

MINUTES

**UTAH
Security Services Licensing Board
MEETING**

June 11, 2009

**Room 210 – 2nd Floor – 9:00 a.m.
Heber Wells Building
Salt Lake City, UT 84111**

CONVENED: 9:14 a.m.

ADJOURNED: 12:13 p.m.

Bureau Manager:

Clyde Ormond

Board Secretary:

Jacky Adams

Board Members Present:

Sheriff Jeff Merrell – Acting Chairperson
Alan Conner
Perry Rose

Board Members Absent:

Johnny McCoy
Clayton Merchant

Guests:

Robert Anderton - PACSCo (Professional Alliance of
Contract Security Companies)
Michael Strange - Garda CL Northwest
Russell Shinrock – Securitas Security
Jairus Duncan – Garda CL Northwest
Paul Adams – SOS Security
Mark Mortensen - Self
Shatiece Werner - Self
Derick Johnson - Self
Somer Hansen - Self
Sabrina Bee - Self
Brett Roth - Self

DOPL Staff Present:

Laurie Noda - Attorney General Representative
Ronda Trujillo - Compliance Assistant

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

Due to a lack of a quorum all decisions are recommendations only!

ADMINISTRATIVE BUSINESS:

Introduction of Mr. Mark B. Steinagel as the New
Division Director

Mr. Ormond explained that Mr. F. David Stanley had
retired from the Division at the end of April. Mr. Mark B.
Steinagel became the new Division Director as of June 8,
2009.

APPOINTMENTS:

9:15 a.m. Compliance

Ms. Trujillo explained:

Mr. Johnson is currently in compliance with his probation, has recently changed employers, and is due to be released from this probation on September 20, 2009.

Mr. Grob is not currently in compliance with his probation, due to his failure to submit Employer Reports from, February, March, April, and May of 2009. Ms. Trujillo then questioned the Board regarding how to handle this issue.

Ms. Somerville is in compliance with her probation. Ms. Trujillo then explained that to remain in compliance Ms. Somerville must submit proof of completion of all court ordered requirements, and a legal name change.

Mr. Mortensen is in compliance with his probation. It was then added that all Division correspondence is being sent to Mr. Mortensen and his father to insure continued compliance.

Ms. Hansen is in compliance with her probation, adding that the Division is awaiting results from her first controlled substance test.

This is Ms. Bee's first probation interview, she has meet with Ms. Trujillo, and is having difficulty meeting the controlled substance requirement of her probation.

9:30 a.m. Johnson, Derick – Probation Interview

Mr. Johnson appeared for his scheduled probation appointment. He explained that he is now working for Wasatch Security.

A brief discussion ensued, it was determined that Mr. Johnson is in compliance with his probation, and will meet again with the Board on August 13, 2009 at 9:15 a.m. At that time, contingent upon continued compliance, he may be considered for an early release from this probation.

9:45 a.m. Grob, Brian – Probation Interview

Mr. Grob failed to appear for his scheduled appointment with the Board.

After a brief discussion it was determined, a non-compliance letter will be sent, and he will be required to meet with the Board on August 13, 2009 at 9:30 a.m. to explain why he has failed to submit his Employer Reports, and meet with the Board as required.

10:00 a.m. Somerville, Shatiece – Probation Interview

Ms. Somerville appeared for her scheduled probation appointment. She submitted proof of completion of her court requirements, and a legal name change.

A brief discussion ensued, it was determined that Ms. Somerville is in compliance with her probation, may begin submitting her Employer Reports on a quarterly basis, and will meet again with the Board on October 8, 2009 at 9:15 a.m.

10:15 a.m. Mortensen, Mark – Probation Interview

Mr. Mortensen appeared for his scheduled probation appointment. Ms. Trujillo explained that the Division needs documentation that Mr. Mortensen's Therapist has read and understands Mr. Mortensen's MOU (Memorandum of Understanding).

A brief discussion ensued, it was determined that Ms. Trujillo will contact Mr. Mortensen's Therapist to ensure that all future reports are legible. Mr. Mortensen is in compliance with his probation, and will meet again with the Board on August 13, 2009 at 9:45 a.m.

10:30 a.m. Hansen, Somer – Probation Interview

Ms. Hansen appeared for her scheduled probation appointment. She explained that she anticipates being released from her court probation next week.

A brief discussion ensued, it was determined that Ms. Hansen shall submit proof of completion of her court probation, is in compliance with her probation, and will meet again with the Board on August 13, 2009 at 10:00 a.m.

10:45 a.m. Bee, Sabrina – First Probation Interview

Ms. Bee appeared for her first scheduled probation appointment with the Board. Mr. Rose reviewed her MOU and explained that she had been placed on a two year probation, which requires that she complete all court sanctions, submit employer reports on a monthly basis for six months then quarterly there after, submit to random controlled substance testing, and only work under indirect supervision, due to her February 2006 and January 2008 DUI (Driving Under the Influence) convictions.

Ms. Bee then explained that due to being unable to obtain a credit card, or a checking account, she is unable to meet all requirements of her MOU. After a detailed discussion it was determined that Ms. Bee should obtain a "pre-paid" credit card, which will enable her to enroll in CVI (CompassVision) for her controlled substance testing.

