep him from being reelected.

CM Lee Walker- Mayor I'd like to respond to this. It is on the agenda so I can answer back. Before I was on council because of the investigations the attorney general has referred back to congress on the things going on in our community prior to me being on council and councilman Walker was in the room. I had agents in my home and one of the things they asked me to talk about was the Brady letter. I told them I had been on the internet, and you can go on the internet he is not on the Brady list he is on the Bergman list and the feds that I spoke to said they will not acknowledge that. So, we will see where we go from here how that works out again Mr. Walker was there the first thing, they asked me when they sat down in my home to interview me was about the Brady list and I was told by 4 different representatives the feds, homeland security, counter terrorism units none of them honor the Brady letter. So, like I told them that was not from me, and I wasn't a member of the city when all of that happened, but I will say when they sat down at my table to question me of the things going on the hearings going on in the state of Texas that's the first thing that they brought up at my table. I was told by investigators with the United States of America that they do not consider John Joslin to be on the Brady list. You can google the Brady list and he's not on it and for every charge that is alleged remember guys this is America those are alleged and all of John's charges have been dismissed and they have all been expunged.

Mayor Mary Arrendell-ok I am going to speak up now. Do any of you guys have anything else you'd like to speak about on this subject? I have talked to several individuals with the state, and I was told that the Brady letter is not listed on the internet, it is listed in each county where it was created. It will never disappear or go away. This one is here, and we need to move forward.

Michael Sager- I am going to do my best to be civil here. This is not exactly my cup of tea, this kind of engagement. My wife served on this city council for two and a half years. She sacrificed her time, her sweat, her energy, her family, and for that she did not receive one dime. She received accusations, insinuations, and threats, specifically from agenda item number nine. If this city is so hell bent on hanging itself, then I am here to support that, and I support the rope that is John Joslin, so I hope you vote him in.

6. Motion to fill vacancy With Lee Walker for council position 4 made by CM Enloe, 2nd by CM Lee, CM Bell Opposed and CM R. Walker abstained from voting.
Discussion- The reason why this is a redo we all overlooked that Position 2 is Rodney Walker, and it was on the agenda as position 2 not position 4. Lee Walker was sworn in.

EXECUTIVE SESSION ADJOURNED 7:13 P.M.

7. Executive session – The city council may adjourn into Executive session as authorized by chapter 551 of the Government Code, as an exception to the requirement that meetings be open, for the following purpose:
551.071- Consultation with Attorney regarding pending or contemplated litigation; or a settlement offer; or a matter in which the attorney has a duty to the governmental body under the Texas Disciplinary Rules of Professional Conduct.
 - a. John Joslin demand letter

RECONVENE IN OPEN SESSION 7:28 P.M.

8. Pursuant to the provisions of chapter 551, Texas Government Code the City Council will reconvene in Open Session and take action, if any, on items discussed during the closed Executive Session.
9. Motion on reinstatement of John Joslin as Chief of Police dating back to the day he was terminated was made by CM Bell- Nae, CM R. Walker-Yes, CM Enloe-Yes, CM L. Walker-Yes, CM Lee-Yes.

Discussion- CM L. Walker- I don't have my own copies of this Missy can I get my own copies. Secretary Pouncey- You have copies in your folder. CM Lee- I'd like to make a motion to table this at this time. CM L Walker-John are you completely expunged of everything at this time? AM Joslin-I am and anyone that talks about it is committing a crime it is a class B misdemeanor. Mayor Arrendell and CM Lee are audibly talking. CM L. Walker-OK I am asking questions here because the documents are wrong. Mayor Arrendell-Kevin was speaking to me and asking a question. CM Lee- This is a lot of information that has been thrown out here. If we table this, I can talk to Mr. Joslin? Can I ask Joslin a question? Secretary Pouncey-That is a Debra question. City Attorney Debra Mergel-It is discussion. Mayor Arrendell- Discussion? CM Lee- That means I can ask him a question? If we table this until next month, can you have your attorney here? AM Joslin-Can I have my attorney here if you table this? CM Lee- Yes sir. AM Joslin- My record is clear you can vote on this tonight Mr. Lee, or we can just go ahead and let it go to litigation. CM Lee-I understand that. AM Joslin- I have been jacking with this for two years and I was wrongfully terminated during a criminal investigation against this city, and I want my job back. CM Lee-yes sir I completely understand that. Mayor Arrendell- Can you prove that your record is clear? CM Bell-How and why is it an issue to get your attorney here? CM L. Walker-He already has. Mayor Arrendell-How? AM Joslin-My attorney how can my attorney clear it? Mayor Arrendell- I would like to see proof that you are clear, all I see is what we have. AM Joslin- Brandon has seen the proof the expungements were sent to the police department to clear my record. CM L. Walker- Danielle was sent the information too. AM Joslin- Where is Brandon? You received the expungements for my criminal record? You were included in all of this? CM Bell- Then why aren't we all able to see this? Mayor Arrendell- an expungement from the Brady letter? AM Joslin-The Brady letter does not have nothing to do with my criminal charges. Mayor Arrendell-No, the Brady letter in my opinion has a lot to do with being a chief of police. CM Bell- We go back to the question can you get your attorney here? AM Joslin- For what? CM Bell- to speak to us. CM L. Walker- He has been asking to do that since June. CM Bell- I am asking. Can you get your attorney here. AM Joslin- I am already out too much money dealing with y'all as it is. I'm not spending any more money, if I spend more money, we are going to go to court in a lawsuit. CM Bell- Oh so we have to spend our money? AM Joslin- Either vote on it or don't, I'm not trying to be ugly I was wrongfully terminated my record is completely clear and Brandon knows that he can't say that it's not. He has access to that information. They were included in the expungement. The Brady letter was sent over two years ago when I had two criminal charges on my record. They have all been expunged since then. Whether Jennifer still has it on there

