

Private Security/Private Investigator Policy Committee

Minutes

June 23, 2014

The Private Security/Investigator Policy Committee of the Board on Public Safety Standards and Training held a special meeting on Monday, June 23, 2014, in the Governor Victor G. Atiyeh Boardroom at the Department of Public Safety Standards and Training located in Salem, Oregon. Chair Jeff Martin called the meeting to order at 10:05a.m.

Attendees:

Committee Members:

Jeff Martin, Chair
Paul Castleberry, Vice Chair
Mona Cato, Manufacturing Industry
Carol Coates, Healthcare Industry
Jim Gibson, Private Investigator
Ronald Miller, Investigator (OSB Appointed)
Judy Pongratz, Retail Industry
Mark Rauch, Public Member
Randall Scott, Unarmed Private Security Professionals
Justin Walker, Hospitality Industry

DPSST Staff:

Eriks Gabliks, Director
Linsay Hale, Professional Standards Division Director
Sharon Huck, Rules Coordinator
Karen Evans, Investigator/Instructor
Eve Claydon, Learning and Development Specialist
Julie Johnson, Compliance Specialist
Kristine Boatman, Licensing and Certification Specialist
Monica Walker, Private Security/Investigators Operations Supervisor

Guests:

G.E. Mallow, Private Investigator
Tom Collins, Private Security (by phone)
Amanda Headen, Private Investigator (by phone)



1. Chair's Report and Administrative Announcements

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

Jeff welcomed two new members to the committee; Carol Coates and Mona Cato.

Carol currently works for Providence Health and Services. She previously worked for Legacy as well as the reserve Deputy program for Clackamas County and has been in the business for 40 years.

Mona Cato is the Security Director for Harry and David in Medford. She has been in the security business for a little over 30 years. Harry and David have corporate offices in Medford, but also have responsibility for a facility in Ohio, fifty-two stores and a seasonal site in Eugene. They protect the call-center, campus and employees in the stores.

2. Public Comment

No public comment

3. Department Updates

Presented by Linsay Hale

Linsay thanked Mona Cato and Carol Coates for volunteering their time to the committee. Linsay also welcomed back Jim Gibson as he was reappointed to a second term on the committee. She explained that Paul Castleberry was affirmed by the Legislature as the Vice Chair.

Ray Byrd with Salem-Keizer Public Schools is a potential member to move forward to the Board to be affirmed as a representative of private entity and governmental entity that utilizes private security services. The hope is that he will be able to join the August meeting. Bill Geiger is hoped to be affirmed by the Legislature in September to join the committee as the Chair at the November meeting.

Private Security/Investigator group is fully staffed. Monica Walker is the new Operations Supervisor and comes from the Board of Tax Practitioners. Nathan Linkof is the new Private Security Specialist.

The Department is moving forward with legislative concepts regarding background standards for reserve officers who are sworn, but not certified and the ability for DPSST to compel public safety agencies to provide records that may involve moral fitness issues.

There is a PERS bill that allows PERS retirees to work at the Department for public safety training purposes. The exemption will sunset in 2016, unless the Legislature approves an extension.

The customer service survey has been opened and was sent out with the list serves. Linsay asked that the members respond and encourage their constituents to respond as this is how DPSST knows how they are doing and what needs to be improved.

A new member orientation is being held on June 30, 2014 for all Board and Policy Committee members. It will be a quick overview of the rules and responsibilities of the Policy Committees, the Board and the Department. Attendance is optional.

Linsay explained that she and Ron presented at the Oregon Association of Licensed Investigators (OALI) conference on June 21, 2014.

4. Minutes of February 18, 2014 and May 20, 2014 Meeting

Approve the minutes of the February 18 and May 20, 2014 Private Security/Investigators Policy Committee meetings.

To see a complete record of the February 18, 2014 Private Security/Investigators Policy Committee minutes, please go to:

http://www.oregon.gov/dpsst/BD/Policy_Committee_Minutes/PSIPIC_Minutes/PSIPC021814.pdf

To see a complete record of the May 20, 2014 Private Security/Investigators Policy Committee minutes, please go to:

http://www.oregon.gov/dpsst/BD/Policy_Committee_Minutes/PSIPIC_Minutes/PSIPC05202014.pdf

Ron Miller moved that the committee approve the minutes of the February 18, 2014 and May 20, 2014 Private Security/Investigators Policy Committee meetings. Randall Scott seconded the motion. The motion carried unanimously.

5. Private Security Application – Proof of Education – Proposed Rule Change

Presented by Sharon Huck

This change adds a requirement to rule that applicants for instructor certification renewal must include proof of at least eight hours of continuing education taken within the last certification period.

The Policy Committee is being asked whether to recommend filing the proposed language for OAR 259-060-0025 and OAR 259-060-0135 as proposed rules, then as permanent rules if no comments are received and to determine if there is a significant fiscal impact on small businesses.

