

Compliance Bulletin – Q1 2015

Oregon Private Security & Private Investigator Disqualification List

The Private Security Certification and Private Investigator Licensing programs are mandated by the Oregon legislature to establish and enforce minimum standards for all private security professionals and private investigators in the state. The minimum standards for each program are defined in Oregon Administrative Rule Divisions 60 & 61.

This quarterly review of applicants and providers who violated those minimum standards is meant to provide insight into the types of disqualifiers that DPSST is seeing in revocation, denial, or suspension of certification and licensure. The following cases are *some* of the circumstances that have resulted in consideration of **revocation, denial or suspension** of certifications and/or licenses by DPSST the last quarter.

The Department continues to ensure that certified private security professionals and private investigators meet the minimum standards established by the legislature.

January Criminal and Discretionary Cases Opened 109

February Criminal and Discretionary Cases Opened 54

March Criminal and Discretionary Cases Opened 63

Notice of Violations Issued

January 38

February 46

March 61

Revocation	Unarmed Professional	Mandatory	Provider convicted of Official Misconduct. Previously certified, but under 2012 rule change, this crime is now a mandatory disqualifier.
Denial	Unarmed Professional	Mandatory	Applicant convicted of Burglary 1 after application for certification was received.
Denial	Unarmed Professional	Mandatory	Applicant convicted of Criminal Trespass 1
Revocation	Unarmed Professional	Discretionary	Provider arrested for Theft III when he stole a bottle of human growth hormone from a grocery store. He entered a diversion program. Subsequently failed to appear for court and a bench warrant was issued. He was arrested again and cited for Contempt of Court, and placed him back in deferred sentencing program. Revocation based on dishonesty for theft, lack of good character, lack of public trust, mistreatment of others and for failure to notify on the Contempt of Court conviction.

Denial	Unarmed Professional	Mandatory	Applicant convicted of Burglary 2 in another jurisdiction.
Denial	Unarmed Professional	Mandatory	Applicant convicted of Theft of Identity, three counts.
Denial	Unarmed Professional	Mandatory	Applicant convicted of Theft 2 and Negotiating a Bad Check within 10 years prior to application.
Revocation	Armed/Unarmed Professional	Mandatory	Provider convicted of Menacing.
Emergency Suspension	Unarmed Professional		Provider suspended pending outcome of criminal charges for Theft 1, Theft 2 and Identity Theft
Revocation	Unarmed Professional	Mandatory	Provider convicted of Assault 4, Constituting Domestic Violence
Emergency Suspension	Unarmed Professional		Provider suspended pending outcome of criminal charges for Rape 3 and Sodomy 3.
Revocation	Unarmed Professional	Mandatory	The Department received information that he provider had lied about having a GED. The Department gave the provider time to provide proof of completion of a HS diploma or GED. He failed to respond to requests. Does not meet the minimum standards for certification.
Revocation	Unarmed Professional	Mandatory	The Department received information that the provider had lied about having a GED. The Department gave the provider time to provide proof of completion of a HS diploma or GED. She failed to respond to requests. Does not meet the minimum standards for certification.
Emergency Suspension	Unarmed Professional		Provider charged with Robbery in the First, Unlawful Use of a Weapon and Unauthorized Use of a Motor Vehicle.
Revocation	Unarmed Professional	Discretionary	Provider charged with Theft 2, entered diversion. While employed as a caregiver, stole retail merchandise and hid it in the wheelchair of his disabled client. Revocation based on moral fitness for dishonesty, lack of good character, mistreatment of others, and lack of public trust.