or not I don't know. CM L. Walker-Kevin what bothers me is when did y'all talk about this last Remember? CM Enloe-it was July. Secretary Pouncey-It was August 14th. CM L. Walker- What did she tell y'all it would be on the next agenda and that it was tabled until the next meeting. Secretary Pouncey-no, that his attorney needed to contact our attorney. CM L. Walker-what happened when y'all asked for it to be placed on the agenda over and over again? So, Kevin do you really think come next month in January that they are going to put this back on the agenda again. I don't. I think that you fought hard to get this on the agenda, and you ran on this. I know everyone would like to say that we have met and stuff. We did back in April and May 22. CM Bell-Why are you running this meeting (directed at CM L. Walker) why can't we all continue to ask questions. CM L. Walker-no we are talking. CM Bell- No, you are talking nobody else is able to speak. CM L. Walker -so Kevin you and I both know that they turned you down and they told you they would not let you speak. Mayor Arrendell-and what reasons was you given Kevin. That we needed his attorney to contact our attorney. CM Lee-Yes, that was the reason. Mayor Arrendell- and Ms. Debra would you agree that's what our attorney had told us. City Attorney Debra -I believe that is what was said. CM Enloe-Brandon do you have a copy of everything being expunged? CM L. Walker-I have seen a copy of the expungements. Mayor Arrendell -you can answer her if you want to Brandon, you are not anywhere on this agenda. CM L. Walker we don't have to. If we are on item number nine, I make the motion to reinstate John Joslin as chief of police dating back to the date he was wrongfully terminated.

10. Motion to pass a resolution of any potential city liability with the regards to the police of chief employment contract with John Joslin (including but not limited to, restoration of lost wages, benefits, and peace officer time-in-service) knowing Chief Joslin that money will have to wait until after the new year and at that time we will have to make budget amendments and vote on that then made by CM L. Walker, 2nd by CM Enloe, CM Lee yes, CM R. Walker yes, CM Bell Nae.

Discussion- CM L. Walker- how is the budget ladies. Secretary Pouncey we have \$10,000.00 in the main account and payroll with taxes is around \$20,000.00 a month. CM L. Walker- I ran a city on \$25,000.00 a year it never went out budget. John, I think we what need to do here is. Missy when do we expect our big check. Mayor Arrendell-in January. Secretary Pouncey – yes, but we have to pay the water attorney around 11,000.00 because we still owe \$180,000.00, that's top priority to get caught up. (Brandon Frazier walks to the front of the room, places badge, keys, and uniform on the mayor's desk and then exits the building.) CM L. Walker- Do we have any idea what the tax money from the store will be? Secretary Pouncey- maybe \$4,000.00 a month tops. It has to be used towards water lawsuit we are obligated to pay that bill. CM L. Walker- can we wait and talk to Joslin and Joslin I know they owe you back pay; they have owed it to you forever and I know you have been out a lot on attorney fees. That it has been well from someone who has been out attorney fees sitting at this table and I mean right now John between me and you I'm out \$3,700.00 right now he will work with us on his salary. AM Joslin- Mayor may I speak. Mayor Arrendell-yes; Lee Ann, please chill out a little bit. AM Joslin- I am not worried about back pay except for the 2 months that I am owed, and they can have time to pay that out and I will say that on record. I am not worried about 2 years of back pay the city needs to

move forward and quit fighting. Right now, y'all are months behind because of the fighting and we all need to work together. I'm not trying to gouge the city. I am saying on record the two months that I was owed when I left is what we were fighting about for months back in forth with lawyers. That is why I want my time bridged because I was wrongfully terminated. Mayor Arrendell- what do we need to do with this item can we table this until we get something in writing. (James Autrey walks in and sets 2 pieces of paper on Mayor Arrendell's desk.) James Autrey- I know it is not a lot but that is mine and Crystal Autrey resignation effective on December 15, 2023, that will help you pay back his back wages to him, I wish you the best of luck. CM L. Walker- He is interrupting the meeting. CM Bell- we are losing good people over this. Mayor Arrendell- you were appreciated all of you guys was. CM Bell- Love you. Mayor Arrendell- On this item what do you guys want to do with this. CM L. Walker- there sits the attorney can we agree to this item pending paying him when the money is available. I'm asking you I can make the motion to approve it or can we instruct staff to write something about this but if we don't have the money and he saying he will wait that's my question Mary can we do a pending when we get money. The two back months? Mayor Arrendell- I am just thinking how much Brandon was making. He gave over half of his salary to his officers. Secretary Pouncey- close to nothing he was worried about the officers getting a raise. CM L Walker- I didn't know Brandon is not on the agenda. AM Sharron Reed- I am ready for my speech. All of the guys that just quit what are they doing with the police cars are they parking them? What are they doing with them. Mayor Arrendell-He was Emergency Management. AM Sharron Reed- What did Brandon do, did he quit. Where is his pd car? Mayor Arrendell- Yea he was in his own car. Secretary Pouncey- He didn't quit he did not say anything. Mayor Arrendell- I think he resigned, and he is in his own vehicle. AM Sharron Reed- ok I was just wondering. Mayor Arrendell-Now back to the Joslin item. Yall have to figure out what y'all want to do and where you are going to get the money from. CM L Walker-I will be happy to look at the budget. What was it that y'all paid Emergency Management. Secretary Pouncey- \$300.00 a month. CM L. Walker- no, no how much did you pay for that school for Mr. Autrey to go to was \$1,600.00. Secretary Pouncey- \$300.00 for the class and \$1,300.00 for the hotel. He paid for his food and gas. CM L. Walker-that could have paid for TML classes for your, your city council. But I got this I make a motion on a resolution of any potential city liability with the regards to the police of chief employment contract with John Joslin (including but not limited to, restoration of lost wages, benefits, and peace officer time-in-service) and related matters. Knowing that chief Joslin that that money will have to wait until the new year and at that time we will have to make budget amendments and vote on budget amendments to pay.

