

# TEXAS DEPARTMENT OF PUBLIC SAFETY

5805 N. LAMAR BLVD • BOX 4087 • AUSTIN, TEXAS 78773-0001

512/424-2000

[www.dps.texas.gov](http://www.dps.texas.gov)



STEVEN C. McCRAW  
DIRECTOR  
DAVID G. BAKER  
ROBERT J. BODISCH, SR.  
DEPUTY DIRECTORS



COMMISSION  
A. CYNTHIA LEON, CHAIR  
MANNY FLORES  
FAITH JOHNSON  
STEVEN P. MACH  
RANDY WATSON

August 20, 2015

Jan Haynes  
President, Texas Thoroughbred HBPA  
[janjhaynes@aol.com](mailto:janjhaynes@aol.com)

Re: Initial Complaint Evaluation

Dear Ms. Haynes:

Your letter of August 10, 2015 requesting a criminal investigation of Senator Jane Nelson has been forwarded to me by the Texas Rangers for an initial evaluation. I have considered your letter for the purpose of determining whether the facts you allege, if true, would establish the elements of any criminal offense or if the alleged facts do not establish an offense whether the information you have provided suggests that reasonable investigative efforts would lead to the discovery of facts that would establish the elements of a criminal offense. I conclude your complaint does neither.

The conduct you characterize in your letter and that is reflected in the media reports you enclose with your letter appear to be directly related to appropriation and budget execution issues involving the Texas Racing Commission. Assuming for purposes of this evaluation that the information you have provided is accurate, as a State Senator and a member of the Legislative Budget Board, these matters are appropriate areas for Senator Nelson's concern and attention. Nothing in the materials you have provided thus far raises a plausible possibility that criminal conduct has occurred. Additionally, the Rangers have consulted with the Travis County District Attorney's Office and that office has agreed that the information you have provided does not establish a predicate to conduct a criminal investigation. Consequently, the Texas Rangers will not initiate a criminal investigation into your complaint at this time.

This initial review does not foreclose you presenting additional information regarding your concerns. Any additional information you provide will be received and evaluated in the context of what you have already provided to determine whether this initial evaluation should be altered.

Sincerely,

A handwritten signature in dark ink, appearing to read 'D. Phillip Adkins'.

D. Phillip Adkins  
General Counsel

Jan Haynes

Page 2 of 2

cc: Steven C. McCraw, Director

David G. Baker, Deputy Director, Law Enforcement Operations

Randall Prince, Chief, Texas Rangers