Denial	Unarmed Professional	Discretionary	Applicant convicted of Misdemeanor Identity Theft when he stole a friend's blank check and forged his friend's signature. Attempted to cash the check made payable to himself for \$400. Denial based on moral fitness. Dishonesty, lack of good character, mistreatment of others and lack of public trust.
Denial	Unarmed Professional	Mandatory	Applicant convicted of a misdemeanor drug crime within the prior 10 years. Possession of Methamphetamine.
Denial	Unarmed Professional	Mandatory	Applicant convicted of Retail Theft in another jurisdiction within the prior 10 years.
Revocation	Unarmed Professional	Mandatory	Provider convicted of Theft 3.
Revocation	Unarmed Professional	Mandatory	Provider convicted of Violating a Courts Stalking Protective Order.
Revocation	Unarmed Professional	Mandatory	Provider convicted of Assault 4, Constituting Domestic Violence.
Denial	Unarmed Professional	Discretionary	Applicant stole liquor from a grocery store in another state. Although the case was dismissed, she admitted to the 2013 thefts within the police report, and was accompanied by a 16 year old boy. Denial based on Lack of Moral Fitness. Dishonesty, Lack of Good Character, Mistreatment of Others and Lack of Public Trust. Mitigation submitted and accepted. Applicant certified.
Denial	Unarmed Professional	Mandatory	Applicant convicted of Aggravated Robbery w/Firearm.
Emergency Suspension	Unarmed Professional	Mandatory	Provider charged with Burglary in the First Degree, six counts, Theft in the First Degree, five counts. Preliminary reports from detectives indicate he posed as a real estate agent while working as unarmed security.
Denial	Alarm Monitor Professional	Mandatory	Applicant convicted of a misdemeanor drug crime in another jurisdiction in 2014.

Denial	Unarmed Professional	Mandatory	Applicant convicted of Fleeing or Attempting to Elude a Police Officer in another jurisdiction. Equated to 911.540(3)(b).
Denial	Unarmed Professional	Mandatory	Applicant convicted of Indecent Liberties in 1985 while in another state. Equated to ORS 163.427, a lifetime disqualifier.
Emergency Suspension	Unarmed Professional		Provider suspended for 4 counts of identity theft and 2 counts of aggravated theft in the first. He is alleged to have stolen his father's SSN and charged 20K.
Emergency Suspension	Armed/Unarmed Professional		Provider suspended for Burglary 2 charge.
Denial	Unarmed Professional	Mandatory	Applicant has had three domestic violence arrests in the last two years, with at least one in which the victim sustained injuries, including a broken leg. Two charges not prosecuted and one pending. Disqualified under Moral Fitness: Mistreatment of Others, Lack of Good Character, Lack of Public Trust, and Lack of Respect for the Laws of this State or Nation.
Denial	Unarmed Professional	Mandatory	Applicant convicted of Unlawful Possession of Cocaine.
Civil Penalty	Unarmed Professional		Provider issued civil penalty of \$250 for second instance in 4 years of working without certification.
Denial	Unarmed Professional	Mandatory	Applicant convicted of DUII-Controlled Substance.
Emergency Suspension	Unarmed Professional		Provider suspended after being charged with Theft 2. She is seen in video stealing a wallet and iPhone from a customer while employed as loss prevention.
Denial	Unarmed Professional & Supervisory Manager	Mandatory	Applicant's criminal history showed a 2005 Conviction for Identity Theft and applicant was required to register as a sexual offender in Oregon.
Denial	Unarmed Professional	Mandatory	Applicant was convicted of Aggravated Assault with a weapon in another jurisdiction in 2014. That crime was compared to an Oregon equivalent crime with a 10-year disqualification period.