11. Motion to approve November 2023 Financial report made by CM Lee, 2nd by CM R. Walker, CM Bell Nae, passed.
12. Motion to approve minutes for
 - a. October 26, 2023, made by CM Lee, 2nd by CM R. Walker, passed unopposed.
 - b. November 13, 2023, made by CM Lee, 2nd by CM R. Walker, passed unopposed.
13. Motion to approve the resignation of Danielle Enloe as Mayor Pro-Tem made by CM L. Walker, 2nd CM Bell, passed unopposed. CM Enloe- I sent in an email, but it was

not included in the packets, she does not like the way the Mayor speaks to people at the table.

14. Motion to place Kevin Lee as Mayor Pro-Tem made by CM L. Walker, 2nd by CM Enloe, passed unopposed.

Discussion- Mayor Arrendell-y'all want to make a motion. CM Enloe- Does anybody want it? Mayor Arrendell-You can table it if y'all want to. CM Bell- I think it should be tabled. CM L. Walker- I wouldn't table it because if something happens to Mary, we need a mayor Pro-Tem. We need all of our officers working at all times. Kevin, I make a motion for Kevin Lee to be mayor Pro-Tem. CM Enloe- I'll second that. CM Lee- No thank you. CM L. Walker- You really don't have to do anything. Secretary Pouncey-I just need someone here that can sign checks if Mary is not available. That is the main thing. Mayor Arrendell- that doesn't mean that if something happens to me that you would be mayor. Lee Ann could step up and be Mayor. Secretary Pouncey-That doesn't make you mayor if something happens to Mary. They have to place someone there. CM L. Walker-I don't want to be mayor don't curse me, Mary. Mayor Arrendell- I was just saying. CM L. Walker- In the event if Mary was incapacitated you would sign checks and you don't lose your vote at the table. Am I right? Mayor Arrendell-right you would still have a vote. CM L. Walker- Ms. Bell unless you want it you have a 2-year term. CM Bell- Keep my name out of your mouth. CM L. Walker- Mam? Mayor Arrendell- You would preside over the meeting if I a absent and we would need you to sign the checks if I'm not available. City Attorney Debra- Then you would preside over the meeting if she (Mary) was absent. Secretary Pouncey- He can't nominate himself and we will redo the Mayor Pro-Tem in May. CM L. Walker Points at CM Lee, CM Enloe, and CM Bell they have the longest terms so one of them they are here for 2 years. Mayor Arrendell- Ms. Debra the mayor Pro- Tem seat is only one year. City attorney Debra-Yes this is only a one-year term. Secretary Pouncey- yes, we redo every May. CM L. Walker- so there are only 6 months left.

15. Discussion on May 2024 election dates. The council had a printout in the packet from the secretary of state with all of the dates for the May 4th, 2024, election. That it is the 1st Saturday in May.
16. Receive reports, discuss, and provide input on reports from City staff, including:
 - a. the Emergency Management Report. James Autrey turned in resignation.
 - b. the Plum Grove Fire Department Report included. CM L. Walker- Is anyone here for the fire department to talk? Mayor Arrendell- Nope. CM L. Walker- that's why I asked Chief Frazier to be here I didn't make the meeting, but I was under the impression that our PGVFD has worked out an agreement with Colony Ridge and the homeowner's association and the Mud. I was told that at the last meeting the fire department was going to be getting 15-20 thousand a month from Colony Ridge. Mayor Arrendell- I am not sure on this the fire department is their own entity and you need to send Brandon an email. CM L. Walker- I know this and I will. That is exciting that they are finally going to get paid by Colony Ridge. Mayor Arrendell- Right, Brandon is the one to talk to I have no idea.

- c. the Plum Grove Police Department End of the year Report included. Court Clerk-Frazier updated council that it was an end of the year report with stats and explanations for the whole year he has been working on this to get it to you guys. It is a very detailed report that has to be done.
 - d. the Plum Grove Municipal Court report included.
 - e. GLO and AG Grant Updated that CPA was finalizing some items, and the audits should be finished soon, and that payment will also be due. GLO sent a map with section of Orange Branch that will be included in the grant. Hopefully the CPA will get us up to date. Ag Grant will have a before construction meeting and I will send y'all the zoom meeting invite if y'all would like to listen in.
 - f. FEMA Updates We should have an in-person meeting to fully understand the advancement of funds to fix large projects inside the city. Secretary Pouncey will send out an email to update the council when this will be.
 - g. Discussion of Local, County, and State No Updates.
14. Motion to Adjourn @ 7:54 P.M. made by CM Bell, 2nd by CM Enloe, passed unopposed.



Plum Grove Volunteer Fire Department

FIRE STATION 87
7733 FM 1010 ROAD
Cleveland, Texas 77327

PHONE (281) 689-8775
FAX (281) 689-9775

MONTHLY REPORT

From: Chief B. Frazier
Date: December 11, 2023
Re: Monthly Report (November)

105 Calls for Service in November 2023.
2,200 on-station hours logged in November 2023.

- General

- Grant Awarded for Personal Protective Equipment.
 - Pending funds for initial purchase.
- Submitted grant Health and Wellness related Grant.
 - Pending Awards Notification Response.
- Submitting grant for insurance reimbursement.
 - Pending Award Notification Response.
- County Emergency Services Contract (possible amendments) PENDING
 - Territory (expansion, redistricting)
 - Communications (Cleveland vs. Liberty County Dispatch)
 - Funding Changes (Undetermined)

- Fleet

- Tanker 871- No update on when it will return from repairs.
- Booster 872 – Removed from service for engine repairs.

Brandon A. Frazier, B.S.

