

# MINUTES

## UTAH Security Services Licensing Board MEETING

April 15, 2010

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

**CONVENED:** 9:00 a.m.

**ADJOURNED:** 2:10 p.m.

**Bureau Manager:**

Clyde Ormond

**Board Secretary:**

Jacky Adams

**Board Members Present:**

Chief Johnny McCoy – Chairperson  
Sheriff Jeff Merrell  
Clayton Merchant  
John Tinsley  
Alan Conner  
Perry Rose

**Board Members Absent:**

**Guests:**

Robert Anderton - PACSCo (Professional Alliance of  
Contract Security Companies)  
Steven Peterson – Security Services Education  
Advisory Committee  
Steven Beckstead - Security Services Education  
Advisory Committee  
Gary Yenchik – Security Services Education Advisory  
Committee  
Lynette Phillips – USA (Utah Security Association)  
Gary Oliverson – DAL Global Services LLC  
John Donatello – Counterfire Weapons Inc  
Chris Barney – Salt Lake Valley Protective  
Russell Shinrock – Securitas Security  
Derrick Phillips – CashMan Services  
Joshua Kone – Peak Alarm Security  
Joe Chapman – Chapman Security  
Jairus Duncan – Garda Northwest  
Jonna Young – Certified Security  
Art Goodman – Kane Consulting  
Kris Cantil – Kane Consulting  
Jim McDonald – West Desert

Jeremy Lee – Allied Security  
Roger McIff – Peak Alarm  
Jim Young – JLS Security  
Dick Fisher – Peak Alarm  
Nick Blanchette – ABSS  
Kirk Waldron – ABSS  
Paul Adams – SOS  
John Jones – Icon  
Kelsee Webb  
David Cobb  
Brian Grob

**DOPL Staff Present:**

Rhonda Trujillo – Compliance Assistant

**TOPICS FOR DISCUSSION**

**DECISIONS AND RECOMMENDATIONS**

**ADMINISTRATIVE BUSINESS:**

Approval of the February 11, 2009 Board Meeting Minutes

Mr. Rose seconded by Mr. Tinsley made a motion to approve the February 11, 2010 Board Meeting minutes. The motion carried unanimously.

**APPOINTMENTS:**

9:15 a.m. Compliance

Ms. Trujillo explained:

Mr. Grob is compliant with his MOU (Memorandum of Understanding), and currently is not employed within this profession.

Mr. Kone is compliant with his MOU.

9:30 a.m. Grob, Brian

Mr. Grob appeared for his scheduled probationary appointment with the Board. Mr. Grob explained he has the ability with his current employer to begin working as a Security Officer. The continuing education requirement was then discussed.

After a brief discussion it was determined Mr. Grob is **in compliance** with his MOU, and will next meet with the Board on June 10, 2010.

9:45 a.m. Kone, Joshua

Mr. Kone appeared for his first scheduled probationary appointment with the Board.

Mr. Kone acknowledged his employer is aware of his probationary status, and that it is his responsibility to remain in compliance with this probation.

Mr. Kone is **in compliance** with his MOU and will next meet with the Board on June 10, 2010.

10:00 a.m. Cobb, David

Mr. Cobb appeared for his scheduled appointment with the Board, to review his application for licensure as an Unarmed Private Security Officer as it relates to his:

- **August 7, 2005** – Assault - to which the prosecutor declined to prosecute; and
- **October 11, 2005** – Disorderly Conduct, class C misdemeanor – which was later dismissed; and Discharging Firearm from Vehicle/Highway, class B misdemeanor – which was later dismissed after completion of a Plea in Abeyance agreement on February 9, 2010.

The circumstances around the October 2005 charge were then discussed. Sheriff Merrell was concerned with the age of the licensee at the time the charge occurred, and his failure to complete the Plea in Abeyance agreement in a timely manner.

After a detailed discussion Sheriff Merrell seconded by Mr. Conner made a motion to grant Mr. Cobb licensure as an Unarmed Private Security Officer, due to the length of time since the charges occurred. The motion carried unanimously.

