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**BEFORE THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING
OF THE DEPARTMENT OF COMMERCE**

STATE OF UTAH

IN THE MATTER OF THE LICENSES OF)	EMERGENCY ORDER
CORY GREEN, TO PRACTICE AS AN)	
ARMED PRIVATE SECURITY OFFICER)	Case No. DOPL-2010-45
AND TO PROVIDE CONTRACT)	
SECURITY COMPANY SERVICES)	
IN THE STATE OF UTAH)	

The Division of Occupational and Professional Licensing of the Department of Commerce of the State of Utah (the "Division") initiated an Emergency Adjudicative Proceeding pursuant to Utah Code Ann § 63G-4-502, the Utah Administrative Procedures Act, Utah Code Ann § 58-1-108(2), the Division of Occupational and Professional Licensing Act, and Utah Administrative Code R151-46b-16, the Department of Commerce Administrative Procedures Act Rules. The Division initiated the Emergency Administrative Proceeding upon evidence that the alleged unprofessional conduct of Cory Green ("Green") represents an immediate and significant danger to the public health, safety, and welfare, and that the threat required immediate action by the agency.

Before taking this action, the Chair of Security Services Licensing Board appointed a

three-member committee to review with the Division the proposed action in this matter, pursuant to Utah Code Ann § 58-1-108(2)

Pursuant to the Open and Public Meetings Act, Utah Code Ann § 52-4-1, the Division provided notice of the meeting of the committee for 1 00 p m on Tuesday February 9, 2010, at the Heber M Wells Building located at 160 East 300 South, Salt Lake City, Utah Notice of the meeting was provided to the Salt Lake Tribune on February 8, 2010 Notice was also placed in the lobby of the Heber Wells Building and on the DOPL/public information website on or about February 8, 2010 The committee convened at the appointed date and time The meeting of the committee was closed pursuant to Utah Code Ann § 52-4-205(1)(a) in order to discuss the professional competence and character of an individual The presiding committee member affirmed under oath that the meeting was closed for that purpose The committee reviewed the Division's proposed action and considered information in the form of testimony and written documentation The Division, having considered the committee's recommendations, makes the following Findings of Fact, Conclusions of Law, and Order

FINDINGS OF FACT

- 1 That on October 23, 2001 DOPL issued a license to Green to practice as an armed private security officer, license number 3620252-6302
- 2 DOPL also issued a license to Green on August 19, 2009 to operate a security services company by the name of Statewide Patrol Agency LLC, license number 7430010-6301 Green is sole owner and operator of Statewide Patrol Agency LLL and holds the status as the qualifying agent for the company
- 3 That in August or September 2010 Green while on duty at the Layton Meadows

1 Apartment Complex approached a minor B D who was 16 years old at the time and another minor J R B D and J R went on a on a ride-a-long with Green in his vehicle to Ogden During the course of the ride-a-long Green told them he needed a massage and asked if they would give him one They told him they would and went to the Motel 6 in Woods Cross with him at which time they gave him a massage for which he paid them \$120 00 Green later called an escort who gave him a "hand job" in front of the B D and J R Green also bought cigarettes for B D and J R which they smoked in the room with the escort

4 That on another occasion Green took B D to Victoria's Secret and bought several items including perfume and lingerie for her totaling \$207 00 Later Green and B D went to the Motel 6 in Riverdale, Utah where B D gave Green a massage Later Green grabbed B D 's hips at which point she pulled away telling him she had to go

5 That Green sent text messages to B D on her cell phone telling her he had dreams about her and that he wanted to marry her when she turned 18

6 That later Green made an arrangement with B D to go to his house B D was with another friend K M who was not a minor Green asked B D to give him a "hand job" which she did while K M watched Green also showed B D and K M a black bag with pornographic materials in it and suggested that B D use them B D refused and later Green paid B D approximately \$600 00 which she split with K M Green's young daughter was in the home at the time B D gave Green a "hand job "

7 That on or around December 10, 2009, Green made another arrangement with B D to go to his house B D was with another friend (not identified) B D gave Green a "hand job" while the friend watched for which B D was to be paid \$300 00 Green's two daughters and a

friend were home at the time B D gave him the "hand job " Green only gave B D \$200 00 and told her he would pay her the rest later The friend gave Green a massage for which she was paid \$200 00

8 That sometime later Green sent a text message to B D telling her he wouldn't pay her the money at which time she texted Green that she wanted \$2500 00 or she would go to the police to press charges against him

9 That sometime on or around December 14, 2009, Jennifer Moore B D 's probation officer conducted an interview with B D and asked to look at her cell phone and found text messages to Green which she reported to the Kaysville Police Department

10 That on or around January 4, 2010 a detective Brian Barry of the Kaysville Police Department interviewed B D to discuss the alleged sexual incidents that had taken place with Green and to get her statement B D told Detective Barry about the incidents involving Green and the alleged sexual conduct that had occurred Detective Barry also spoke with K M on the phone K M told Barry that B D told her that Green wanted B D to "jerk him off" K M also said that she was paid \$100 00 to drive B D to Green's house but denied that she had given Green a massage

11 That on January 14, 2010 Detective Barry went to Green's home to speak with him but no one answered the door Subsequent attempts were made to contact Green but he failed to respond

12 That on January 14, 2010 the Davis County Attorney's Office issued an arrest warrant for Green in the amount of \$50,000 alleging two counts of forcible sexual abuse, a second degree felony and two counts of dealing in material harmful to a minor, a third degree felony

CONCLUSIONS FROM THE FACTS

1 That Green's alleged sexual crimes involving a minor as described above poses an immediate and significant danger to the public health, safety, and welfare, and requires immediate action by the Division. In particular, Green has sexually, physically and mentally abused and exploited a minor connected with his armed security services license and his company which provides security services to the Layton Meadows Apartment Complex where the minor B D resides. Further, he has abused his position as an armed security guard. This behavior is unprofessional conduct and constitutes an immediate threat to the public health, safety, and welfare as the minor's family resides in the Layton Meadows Apartment Complex for which his company provides contract security services.