Fire Chief

PLUM GROVE VOLUNTEER FIRE DEPARTMENT, INC

PLUM GROVE VFD

11/01/2023 - 11/30/2023 (30 Days)

Breakdown by Incident Category

Incident Category	# Incidents	% of Total
Medical	69	65.71%
Accident	8	7.61%
Unauthorized burning	8	7.61%
Fire	6	5.71%
Canceled	4	3.8%
Alarm	3	2.85%
Agency Assist	2	1.9%
Smoke Investigation	2	1.9%
Utility Problem	1	0.95%
HazMat	1	0.95%
Public Service	1	0.95%
Total	105	100%

Detailed Breakdown by Incident Type

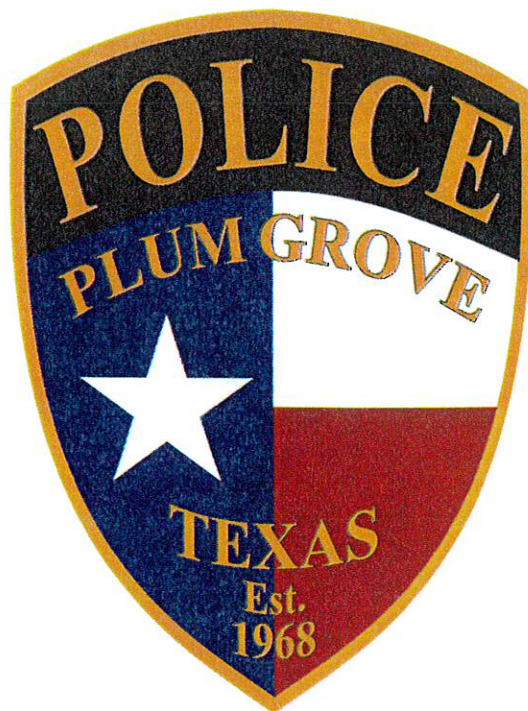
Incident Type	# Incidents	% of Total
Animal rescue	1	0.95%
Assist police or other governmental agency	2	1.9%
Brush or brush-and-grass mixture fire	1	0.95%
Building fire	4	3.8%
Carbon monoxide incident	1	0.95%
Dispatched & canceled prior to checking en route	3	2.85%
Emergency medical service incident, other	2	1.9%
False alarm or false call, other	3	2.85%
Grass fire	1	0.95%
Medical assist, assist EMS crew	67	63.8%
Motor vehicle accident with injuries	3	2.85%
Motor vehicle accident with no injuries	5	4.76%
No incident found on arrival at dispatch address	1	0.95%

Incident Type	# Incidents	% of Total
Power line down	1	0.95%
Smoke scare, odor of smoke	2	1.9%
Unauthorized burning	8	7.61%
Total	105	100%

Plum Grove Police Department

PROFESSIONAL STANDARDS UNIT 2023 END-OF-YEAR REPORT

December 11, 2023





PLUM GROVE Police Department

CITY OF PLUM GROVE
9485 Plum Gove Road
Cleveland, Texas 77327
PHONE (281) 659-4300

MEMORANDUM

From: Chief B. Frazier
To: The City Council & Mayor, Plum Grove
Re: Professional Standards Unit 2023 End-of Year Report
Date: December 11, 2023

EXECUTIVE SUMMARY

In FY2023, October 1, 2022 through September 30, 2023, the Plum Grove Police Department had one (1) employee separation and one (1) new employee attached to the department. The one (1) separation was in March of 2023, where the employee formally resigned and withdrew from law enforcement to pursue other career options. Prior to FY2023, the most separations that had ever been experienced by the Plum Grove Police Department since it was reestablished were three (3) in FY2022 and one (1) in FY2021. At the end of FY2023, there were no open positions and/or vacancies in the department based on the approved budget. FY2023 allotted for two (2) full-time Officers, one (1) full-time Sergeant, one (1) part-time Chief of Police, and one (1) part-time Administrative Assistant. In addition to these budgeted positions, the department currently holds the commission of two (2) Reserve Peace Officers.

There were no formal complaints received against department employees in FY2023. There was one third-party rumored complaint questioned by a council member in FY2023 where contact was made with the potential complainant and confirmation was received that no complaint was present. The department provided regular updates to the inquiring council member through the point of confirmation. No Internal/Administrative Investigations on employees were conducted in FY2023. However, regular monitoring of department activity did result in multiple counseling sessions with employees to improve the services provided to the community. There were two (2) Use of Force reviews and two (2) Fleet Accident reviews conducted in FY2023.

Reported Use of Force incidents revealed.

The number of Fleet Accidents that the department was involved in for FY2023 was two (2). The first Fleet Accident was in October of 2022 where an officer was assisting another agency. A Liberty County Sheriff Deputy backed his vehicle into one of the department vehicles while it was unoccupied on scene. Minor damage was present on both vehicles and the Liberty County Sheriffs Office has been contacted on what direction they wish to take regarding the repairs. No injuries were reported during this incident. The second Fleet Accident was in January of 2023 when an officer was struck by another vehicle while responding to assist another agency



PLUM GROVE Police Department

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with a fleet accident. Texas Department of Public Safety reported that the other driver was at fault. The officer had a favorable result on substance screening and has minor injuries reported. No disciplinary action was taken. The department vehicle had moderate damage to the driver's side and was repaired in full.

The department does not currently utilize an Early Warning System Program, but I suggest the department adopt a program in FY2024. An Early Warning System is designed to identify police officers who may be having problems on the job and provides those officers with appropriate counseling or training. In a small agency such as Plum Grove Police Department, it is not difficult for one officer to yield a disproportional share of complaints. However, adopting one of these systems is still considered best practice and would aid the department in ensuring high quality officers are serving the community. Early Warning Systems can be effective management tools but are only one of many tools needed to raise standards and improve the quality of police services.