10:15 a.m. Webb, Kelsee

Ms. Webb appeared for her scheduled appointment with the Board, to review her application for licensure as it relates to her:

- **August 19, 2005** – Minor possession/consume alcohol, Permit Minor to consume alcohol, Possession of drug paraphernalia, and possession or use of a controlled substance, class B misdemeanor charges, to which Ms. Webb pleaded guilty on November 5, 2005;
- **February 16, 2006** – Possession of drug paraphernalia, a class A misdemeanor; and Driving with measurable controlled substance, a class B misdemeanor, to which Ms. Web pleaded guilty on April 10, 2006; and
- **February 19, 2006** – Possession or use of controlled substance, a second degree felony, and Possession of drug paraphernalia, a class A misdemeanor, which was later dismissed.

Possession or use of a controlled substance, a class A misdemeanor, to which Ms. Webb pleaded guilty on April 10, 2006.

Mr. Rose explained, Ms. Webb is a family friend, and if she is granted licensure she will be employed by his company. Mr. Rose then recused himself from discussing this application.

Ms. Webb then explained the circumstances around her charges. She then clarified, she has completed two different treatment programs, and she has had no other negative contact with law enforcement.

Chief McCoy questioned Mr. Rose regarding how Ms. Webb's progress has been from his perspective. Mr. Rose clarified Ms. Webb has been clean for four years, and is attempting to help her family members who are abusers become clean.

Mr. Rose was then questioned regarding if Ms. Webb is granted licensure if she will work under supervision. Mr. Rose explained he did not feel, Ms. Webb needed to work under direct supervision, however, Mr. Rose's business partner will be Ms. Webb's Supervisor.

Mr. Conner seconded by Mr. Merchant made a motion to grant Ms. Webb a **two year probationary license which will require, in addition to the standard requirements, quarterly Employer Reports, and submit to Urinalysis Testing.** The motion carried with Mr. Rose abstaining.

10:45 a.m. DAL Global Services LLC – Mr. Oliverson appeared for his scheduled appointment with the Board to review DAL Global Services LLC's, application for licensure as a Contract Security Company with Mr. Oliverson as the Qualifying Agent, as it relates to Mr. Oliverson's current association as a Qualifying Agent for GO Security Network.

Mr. Oliverson explained that currently GO Security Network has no employees, no contracts, and has only worked one event in 2010. It was then added, DAL Global Services LLC is the Security division of Delta Airlines, and will primarily be sight security at the Airport. Mr. Oliverson further clarified that neither company will require a full forty-hours a week to

supervise.

Mr. Ormond explained in 1999 the Board determined it to be a conflict of interest for one individual to act as the Qualifying Agent for more than one Company, due to the time involved to appropriately supervise each company. Mr. Merchant then questioned how Mr. Oliverson would handle a situation where both companies needed him at the same time. Mr. Oliverson admitted that one or the other of the companies could be neglected.

The Board then recommended either resigning from GO Security Network, or suspend licensing of DAL Global Services LLC until after GO Security Network expires on November 30, 2010. Mr. Oliverson then submitted his resignation from GO Security Network.

Mr. Merchant seconded by Mr. Tinsley made a motion to grant licensure to DAL Global Services LLC, based on Mr. Oliverson meeting all qualifications for approval and his resignation, contingent upon clear criminal history being submitted for all officers. The motion carried unanimously.

11:00 a.m. Allegiance Security Group – Frandsen, George

Mr. Frandsen was unable to attend his scheduled appointment with the Board to review Allegiance Security Group's application for replacement of Qualifying Agent with Mr. Frandsen as the proposed Qualifying Agent.

Mr. Rose reviewed the application and explained Mr. Frandsen meets all qualifications for approval.

Mr. Rose seconded by Mr. Conner made a motion to approve Mr. Frandsen as the Qualifying Agent for Allegiance Security Group. The motion carried unanimously.

11:15 a.m. CashMan Services – Armored Car Training Program

At the January 21, 2010 Security Services Education Advisory Committee, CashMan Services Armored Care Training Program was reviewed it was determined the program must be amended to require:

- A minimum passing score of 80%, on the final examination;
- Additional questions need to be added to the examination to adequately cover:

Paperwork  
Vehicle transfer  
Vault Procedure  
Branch Procedures

- Expand examination to include fifty different questions,
- Each program subject should include a minimum of two hours of content,
- Correct any grammatical/typing errors, and
- Index the program to enable the instructor to easily find subject areas.

