

STATE OF TEXAS

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COUNTY OF HARRIS

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SEARCH WARRANT

The State of TEXAS: To the Sheriff or any Peace Officer of HARRIS COUNTY, TEXAS, or any Peace Officer of the STATE OF TEXAS:

The affiant whose name appears on the affidavit in support of this warrant is a peace officer under the laws of TEXAS and did swear to that affidavit before me or a person authorized to take the affiant's oath under the laws of this state. I find the verified facts stated by affiant in the affidavit show affiant has probable cause for affiant's belief expressed in the affidavit, and those facts establish proper grounds for issuance of this Warrant;

NOW, THEREFORE, YOU ARE ORDERED to search the premises, persons, items and vehicles described in the affidavit, as follows:

A yellow painted wood frame single family residence with white trim and gray roof, converted for business use, located at 804 W. Main, Houston TX. The address numbers (804) are attached to a wood post on the right side of the stairs leading onto the front porch. The structure is located on the north side of the street with the front door facing south.

The location includes the entire premises and curtilage, if the location is a residence, including garages, sheds, outbuildings, and vehicles found to be under the control of the persons named in the affidavit where the items to be seized might reasonably be kept or hidden.

At the above described premises, persons, or vehicles you shall search for and seize the following items:

All records related to the forensic Licensee Psychological and Emotional Health Declaration screening of perspective peace officer, Telecommunicator, county jailer appointees and students attending a law enforcement academy, including but not limited to test instruments, test scoring sheets, background questionnaires, billing records, billing receipts, contracts with local law enforcement agencies for psychological services, completed or blank Texas Commission on Law Enforcement L3 forms and any other related materials.

YOU ARE ORDERED TO EXECUTE THIS WARRANT within 3 whole days of the issuance of the warrant, exclusive of the day of its issuance and of the day of its execution, and then return the warrant and show how you have executed this Warrant.

YOU ARE FURTHER AUTHORIZED to remove items seized under this warrant to any county as necessary for analysis or inspection consistent with Article 18.10 of the Texas Code of Criminal Procedure, or for any subsequent hearing related to the subject matter of the materials seized under this warrant.

WARRANT ISSUED this 14th day of May, 2015, at 3:27 o'clock A.M. by the below signed magistrate

[Signature]
Judge / Magistrate

FILED
Chris Daniel
District Clerk

MAY 15 2015

Time: _____
By: [Signature]
Deputy
Harris County, Texas

STATE OF TEXAS

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COUNTY OF HARRIS

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AFFIDAVIT FOR SEARCH WARRANT

My name is Jason Hufstetler and I am the affiant for the warrant sought in this affidavit. I am licensed as a peace officer in the State of TEXAS and employed by the Texas Commission on Law Enforcement with over 9 years of law enforcement experience.

1. I request a warrant to search premises that are referred to as "the location" throughout the affidavit, and is more completely described as follows:

A yellow painted wood frame single family residence with white trim and gray roof, converted for business use, located at 804 W. Main, Houston TX. The address numbers (804) are attached to a wood post on the right side of the stairs leading onto the front porch. The structure is located on the north side of the street with the front door facing south.

2. The person or persons that control the location described above are the following:

Dr. Carole A. Busick and Donald P. Busick

3. I believe the following items or property, subject to seizure under the laws of this State, will be found at the location described above:

All records related to the forensic Licensee Psychological and Emotional Health Declaration screening of perspective peace officer, telecommunicator, county jailer appointees and students attending a law enforcement academy, including but not limited to test instruments, test scoring sheets, background questionnaires, billing records, billing receipts, contracts with local law enforcement agencies for psychological services, completed or blank Texas Commission on Law Enforcement L3 forms and any other related materials.

4. My belief the items or property and persons described above will be at the location is based on the following facts and circumstances:

On or about 4-29-2014 at approximately 1:30 p.m. I, Sgt. Jason Hufstetler (TCOLE Enforcement Division), using an alias name, entered the Psychological practice of Dr. Carole Busick (Lic. # 22539) located at 804 W. Main in Houston, TX to obtain a Texas Commission on Law Enforcement L3, Licensee Psychological and Emotional Health Declaration. My intent was to resolve a complaint that the L3 screening process was being conducted in a manner that constituted an intentional violation of Texas Penal Code 37.10; Tampering with a Government Document and in violation of TCOLE Rule 217.1 (b) (12) which states:

(b) The commission shall issue a license to an applicant who meets the following standards:

(12) examined by a psychologist, selected by the appointing, employing agency, or the academy, who is licensed by the Texas State Board of Examiners of Psychologists. This examination may also be conducted by a psychiatrist licensed by the Texas Medical Board. The psychologist or psychiatrist must be familiar with the duties appropriate to the type of license sought. The individual must be declared by that professional, on a form prescribed by the commission, to be in satisfactory psychological and emotional health to serve as the type of officer for which the license is sought. The examination must be conducted pursuant to professionally recognized standards and methods. The examination process must consist of a review of a job description for the position sought; review of any personal history statements; review of any background documents; at least two instruments, one which measures personality traits and one which measures psychopathology; and a face to face interview conducted after the instruments have been scored. The appointee must be declared by that professional, on a form prescribed by the commission, within 180 days before the date of the appointment by the agency;

I was greeted by Donald Busick, husband of Dr. Carole Busick, who asked my name but never asked for any form of valid photo ID. I was given several stapled packets of paper to complete to include a 2 page "Background Questionnaire", an MMPI test, dated 1970, along with a copy of a Scantron score sheet and a CAQ test, dated 1984 and a copy of the score sheet. I was told to only answer the first 168 questions on the MMPI.

My MMPI was well worn, stapled in the top left corner and had "tick marks" beside several of the answers. The CAQ was in the same condition and both score sheets were such poor copies the numbers were hard to read and misaligned on the page.

While completing the background form I was asked for my \$100 dollars and given a receipt. Again I was never asked to produce any form of ID.

I completed both exams in approximately 1 hour and turned in both to Donald Busick. He went into the back of the house and returned in less than 5 minutes with an L3 form signed by Carole A. Busick, PhD. I left with the form in hand. I did not speak with Dr. Carole Busick at any time during my visit.

The failure to request or demand a valid photo ID, conduct a face to face interview pursuant to professionally recognized standards and methods and delivering a Texas Commission on Law Enforcement Licensee Psychological and Emotional Health Declaration, L3 form with the signature of Dr. Carole A Busick is a violation of the Section 37.10 of the Texas Penal Code; Tampering with a Government Document.

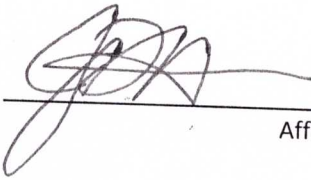
Dr. Carole Busick on or about the 29th day of April, 2014 with an intent to harm or defraud another, namely the State of Texas and the Texas Commission on Law Enforcement (TCOLE) and did then and there intentionally or knowingly, make, present, or use a record, document or thing, to wit, the Licensee Psychological and Emotional Health Declaration (L3), with knowledge of its falsity and with the intent that it be taken

as a genuine governmental record to fraudulently certify the affiant as fit for duty as a police applicant.

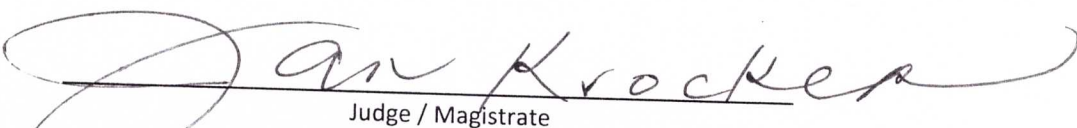
In performing my duties, Occupations Code 1701.554 allows for prosecution of this offense in the county of offense or Travis County, Texas. Additionally, inspection and analysis of the seized items will need to be conducted at my headquarters in Travis County, Texas.

Therefore, I swear and affirm I believe the information in this affidavit is true, and I request a warrant that will authorize me or other law enforcement officers to search the location, persons, and vehicles described above and to seize the items or property described in this affidavit.

Additionally, I request the authority in the warrant to remove the items from the county of seizure to Travis County or any other county where a proceeding related to the seized materials might be held.


_____ Affiant

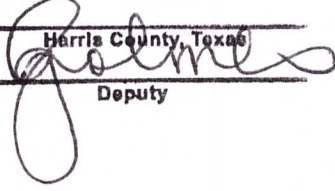
Sworn and subscribed before me on this the 14th day May, 2015.


_____ Judge / Magistrate
HARRIS COUNTY, TEXAS

FILED

Chris Daniel
District Clerk

MAY 15 2015

Time: _____
Harris County, Texas
By: 
Deputy