INVESTIGATIVE UNIT

The department does not currently have a dedicated investigative unit. Investigative units are often dedicated to conducting background investigations and internal investigations. They may have additional assignments such as criminal investigative duties, recruiting, management of personnel files, tracking employee discipline, or handling lost/damaged property. Currently, these duties are handled by the Chief of Police and the Sergeant. The department has been taking steps to train an officer in preparation of assuming these duties throughout FY2023. The department plans to implement a dedicated investigator in FY2024 that will formally be assigned to manage evidence, conduct background investigations, conduct internal investigations, and oversee criminal investigations.

STAFFING

At the conclusion of FY2023, the Plum Grove Police Department was staffed with three (3) full-time employees, two (2) part-time employees, and two (2) reserve employees. Of these seven (7) employees, six (6) employees are sworn employees and one (1) is a non-sworn civilian employee. In FY2021 the department had six (6) full-time employees and one (1) under the prior administration. In FY2022, the current administration evaluated the financial impact of the staffing and determined that it was not feasible to continue at that level of staffing based on the municipal revenue. Furthermore, the officers were more than 53% underpaid and the sergeant was more than 66% underpaid in comparison to surrounding agencies. The decision was made to maintain a decreased staffing level and incrementally improve the pay of existing personnel to ensure competitive compensation.

At the conclusion of FY2023, the disparity in pay for officers has successfully been reduced to approximately 21% underpaid and the sergeant disparity in pay was reduced to



PLUM GROVE

Police Department

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approximately 22% underpaid in comparison to surrounding agencies. The department is currently on track to reach full parity of pay with surrounding agencies and increase staffing by one additional full-time employee by the conclusion of FY2024. This has been accomplished through a cooperative effort between the Chief of Police, the Mayor, the City Securitary, and the Court Administrator.

Prior to FY2023, the department had one (1) Reserve Officer, who holds an elected position within Liberty County appointed under the prior administration. In December of 2022, the current administration discovered that the municipality did not have a proper ordinance in place to allow the appointment of reserve officers. A proposed ordinance draft was submitted to the municipality and later approved by the City Counsel. Following execution of the reserve officer ordinance, one additional reserve officer was appointed to the department after ensuring that no disqualifier was indicated in her background investigation and approval by the mayor.

An audit was performed on all active employees under the Chief of Police. Several items were determined to be absent regarding employees hired under the prior administration. The current administration worked with all full-time employees to ensure that their personnel files met the minimum requirements to successfully pass a TCOLE Audit. It was determined that the personnel file for the first reserve, employees under the prior administration, had no personnel file present. The only documentation that could be identified regarding the reserve officer was a consultation with an attorney's office regarding the legality of employing the officer relating to their position in the county as an elected official. The document advised that it was not unlawful to have the elected official as a reserve officer with the department, but that it may be problematic.

The recommendation was against the elected official being appointed as a reserve officer with the department as a precautionary measure. Being that the elected official was already appointed with the department, the council and mayor advised to continue his appointment as a reserve officer so long as a complete personnel file could be secured. To date, this personnel file remains void of information, despite multiple attempts to secure the appropriate documentation to satisfy TCOLE Audit standards. A consult with the new TCOLE regional field representative in November resulted in the best course of action being to send a certified letter to the reserve stating that his appointment with the department will be separated within 30 days should appropriate documentation not be received by the department after the 1st of the year. The current course of action is to follow the recommendations of the TCOLE Field Representative and issue a certified letter on January 1, 2024. If the personnel file is not complete in 30-days an Honorable Discharge of separation will be issues so that the department remains compliant should TCOLE perform an audit.



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ADMINISTRATIVE REPORTING

The Police Department collects certain information throughout the year that is submitted to the municipality annually. There are ____ administrative reporting items in FY2023. Figure 1 contains a quick reference of these items.

Figure 1: Administrative Demographics

<u>INCIDENT TYPE</u>	<u>Q1</u>	<u>Q2</u>	<u>Q3</u>	<u>Q4</u>	<u>Total</u>
<i>Citizen Complaints Submitted</i>	0	0	0	0	0
<i>Internal Investigations</i>	0	0	0	0	0
<i>Discharge of Firearm</i>	0	0	0	1	1
<i>Use of Force</i>	2	0	1	3	6
<i>Fleet Accident(s)</i>	1	1	0	0	2
<i>Pursuit(s)</i>	1	2	0	0	3

USE OF FORCE/DISCHARGE OF FIREARM

In FY2023, the department was involved in seven (7) Uses of Force. Of the seven (7) Uses of Force documented, one (1) was in relation to Discharge of a Firearm, two (2) physical strikes were utilized, and four (4) instances of CED deployment occurred. Information regarding the incidents are as follows:

November 14, 2022

The officer was assisting Liberty County Sheriff's Office with an attempt to locate a vehicle involved in a road rage incident. The officer located a vehicle consistent with the description of the vehicle and initiated a stop on the vehicle. The subject rapidly exited the vehicle and the officer brandished his firearm, giving commands to the subject. The subject did not comply, and the officer secured his firearm to attempt to detain the subject. The subject resisted and a reactionary gap was created between the officer and subject. The officer deployed his department CED which was ineffective. The subject attempted to flee, and the officer engaged them. The subject engaged in a physical confrontation with the officer where the officer delivered a physical strike to the subject that was not effective. The subject caused minor injuries to the officer before barricading himself in a residential structure. Liberty County Sheriff's Officer deployed SRT to extract the barricaded subject, who was then taken into custody. The officer was evaluated medically and treated for the minor injuries. On review of the Uses of Force, no violations of department policy were identified, and no administrative action or disciplinary action was taken against the officer. The use of force was determined to be justified.