Denial	Executive Manager & Unarmed Professional	Discretionary	Applicant stole merchandise from a retail store in 2007. Although charges were dismissed, she admitted to the behavior within the police report, but blamed it on a friend. Further aggravating circumstances showed she had marijuana in her possession at the time of arrest. Those charges were also dismissed.
Denial	Unarmed Professional	Mandatory	Applicant was convicted of Theft of Services, a mandatory disqualifying crime. Police report show he jumped a Tri-Met bus without payment in 2013. This crime was deferred, but after failure to appear for a scheduled court date, the diversion was overturned and he was convicted in 2015.
Revocation	Unarmed Professional	Discretionary	Provider admitted to Theft of a mountain bike. He told police the owner looked well off and could afford the bike to go missing. He also had a meth pipe on his possession when arrested. He told officers that he uses meth once on a while, and had last used at three that afternoon. Arrest was January 2015.
Denial	Unarmed Professional	Mandatory	Applicant convicted of Robbery 2 in another jurisdiction. Equated to ORS 164.405.
Revocation	Unarmed Professional	Discretionary	Provider is accused by his employer of taking 56.00 from a customer's purse when it was secure in an evidence log. The log was altered according to the employee who actually found the purse. Gray quit when questioned and did not return investigator phone call or email. NOI for moral fitness, Dishonesty, Lack of Good Character, Mistreatment of Others, Lack of Public Trust.
Denial	Alarm Monitor Professional	Mandatory	Applicant was convicted of Obstructing Legal Process in another jurisdiction. That crime was equated to an Oregon crime with a 10-year disqualification period.

Civil Penalty	Unarmed Professional		2nd instance of working without certification. Civil penalty for \$250.00, with the ability to stipulate to facts and pay \$125.00
Denial	Unarmed Professional	Mandatory	Applicant convicted of Carry Concealed/Poss Knife.
Denial	Unarmed Professional	Mandatory	Applicant convicted of Criminal Mischief 2 in the prior 10-years.
Revocation	Unarmed Professional	Mandatory	Provider convicted of Criminal Mischief 2.
Denial	Unarmed Professional	Mandatory	Applicant convicted of Assault 4.
Revocation	Unarmed Professional	Mandatory	Provider convicted of Luring a Minor and Attempt to Commit a Class B Felony.
Revocation	Unarmed Professional	Mandatory	Provider convicted of Theft 1.
Denial	Alarm Monitor Professional	Discretionary	2007 arrest for Theft 1 was dismissed. PD report she had \$1392 in jewelry in her purse while employed with a retail jewelry store. Denial based on moral fitness: Dishonesty, Mistreatment of Others, Lack of Good Character and Lack of Public Trust.
Denial	Unarmed Professional	Discretionary	Theft 2. Convicted of Theft 3-reduced to a violation. PD report shows applicant stole books from college bookstore and was not a student. Aggravating Circumstances: Convicted of 161.405(2)(E)-which is non-disqualifying. Failure to Appear warrant issued, but resolved. Denial based on moral fitness: Dishonesty, Mistreatment of Others, Lack of Good Character and Lack of Public Trust.
Denial	Unarmed Professional	Discretionary	2005, 2007 and 2008 arrests for theft. Stole from two different grocery stores. 2005 arrest for Theft 1, no PD report available. All cases dismissed. Mitigating circumstances show thefts amounted to \$165.93 in groceries. Aggravating circumstances: Multiple incidents. Had an outstanding warrant for FTA at time of arrest. Denial based on moral fitness: Dishonesty, Mistreatment of Others, Lack of Good Character and Lack of Public Trust and Lack of Respect for the Laws of this State or Nation.

Denial	Unarmed Professional	Discretionary	2013 Theft 2 and Forgery were adjudicated as a juvenile. PD report she stole check and forged dollar amount of \$525. Denied forging signature. Later withdrew money from the applicant's own bank. Denial based on moral fitness: Dishonesty, Mistreatment of Others, Lack of Good Character and Lack of Public Trust.
Denial	Unarmed Professional	Mandatory	Applicant convicted by General Court Martial of wrongfully distributing a controlled substance.
Denial	Unarmed Professional	Discretionary	Applicant had an arrest for endangering a child when he was found to have an outstanding warrant for Army desertion. The case with the US Army remains open in the Army civil liaison office. Denial based on moral fitness: Lack of Good Character, Lack of Public Trust.
Civil Penalty	Executive Manager		Executive Manager/ Unarmed professional - failed to renew. Providing services as an EM without licensure. Providing services as an UP without certification. Employing individuals without proper certification. \$4570 in civil penalty/ultimately reduced to \$750