Mark Rauch moved to the committee to recommend the filing of proposed language for OAR 259-060-0025 and OAR 259-060-0135 with the Secretary of State as proposed rules and then as permanent rules if no public comment is received. Jim Gibson seconded the motion. The motion carried unanimously.

It is the consensus of the committee there is no fiscal impact on small business.

6. Private Security Application – Crowd Management – Proposed Rule Change

Presented by Sharon Huck

This change clarifies the crowd management extension and ensures understanding of DPSST's interpretation of statute as well as the regulatory statistics.

Randall Scott requested a subcommittee for the department and constituents for public interpretation of the statute and to add definition of terms in the rule. He feels the rule change is an interpretation of DPSST on the rule and not the unarmed side which causes conflict. Randall expressed that he feels there needs to be more to the rule change than just the definition and there needs to be a meeting with the subcommittee and DPSST so there can be clarification.

Linsay explained that a public comment period prior to actually filing the proposed rule change is needed as this is staff's interpretations and the input is needed from Private Security as well.

Judy questioned if there will be conflict tabling the rule change since the crowd season is coming up. Linsay explained that the proposed addition of the definitions does not change any processes and was to clarify and lessen confusion.

Jeff inquired on the timeline once the committee approves an item and moves forward. Linsay explained that today was the deadline for the Board agenda. She also stated that decisions made in the policy committee meetings need to be affirmed or denied by the Board. It is then opened for public comment for 21 days. It takes six to seven months to go permanent.

Jim Gibson proposed tabling the Proposed Rule changes to OAR 259-060-0010 and OAR 259-060-0145, until after the next subcommittee meeting. Paul Castleberry seconded the motion. The motion carried unanimously.

7. Private Investigator Compliance – Proposed Rule Change

Presented by Sharon Huck

This change revises and merges rules relating to private investigator compliance into one rule. The following are now listed under OAR 259-061-0200; lists of violations, procedures for complaints and violations to allegations, procedures for proposed civil penalties, hearing requests, default orders, resolution by stipulation and civil penalty amounts.

Jim Gibson moved to the committee to recommend filing the proposed language for OAR 259-061-0200 with the Secretary of State as a proposed rule and then as a permanent rule if no public comment is received. Mark Rauch seconded the motion. The motion carried unanimously.

It is the consensus of the committee there is no significant fiscal impact on small business.

8. Unarmed Essentials – Private Security Curriculum

Presented by Eve Claydon

Eve explained that the pilot instructors met on June 16, 2014 to discuss feedback from the instructors as part of the curriculum subcommittee. The instructors felt that they had not had a long enough period to teach the material on more than one occasion to give a good understanding of how long the class should be.

Bringing back the assessment piece of the class would extend the class to fourteen hours. Instructors had the concern that if they were to teach a twelve hour day, students would not learn useful information. With the fourteen hour class, there is opportunity for examples, multimedia videos as well as quizzes, and scenarios, but the class will be split into two eight hour days with an hour for lunch.

The instructors will meet again in July in order to review the material and to go through another train-the-trainer session so the instructors can have a better handle on how to teach the material. Through the feedback, it is understood that they have been trying to teach it the same way as the last material that was written. The new material differs greatly, as it is much more progressive thinking, and an up-to-date education style.

On August 5, 2014, the curriculum subcommittee will meet again with the instructors to gather their feedback and have instructors sign off. The hope is that the subcommittee will approve and it will then move to the policy committee which meets on August 19, 2014. Pending that approval, it will go to the Board to be approved on October 24, 2014, with the understanding that classes will start in November and all instructors who have been through this training, will be required to train this new material January 1, 2015.

Jeff Martin inquired on the general feedback when the instructors realized the curriculum had been expanded and it would be a two day class.

Eve explained that the instructors that were chosen for the pilot program had been a part of the creation of the material process and understood that it was going to be longer as there is more material. The instructors felt that the extension of time is important and they are behind the change.

There was concern about the content of the student manual and how to deliver the material since it becomes a reference manual when the student goes back to work. If the students need to know specific crimes when dealing with different situations after they go back to their organization, they will have the reference.

Eve explained the focus of the training session will be on the student manual and how to best instruct so that the student can use their manual.

9. Subcommittee Reports

A. Curriculum – Judy Pongratz

Next subcommittee meeting is August 5, 2014

B. Armed – Paul Castleberry

Nothing to report

C. Investigator – Ronald Miller

Investigators met in May and are currently working on the clarification of the continuing education requirements for private investigators. This group is meeting this Friday to continue discussions.

10. Next Regularly Scheduled Meeting – August 19, 2014 at 1:30 p.m.

Meeting adjourned at 10:55 a.m

** All documents reviewed and discussed in this meeting are subject to Oregon Public Records Law (ORS 192.410 to ORS 192.505). These documents can be requested by contacting DPSST at dpsst.records@state.or.us.*