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May 1, 2023

The officer responded to assist Liberty County Sheriffs Office with a report of an individual bleeding heavily. On arrival, a deputy was providing wound care to an individual that had intentionally harmed himself. The subject was believed to be under the influence and/or MHMR. The subject was able to stand and attempted to flee. The officer deployed his CED in the interest of stopping the subject so he could not harm himself further. The CED deployment was effective, and the subject was taken into custody. The subject was medically treated, and an Emergency Detention Order was obtained for further treatment. On review of the Use of Force, no violations of department policy were identified, and no administrative action or disciplinary action was taken against the officer. The use of force was determined to be justified.

May 20, 2023

The officer was assisting Liberty County Sheriff's Office with an intoxicated subject that was combative. The subject was able to place the deputy in a compromised and dangerous position by taking control of the deputy using their hair. The subject was dragging the deputy on the ground during the encounter. Our officer used a physical strike to get the subject to release the deputy. The strike was effective, and the subject was placed in custody. On review of the Use of Force, no violations of department policy were identified, and no administrative action or disciplinary action was taken against the officer. The use of force was determined to be justified.

July 4, 2023

The officer responded to assist other agencies regarding a motor vehicle accident with entrapment. EMS on scene advised that a subject on the scene was interfering with emergency operations and the male subject was ordered to stand clear of emergency workers. The male refused and the officer attempted to detain the subject. The subject pulled away resisting and the officer deployed his CED. The CED did not make proper contact with the moving subject which resulted in the officer resorting back to physical restraint. The subject was detained and later released. On review of the Use of Force, no violations of department policy were identified, and no administrative action or disciplinary action was taken against the officer. The use of force was determined to be justified.

September 5, 2023

The officer was investigating a suspicious package when a canine at large aggressively approached the officer. The canine made an aggressing movement towards the officer and the officer discharged his firearm. The canine retreated to a nearby residential structure. The officer made contact with the homeowner and confirmed that the canine belonged to the property owner. The canine was confirmed to be struck but the injuries were not fatal. The owner secured the canine and provided needed medical care. On review of the Discharge of Firearm/Use of



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Force, no violations of department policy were identified, and no administrative action or disciplinary action was taken against the officer. The use of force was determined to be justified.

September 23, 2023

The officer was dispatched to a report of a subject throwing rocks at vehicles. The officer arrived on scene and located a subject matching the description of the reported subject. The officer attempted to detain the subject, who resisted and attempted to flee. The officer deployed his CED, which was effective. The subject was detained and charged with criminal mischief. On review of the Use of Force, no violations of department policy were identified, and no administrative action or disciplinary action was taken against the officer. The use of force was determined to be justified.

Figure 2: Use of Force Effectiveness Demographics

Force Used	Total	Effective	Ineffective
Physical Strike	2	1	1
CED Deployment	4	2	2
Discharge of Firearm	1	1	0

Figure 3: Use of Force Disposition Demographics

Disposition	Q1	Q2	Q3	Q4	Total
Out of Policy	0	0	0	0	0
Within Policy	2	0	1	4	7
Policy Failure	0	0	0	0	0
Subject to Investigation	0	0	0	0	0
Total	2	0	1	4	7

FLEET ACCIDENTS

In FY2023, the department was involved in two (2) Fleet Accidents. Information regarding the incidents are as follows:

January 16, 2023

In January, an officer was responding to assist other agency regarding a fleet accident involving Liberty County Sheriffs Office. While responding, the patrol vehicle was struck by another vehicle who failed to yield. DPS conducted the accident investigation and reported that the other vehicle was at fault. The officer was evaluated medically. Overall, the damage to the



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vehicle was minor cosmetic damage to the drivers' side of the vehicle. On review of the Fleet Accident, no violations of department policy were identified, and no administrative action or disciplinary action was taken against the officer.

October 14, 2023

In July, an Officer was assisting Liberty County Sheriff's Office on an active law enforcement scene. One of the Sheriff Deputies attempted to back up and struck the department vehicle, resulting in minor damage to both vehicles. The department's vehicle was not occupied at the time of the incident and no injuries were reported. On review of the Fleet Accident, no violations of department policy were identified, and no administrative action or disciplinary action was taken against the officer.

PURSUIT

In FY2023, the department engaged in three (3) vehicle pursuits. Information regarding the incidents are as follows:

November 07, 2023

Officer attempted to initiate a traffic Stop on a vehicle in violation of the Texas Transportation Code. The vehicle failed to yield, and a pursuit was initiated. The pursuit lasted for approximately 5 miles. The driver was arrested for Evading in a Motor Vehicle and Driving While Intoxicated. On review of the pursuit, no violations of department policy were identified, and no administrative action or disciplinary action was taken against the officer.

February 26, 2023

Officer attempted to initiate a traffic stop on a vehicle in violation of the Texas Transportation Code. The vehicle failed to yield, and a pursuit was initiated. The pursuit lasted for approximately 5 miles before the vehicle became immobilized in a ditch. The driver was placed under arrest for Evading in a Motor Vehicle. On review of the pursuit, no violations of department policy were identified, and no administrative action or disciplinary action was taken against the officer.

March 06, 2023

Officer attempted to initiate a traffic stop on a vehicle in violation of the Texas Transportation Code. The vehicle failed to yield, and a pursuit was initiated. The pursuit lasted for approximately 3 miles before the driver lost control and wrecked. The driver was cleared medically by Liberty-Dayton Emergency Room. The driver was arrested for Evading in a Motor Vehicle. Illegal substances and paraphernalia were in the vehicle at the time of the collision. On



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review of the pursuit, no violations of department policy were identified, and no administrative action or disciplinary action was taken against the officer.

TRAFFIC ENGAGEMENT

In FY2023, the department engaged in traffic enforcement and addressed deficiencies observed in the course of their duties. Below is information relating to deficiencies addressed by the department.