While the previous items were discussed, Mr. Yenchik, Chairman of the Security Services Education Advisory Committee reviewed the updated program.

Mr. Yenchik reported to the Board that all of the requested amendments were not reflected in the updated program. He further explained:

- The examination was extended to fifty questions; however, the examination is not restricted to the requirements of R156-63b-603(j).
- Content of the program is not specific.
- No documentation of DOT (Department of Transportation) requirements.
- It was also recommended removing the weapons questions from the examination.

Sheriff Merrell seconded by Mr. Rose made a motion to defer the review of CashMan Services Armored Car Training Program to the Security Services Education Advisory Committee.

## **DISCUSSION ITEMS:**

Armed Licensure – Legislative Study

Mr. Ormond explained at the 2010 Legislative Session it was determined for a Summer Interim Committee to review moving licensure of Armed Private Security Officers, and possibly Armored Car, to the Department of Public Safety. This determination is due to the belief that all firearms related licenses should be handled by the Department of Public Safety.

Mr. Ormond will update the Board when further information is available.

## Training discussion

Mr. Ormond recommended tabling any changes to R156-63a and 63b until the new Training Program requirements are established. The Board agreed.

Mr. Rose explained an Ad-hock Committee of industry professions including; Newel Cutler, Joe Chapman, Robert Anderton, Jeremy Lee, Gary Yenchik, Lynette Phillips, and Himself have meet to review and propose amendments to the current basic training requirements. He clarified the proposed amendments are intended to ensure a new employee, who has never worked in this profession, is appropriately trained to handle their position.

**New Proposed “Core” and “Elective” Basic Training Requirements**, the program will require Twenty-four hours of pre-hire training:

- Sixteen hours of “Core” topics to include:  
Nature and role of private security;  
Responsibilities and duties;  
Ethics;  
Unlawful harassment;  
Use of force (with roll play);  
Situational responses (with roll play);  
Patrol duties; and  
Incident report writing & other security-related documents.
- Eight hours of “Elective” topics, to be determined by the Contract Security Company/Trainer.

The Ad-hock Committee felt the proposed amendments would better the profession, and simplify the licensure process for the Officer, Company, and the Division. Additionally the Ad-hock Committee anticipates presenting a proposal to the Security Services Education Advisory Committee at the July 15, 2010 meeting.

**Mr. Rose then explained the proposed examinations:**

- Three different examinations will be established, to cover the “Core” topics. The examinations will be written by the Security Services Education Advisory Committee, with a required passing score of 80%.
- Each Company/Trainer will write their own

examination to cover the “Elective” topics, to which the applicant will be given “Pass” or “Fail”.

- Third-Party testing was determined to be too costly.

Mr. Conner reminded the Board, that at the September 10, 2009 Board Meeting, the Board had been made aware that when an Officer switches employment he is required to “re-do” the Basic Training. He then questioned if the Ad-hock Committee anticipates for the proposed Training to alleviate this problem. Mr. Rose explained that in part they did, adding that the Officer should not be required to “re-do” the “Core” topics. However, due to the “Elective” topics being different between each Company, this portion should be required.

**Train-the-Trainer Program:** To be written by USA and PACSCo. All Trainers must meet the requirements of R156-63a-602 (5), and have completed the “Train-the-Trainer” program. Mr. Ormond then clarified, upon approval of this program; the Divisions procedure will be similar to that of a Qualifying Agent.

Individuals present were concerned with this new requirement. The Ad-hock Committee and Mr. Rose explained the purpose of this program was to ensure all Trainers know how to train appropriately. It was further explained that the Ad-hock Committee was not insinuating that the current Trainers are incapable or incompetent. Mr. Rose then requested for any concerns to be submitted to him, via email.

Ms. Philips added when the Train-the-Trainer program is finalized, all eligible Officers will be invited by the either USA or PACSCo to participate.