Ms. Bee is in compliance with her MOU and will meet again with the Board on August 13, 2009 at 10:15 a.m. with proof of enrollment with CVI.

11:00 a.m. Securitas Security Services USA, Inc –
Shinrock, Russell QA

Mr. Shinrock appeared for his scheduled appointment with the Board, to review his qualifications as the Qualifying Agent for Securitas Security Services USA, Inc.

After a detailed discussion it was determined that Mr. Shinrock met all requirements for approval as the Qualifying Agent, for Securitas Security Services USA, Inc.

The Board recommended approval of Mr. Shinrock's application.

11:15 a.m. Roth, Brett – Application Review

Mr. Roth appeared for his scheduled appointment with the Board to review his application for licensure as it relates to his 2008 POST certification revocation.

Mr. Ormond explained that Mr. Roth's POST certification was revoked on September 11, 2008, due to an internal investigations findings that Mr. Roth had had a relationship with a parolee. Mr. Ormond then explained that he required the Boards advise to determine what, if any, action should be taken.

Mr. Rose and Sheriff Merrell were both recused from this determination, due to their prior knowledge of Mr. Roth. After a detailed discussion Mr. Connor recommended for a probationary license to be issued, based on Mr. Roth's lack of judgment in this situation.

It was later determined that Mr. Roth's conduct was consensual and did not pose a threat to the public safety health or welfare, his license was issued with no restrictions.

BUSINESS FROM PREVIOUS MEETING:

Training Program Review

During the April 9, 2009 Board meeting several areas of the current training requirements were reviewed. It had been determined that a further discussion needed to be conducted regarding:

1. Current Basic/Additional Training Program topics;
2. Change in entity who administers exams;
3. Accountability of the Trainers;
4. A rules amendment to require the full 24 hours of training as pre-hire;
5. Elimination of the OJT (On-the-Job Training) Program;
6. State begin offering Continuing Education hours courses;
7. State offered training for Trainers;
8. Requiring all Armed Officers to hold a Concealed Weapons Permit; and

9. An additional topic discussed at the April 2009 meeting, was requiring licensure for Contract, and Proprietary Security, and Armored Car Companies.

Licensure of Contract, and Proprietary Security, and Armored Car Companies.

Mr. Ormond discussed the historical background related to combined licensure of contract and proprietary security; additionally he explained that the Association must propose the change to Legislature, with the support of the Proprietary companies. The Board then clarified their concerns, explaining that Police Agencies are Soliciting for Contract Security Business, and they were concerned with who would be liable if an incident were to happen while an Off-Duty Peace Officer was acting as a Security Officer.

Ms. Laurie Noda was then invited to; define the scope of practice of a "Contract Security Company" and "Contract Security Officer". She explained that in her opinion if the client comes to the Police Agency requesting one time services, it may not be Contract Security. However, if the Police Agency is soliciting for services, or being paid on a regular basis for an event, this may be Contract Security. She further added, from the Board description of events, that Police Agencies may be using a "loop hole" in the Statute to their benefit, and the detriment of Contract Security.

Ms. Noda then agreed to review this issue and report to the Board at the August 13, 2009 her findings.

Additional concerns of the Board Members included:
No insurance to protect the Public, and Police Agencies;
Police Officers are leaving their Security posts to handle Public Business;
Police Officers are being paid "under the table"; and
Police Agencies are misinterpreting the Statute to mean that they are exempted.

Current Basic/Additional Training Program topics

Mr. Anderton submitted a list indicating the areas in which training is required for California, Virginia, Utah, and ASIS (American Society of Industrial Security). After a brief review it was determined that Mr. Anderton will attend the next Contract Security Education Advisory Peer Committee meeting on July 16, 2009, to further discuss and review this issue.

State offered Continuing Education, and Trainers program

Mr. Ormond explained that due to current budget constraints the Division is unable to offer either of these programs. Mr. Anderton then explained that Mr. Richard Setzer, CBI Trainer, is working on a "Train the Trainer" program which, when implemented will be required for all PACSCo trainers. This issue will also be further discussed

at the Contract Security Education Advisory Peer Committee meeting on July 16, 2009.

DISCUSSION ITEMS:

Garda CL Training Program – Final Approval

Mr. Ormond explained that the Contract Security Education Advisory Peer Committee (Committee) had reviewed Garda CL Northwest’s Training Program at the April 16, 2009 meeting. It had been determined that the following areas needed to be amended:

- o Ethics;
- o Emergency Situational Responses;
- o Driving Policies;
- o Final Exam;
 - o Vault procedures
 - o Laws and Rules
 - o Emergency Responses
 - o Company Policies and Procedures
 - o Force Continuum and
 - o De-escalation of Force.

Mr. Ormond then explained that, the Division has reviewed the amended program, and all of the Committees recommendations seem to have been met.

After a brief discussion it was determined, that due to Garda CL Northwest having been issued conditional approval to begin training, and the lack of a quorum, this issue would be tabled until the August 16, 2009 meeting for final approval.

ADJOURN:

12:13 p.m.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

August 13, 2009

(ss) Johnny McCoy

Date Approved

Chairperson, Security Services Licensing Board

August 13, 2009

(ss) Clyde Ormond

Date Approved

Bureau Manager, Division of Occupational & Professional Licensing