Figure 4: Graph Representation of Traffic Offenses

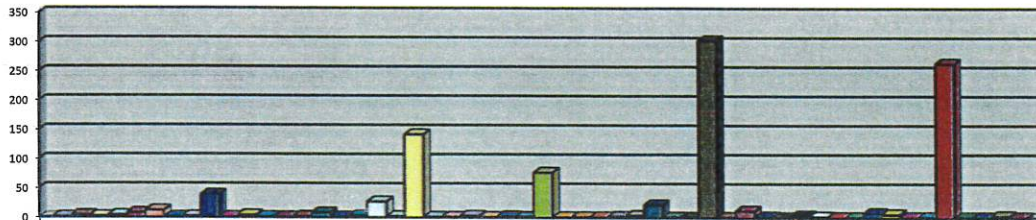


Figure 5: Traffic Statistics Table

<u>OFFENSE/VIOLATION</u>	<u>QTY</u>
Assault (Simple)	1
Careless Driving	4
Cut Across Driveway	2
Defective Head Lamp(s)	4
Defective Stop Lamp(s)	8
Defective Tail Lamp(s)	12
Display Expired License Plates	1
Display Fictitious, Altered, or Obscured License Plate	2
Disregard Stop Sign	39
Disregarded No Passing Zone	1
Disregarded Official Traffic Control Device	4
Driving in Violation of Suspension	1
Driving Left of Center	1
Driving Under the Influence of Alcohol by Minor	2
Driving While License Invalid	8
Drove on Wrong Side of Road Approaching	1
Drove Without Being Secured By Safety Belt	3



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Expired Driver's License	27
Expired Motor Vehicle Inspection	2
Expired Registration	142
Fail to Control Speed	1
Fail to Report Change of Address or Name	1
Fail to Secure Child in Safety Seat System	3
Fail to Yield Right of Way	1
Fail to Yield to Vehicle in Intersection	2
Failed to Dim Headlights-Meeting	1
Failed to maintain Financial Responsibility	77
Failed to Signal Turn	1
Failed to Yield ROW Turning Left at Intersection	1
Failed to Maintain Insurance	1
Fishing Without a License	2
Following Too Closely	4
Improper Turn	22
Minor in Possession	1
No CDL	1
No Driver's License	303
No Liability Insurance	1
No License Plate Light	12
No Seatbelt Passenger	2
Open Burning Ordinance	1
Open Container	4
Open Container: Possession of Alcoholic Beverage	2
Operate All-Terrain Vehicle on Public Street, Road	1
Operate Unregistered Motor Vehicle	1
Operate Vehicle Without License Plate	8
Possession or Delivery of Drug Paraphernalia	6
Possession, Purchase, Consumption, or Receipt of Cigarette	1
Regulation of Outdoor Burning (Burn Ban Violation)	1
Speeding	264
Vehicle Entering Stop or Yield Intersection	1
Turned when Unsafe	1
Unrestrained Child <8 and less than 4 feet 9 inch	3
Vehicle with Defective Required Equipment	1

TRAINING AND EDUCATION

In FY2023, department personnel engaged in more than 461 hours of law enforcement related training. Training included Crime Scene Investigation, Drug Recognition Training, DWI



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Training, Initializer Training, and Property Management. All members maintain mandatory TCOLE training requirements are in good standing relating to their positions with the department. The department had zero (0) training deficiencies identified by TCOLE in the last reporting cycle.

MANDATORY REPORTING

In FY2023, the department successfully submitted all state mandatory Racial Profiling and Use of Force statistics in time. The department also successfully submitted all mandatory Asset Forfeiture reports to the Office of the Attorney General. The only mandatory reporting that is currently delinquent is UCR/NIBRS. The CopSync system established under the prior administration does have the ability to collect and interpret UCR/NIBRS data for reporting, but it was never implemented when the program went active. The prior administration manually documented evidence and it was not entered into CopSync resulting in reporting errors. The department conducted an evidence audit due to identified items on the evidence log that were out of date order and whiteout being present on the log. The department is currently transitioning all the evidence and property into CopSync so that reports subject to UCR/NIBRS reporting can be properly validated and submitted. The department has been working with CopSync and DPS to rectify the validation issues. Once the errors are validated, the department will be compliant with all mandatory reporting for the first time since 2021.

FLEET

In FY2023, the department received two (2) police vehicles donated from Liberty County Sheriff's Office. The vehicles were evaluated, repaired, and upfitted for minimal cost to the city. The department did as many of the repairs in-house as possible. The vehicles are in service and outfitted with most equipment. With the addition of these two (2) vehicles to the fleet, the department now has four (4) vehicles in service. The department has a Dodge Charger, a Chevy Tahoe, a two (2) Ford Explorers. This is the first time the department has had four (4) vehicles in service at one time. The original three (3) vehicles purchased for the department were all damaged beyond repair prior to FY2023 in fleet accidents. There are a few minor needs the department will need to address that are mentioned in the general information section of this report.



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GENERAL INFORMATION

In FY2023, the department identified several deficiencies and actively engaged in implementing plans to improve the department. Below are several issues that have been addressed or are actively being addressed within the department:

TECHNOLOGY

The department did not have dash recording systems in the vehicles and the department's body-worn cameras were not of quality. With the use of grant funding, the department was able to secure a new, updated, more modern camera system. This new system is a LensLock system and officers now have a higher quality body-worn camera system that automatically uploads to a video management system when they dock it at the police department. Officers are now able to send video links to the prosecutor's office for review, which dramatically reduced the need to purchase several USB drives every time a case needed to be presented to the Liberty County District Attorney's Office. The dash camera systems are pending installation and will also automatically upload to the video management system when the patrol vehicles are at the police department. When the equipment arrives for the vehicles, they will be installed and active. Additionally, officers have the ability to link their phones to the body-worn cameras via Wi-Fi and use their phones to automatically upload photographs of scenes into the video management system. This also works for videos that the public may submit to the officers, reducing issues with email restrictions due to video size.

