

Private Security/Investigator Policy Committee

Meeting Minutes

November 15, 2011

The Private Security/Investigator Policy Committee of the Board on Public Safety Standards and Training held a regular meeting on November 15, 2011, at the Department of Public Safety Standards and Training, 4190 Aumsville Hwy SE, Salem, OR 97317. The meeting was called to order by the Chair Jeff Martin at 1:30pm.

Attendees

Policy Committee Members:

Jeff Martin, Chair
Shawn Cardwell, Vice Chair
Phillip Agrue, Private Investigators OBA
Judy Pongratz, Retail Industry
Robert Smith, Healthcare Industry
Paul Castleberry, Armed Security
James Essam, Alarm Monitoring
Ernie Loy, Private Business
Bonnie Narvaez, Public Member

Committee Members Absent

Arthur Smith, Private Investigators
William Geiger, Unarmed Security
Justin Walker, Hospitality

Guests

Jim Gibson, OALI president
Lucas Benson, Private Investigator

DPSST Staff

Teresa Plummer, Program Manager
Karen Evans, Investigator
Chris Brodniak, Investigator
Mike James, Instructor
Suzzane Weinert, Compliance Specialist
Ela Zabdyr, Compliance Specialist
Heather Hatch, Certification Specialist
Linsay Hale, Rules and Compliance Coordinator



1. Chair's Report and Administrative Announcements

“This is a public meeting, subject to the public meeting law and it will be digitally recorded.”

* Agenda item requires a vote by the committee.

2. **Public Comment**

No public comment

3. ***CONSENT AGENDA (The following items to be ratified by one vote)**

A. ***Minutes**

Approve minutes from the May 17, 2011 meeting.

B. ***William Wolfe PSID # 05871**

Determine whether to approve a proposed civil penalty in the amount of \$12,000.00 for acting as an Executive Manager while not licensed to do so; Employing non-certified individuals to provide security services; Providing security services while not certified to do so; and continued flagrant violation by providing security services after being notified of non-compliance.

C. ***Robert Hughitt PSID # 30320**

Determine whether to approve a proposed civil penalty in the amount of \$9,000.00 for acting as an Executive Manager while not licensed to do so; Employing non-certified individuals to provide security services; Providing security services while not certified to do so; Continued flagrant violation by providing security services after being notified of non-compliance.

Ernie Loy made a motion to remove both of the civil penalty cases –Mr. Wolfe and Mr. Hughitt- from the consent agenda for further discussion.

Shawn Cardwell made a motion to approve the meeting minutes from May 17, 2011. Ernie Loy seconded the motion. Motion passed unanimously.

After considerable discussion about the two cases and whether violations should be considered by occurrence, month, year or by contract, Ernie Loy made a motion to table both of these items and move them for discussion at the next policy committee meeting. During that time staff will come back with a more detailed report of the violations themselves and the contact that staff had with both of these parties to try to resolve these issues. Shawn Cardwell seconded the motion. Motion was opened for discussion. Some Committee members were concerned about the time allowed for the individuals to continue to work out of compliance. Motion was passed with 6 ayes and 2 nay. Chair Jeff Martin will call a special telephonic meeting in December to discuss these cases.

4. **OAR 259-060-0015 – Proposed Rule**

Lindsay Hale presented the proposed rule changes to the Board.

Bonnie Narvaez made a motion to file the proposed language for OAR 259-060-0015 with the Secretary of State as a proposed rule and a permanent rule if no comments are received. Jim Essam seconded the motion. The motion was opened for discussion.

Bonnie chose to withdraw her motion after there was discussion about the format of the proposed language. Bonnie then made a new motion based on discussion that we approve filing the proposed language for OAR 259-060-0015 with Secretary of State as a proposed rule and permanent rule if no comments are received with the modifications we discussed, only changing the format to only include the new information and strike-thoughts. Shawn Cardwell seconded the motion. Motioned passed unanimously.

The Committee engaged in a discussion to determine if there would be significant fiscal impact to small businesses. Jim Essam provided information that the statutory change, which expands the alarm monitoring definition, could have a fiscal impact on alarm businesses, but it would not be significant. All members agreed that this change would not have a significant fiscal impact.

5. Subcommittee Reports

- A. Administrative Rule – Jeff Martin
 - a. Currently waiting on moral fitness, compliance and denial/revocation work groups to be completed.
- B. Accreditation – Judy Pongratz
 - a. Currently have 4 companies using the accreditation processes. Most of those companies are alarm companies.
- C. Curriculum – Judy Pongratz
 - a. Nothing to report
- D. Armed – Paul Castleberry
 - a. Model of cards were presented to the Committee for approval. Jim Essam made a motion to approve the subcommittee’s choice of card. Bob Smith seconded the motion. Motion passed unanimously.
 - b. Copy attached of approved card
- E. Alarm Monitor – Jim Essam
 - a. Confirmed that new alarm monitoring definitions were currently in the proposed OARs under review. Jeff Martin provided Jim with the Board telecom representative’s contact information to help build a better working relationship between telecom and alarm monitoring companies.
- F. Investigator – Art Smith/Phil Agrue
 - a. The investigators had a meeting this morning and they are currently reviewing the Investigator OAR’s.
- G. Unarmed – Bill Geiger
 - a. n/a
- H. Moral Fitness – Ernie Loy
 - a. The group is currently working on a matrix to help determine eligibility of private security providers when a discretionary disqualifier occurs.

6. Department Update-Teresa

- A. The Department has a new case management program which will make tracking the case load more efficient and consistent. The case management program will also help investigators apply similar sanctions to similar cases.
- B. The Department has also implemented a new phone call distribution system. This phone system will route callers more appropriately and reduce the time staff is on the phone and the time that constituents need to wait.
- C. The Private Investigator Program has the potential to have funding problems if expenditures remain consistent with what they currently are. There have been two large cases that have caused the program to extend its Department of Justice spending authority. This could cause the entire program to be in the red.
- D. The Department is currently watching for a potential senate bill in the 2012 session to fix language of Senate Bill 878 from the 2011 session (ORS 181.871).
- E. Chair Comments
 - Will not be taking any more action on the industry representative presentations due to lack of response

* Agenda item requires a vote by the committee.

- Will look at the idea of having guest speakers before meetings as additional training opportunities for members and constituents

7. **Next Private Security Policy Committee Meeting scheduled for February 21, 2012, in Salem, Oregon.**

- A. Phil Agrue made a motion to adjourn the meeting. Bob Smith seconded. Motion passed unanimously.