**Continuing Education:** A proposal to amend the requirements of R156-63a-304 was then discussed. The continuing education hours are not to be increased. However, every six months Officers will be required to undergo four hours of continuing education, which the Officer is to be tested on. The course is to be documented by a “Certificate of Completion”, issued by the Trainer, and maintained by

the Officer.

It was then added, if an Officer is unable to complete the continuing education, they will be scheduled to meet with the Security Services Education Advisory Committee. The Security Services Education Advisory Committee will then interview the Officer to determine why the continuing education was not completed. The Officer will then be scheduled to meet with the Board for final action, prior to the license being renewed.

A recommendation was made to allow the Officers to document the continuing education via the Divisions web site. It was questioned how an Officer would obtain the continuing education hours if they are not employed in this profession. Ms. Phillips explained an Officer may utilize PACSCo or USA. Also it was clarified each Contract Security Company will determine what "Elective" topics should be covered for their company, contingent upon hours being industry related. The Company will also determine how the hours are to be administered, contingent upon the Trainer having been approved by Board. Additionally, if a clarification is needed the Security Services Education Advisory Committee will review.

Chief McCoy requested for those present to review the proposed changes and contact either Mr. Rose or the Division with any concerns or questions. This issue was tabled for further review.

**On-The-Job Training (OJT):** Mr. Ormond explained upon approval of the Ad-hock Committees proposal. The Division will be eliminating the OJT program. In its place eligible Officers will receive a hand written "Interim Permit" which will be valid for ninety days, upon receipt of clear criminal history for the Officer the full license will be issued.

Concerns regarding the, length of time it could take to license a new Officer; Cost to the Company; and Check and Balances on the "Elective" topics, were then expressed.

It was questioned if a Trainer could offer sixteen hours of classroom instruction, and eight hours of post hire

## Division Fee Changes

training. Due to the individual being unlicensed, it would be a violation of 58-63-501.

Mr. Ormond explained at the 2010 Legislative Session the Department of Public Safety increased their fees:

- Fingerprint Cards from \$15 to \$20
- Name check from \$10 to \$15
- Right of Access Service and Individual's criminal history report from \$10 to \$15.

A fee Hearing will be held in July, to establish the new fees. Mr. Ormond then explained due to this increase the licensure fees for this profession will be increased from \$95 to \$100.

## Utah Security Personnel Qualifying Agent's Examination – Review of examination, and study material.

Mr. Ormond explained the Division has received numerous complaints about the Utah Security Personnel Qualifying Agent's Examination. Some of the complaints were regarding:

- The number of individuals who have failed the examination;
- Inappropriate examination question's and answers;
- Examination should test individuals on their knowledge of the Statute and Rules for this profession only; and
- Requesting a study guide be established.

Mr. Ormond then explained the history of the examinations for this profession. Adding in 2007 the definition of a Qualifying Agent, and the examination was changed to test the proposed Qualifying Agents ability to perform their duties, as required by R156-63a and 63b-102. Mr. Ormond then added the current examination was written by a group of "Subject Matter Experts", and PSI and Division representatives. The Board had then reviewed and approved the examination.

It was clarified the examination will be re-reviewed on May 6, 2010 to ensure any concerns are addressed. Some individuals present, who have recently taken the examination, felt the examination was appropriate, tests an individual's ability to perform their duties as Qualifying Agents, and if an individual does not pass the examination "they have not studied all the required material".

Mr. Ormond then explained, if it is determined that the examination is appropriate, changes could be implemented to assist individuals to pass the examination:

- Reducing the number of questions;
- Increase the allotted time give; or
- Make the examination “Open Book”.

**AFIS Shutdown**

The Division notified all Security Services Companies, via email, on April 8, 2010 that AFIS will be shut down form April 27<sup>th</sup> through May 10, 2010 due to the census. Chief McCoy reviewed the email to ensure all Companies are aware, of the shutdown.

**ADJOURN:**

2:10 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 12, 2010

(ss) Johnny W McCoy

Date Approved

Chairperson, Security Services Licensing Board

August 17, 2010

(ss) Clyde Ormond

Date Approved

Bureau Manager, Division of Occupational & Professional Licensing