The department only has three (3) Toughbook laptops for field use by officers. These laptops have several issues and are nearing their end of life. They will soon not be able to receive security updates, which renders them obsolete for law enforcement use. The department plans to utilize the remaining grant funds to purchase four (4) new Toughbook/Rugged Laptops. This will ensure that each department vehicle has a laptop to operate in the field that is compliant with all CJIS Security requirements that a police department are subject to. The department has migrated its email system to Microsoft 365 to ensure department control over sensitive information. There were several emails that were going to personal emails established under the prior administration, which resulted in notifications of administrative hearings not being received by the department. The department does need to invest in a server or cloud server system in the near future when finances permit. The department should have established a formal network when it was established to meet CJIS Security requirements. Departments should not operate off general logins that everyone has access to. Department should have individual logins that meet the requirements for two-factor authentication to remain compliant with CJIS Security mandates. The department has secured a website for future use and is working to build it so that department information is readily accessible to the public. This website will also provide information on making complaints and compliments relating to the police department.



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EVIDENCE MANAGEMENT

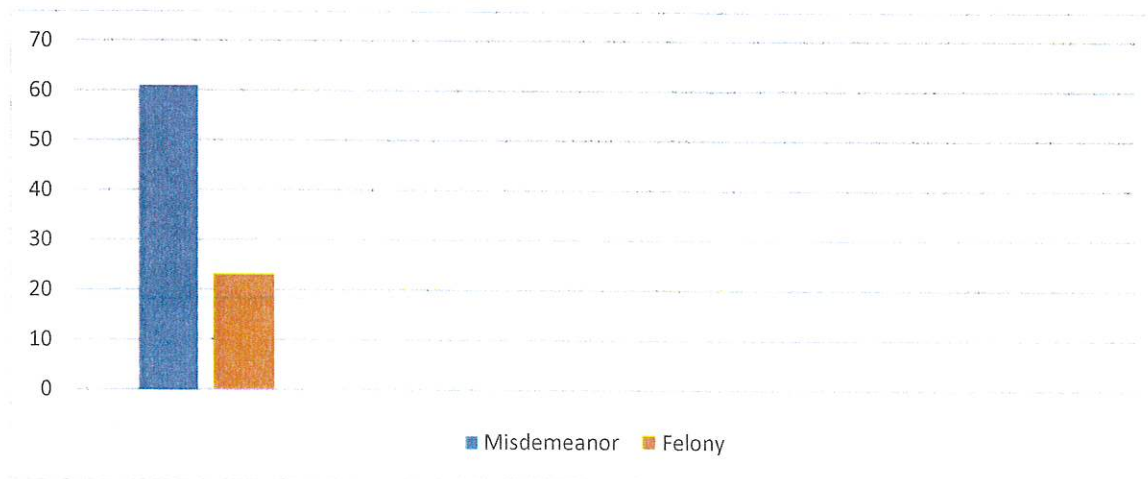
In FY2023, the department took the steps to reduce its expenses relating to evidence packaging. The department moved to a plastic packaging system for non-biological evidence. The department also moved to a standardized labeling system to ensure that evidence labels are legible and consistent in information. Other information relating to evidence identified in other sections of this report.

INCIDENTS AND ARRESTS

In FY2023, the department initiated 241 cases. To date, there are 688 cases associated with the department per our reporting system. All case files for the FY2023 reporting period are present and currently being reviewed for UCR/NIBRS reporting as indicated in other sections of this report. Nine (9) case files were found to be blank or missing in FY2022 during a case file audit and in FY2023 notarized forms relating to those missing files were documented in their place for liability purposes. Additionally, at least eight (8) case files prior to FY2023 were affected by “Brady Letters” issued, resulting in inability to pursue any offenses.

In FY2023, the department engaged in approximately 61 Misdemeanor arrests and approximately 23 Felony arrests, resulting in 84 total arrests. The department engaged in 47 DWI related offenses and 42 illegal substances related offenses. Note: Some cases have more than one offense associated with them, and some cases are still under investigation or pending submission for prosecution. The department removed seven (7) firearms from the streets involved in criminal related activity. Figure 6 provides a graph comparing department related misdemeanor related offenses and felony related offenses for FY2023 based on data provided by the department’s reporting system.

Figure 6: Misdemeanor v. Felony Offenses





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RECOGNITION

June 22, 2023

Officer Dodson was recognized by MADD and awarded a "Exemplifies a Strong Commitment to DWI Enforcement" award for his efforts keeping intoxicated drivers of the roadway. He was featured in El Amanecer News providing a positive public recognition for the officer and the department.

August 24, 2023

Officer Palacios was highlighted as the "Public Servant of the Week" in Bluebonnet News. The article featured information about her becoming a law enforcement officer and provided a positive perspective on the department to the public.

November 2, 2023

Sergeant Longoria was recognized for "Excellence in Leadership" by the Cleveland Chamber of Commerce and the awards ceremony took place in November. Sergeant Longoria was highlighted in Bluebonnet News and throughout social media providing a positive image of the department and its employees to the public.

OTHER NOTIFICATIONS

The department did have an incident on October 14, 2023, where an officer was assisting on a motor vehicle accident and was struck by a vehicle. The Officer was medically evaluated and treated at Kingwood Emergency Room. DPS handled the investigation of the incident. The officer suffered minor injuries and was cleared back to work later that week.

Brandon A. Frazier, B.S.

Chief of Police

PLUM GROVE POLICE DEPARTMENT

Date



City of Plum Grove Municipal Court

PO Box 1358, Splendora, TX 77372

Phone: (281) 659-4300

December 2023 Update

Next court date is 12/18/23.

112 Cases paid on during the month of November.

152 Cases touched during the month of November.

Jillian Frazier
Court Administrator