2 The Division finds that, pursuant to Utah Code Ann. § 58-1-401(2)(a), there is a factual basis to conclude that Cory Green has engaged in unprofessional and sexually exploitive conduct, that he poses an immediate and significant danger/threat to the public health, safety, and welfare, and that the Division should take immediate action to suspend and/or revoke his professional licenses.

3 The Division finds that because Green is the sole owner and operator of Statewide Patrol LLC and that because Green has engaged in unprofessional and sexually exploitive conduct that pose an immediate and significant danger/threat to the public health, safety and welfare, the Division should take action to immediately suspend the license of Statewide Patrol LLC.

CONCLUSIONS OF LAW

1 The Division has jurisdiction and authority to act in this matter and has followed

appropriate statutory procedures regarding the initiation of emergency adjudicative actions

2 Utah Code Ann § 63G-4-502 provides

(1) An agency may issue an order on an emergency basis without complying with the requirements of this chapter if

(a) the facts known by the agency or presented to the agency show that an immediate and significant danger to the public health, safety, or welfare exists, and

(b) the threat requires immediate action by the agency

(2) In issuing its emergency order, the agency shall

(a) limit its order to require only the action necessary to prevent or avoid the danger to the public health, safety, or welfare,

(b) issue promptly a written order, effective immediately, that includes a brief statement of findings of fact, conclusions of law, and reasons for the agency's utilization of emergency adjudicative proceedings, and

(c) give immediate notice to the persons who are required to comply with the order

(3) If the emergency order issued under this section will result in the continued infringement or impairment of any legal right or interest of any party, the agency shall commence a formal adjudicative proceeding in accordance with the other provisions of this chapter

3 That Green, by engaging in alleged forcible sexual abuse and dealing in harmful material to a minor exploited B G and engaged in unprofessional conduct as defined in Utah Code Ann § 58-1-501(2)(a), (b), and (k)

4 The actions of Cory Green constitute an immediate and significant danger to the public health, safety, and welfare, and require immediate action to protect the public health, safety, and welfare

5 The actions of Cory Green as sole owner and operator of Statewide Patrol LLC

pose an immediate and significant danger to the public health, safety and welfare, and require immediate action to protect the public health safety and welfare

6 That this Order is necessary to prevent harm to the public pending a formal adjudication of the matters addressed in this proceeding Immediate action is necessary, and this Order is the least restrictive action needed to prevent or avoid the danger to the public health,safety, or welfare

7 Green may challenge the Order pursuant to Utah Admin, Code R151-46b-16 as follows

R151-46b-16 Emergency Adjudicative Proceedings Unless otherwise provided by statute or rule

(1) When a division commences an emergency adjudicative proceeding and issues an order in accordance with Section 63G-4-502 which results in a continued impairment of the affected party's rights or legal interests, the division that issued the emergency order shall schedule a hearing upon written request of the affected party to determine whether the emergency order should be affirmed, set aside, or modified based on the standards set forth in Section 63G-4-502 The hearing will be conducted in conformity with Section 63G-4-206

(2) Upon request for a hearing pursuant to this rule, the Division will conduct a hearing as soon as reasonably practical but not later than 20 days from the receipt of a written request unless the Division and the party requesting the hearing agree to conduct the hearing at a later date The Division shall have the burden of proof to establish, by a preponderance of the evidence, that the requirements of Section 63G-4-502 have been met

(3) Except as otherwise provided by statute, the division director or his designee shall select an individual or body of individuals to act as the presiding officer at the hearing The presiding officer shall not include any individual who directly participated in issuing the emergency order

(4) Within a reasonable time after the hearing, the presiding officer shall issue an order in accordance with the requirements of Section 63G-4-502 The order of the presiding officer shall be considered final agency action with respect to the emergency

adjudicative proceeding and shall be subject to agency review in accordance with Section R151-46b-12

ORDER

The licenses of Green to practice as an armed private security officer and to operate a security services company, license numbers 360252-6302 and 7430010-6301 in the State of Utah, will be immediately and indefinitely suspended until a hearing can be convened pursuant to Utah Code Ann § 63G-4-502 and Utah Admin Code R151-46b-16, and a contravening order is issued. In addition, Green's status as a qualifying agent is hereby suspended. If Green can show that he can operate his security services company, Statewide Patrol Agency LLC through a new qualifying agent and in a manner that his ownership interest in the company does not pose a threat to the public, safety health or welfare in violation of this Emergency Order, the Division will consider reinstatement of his company license to operate his security services company Statewide Patrol LLC. The Division will proceed with a formal adjudicative proceeding to uphold this suspension and/or revoke Green's professional licenses.

Green shall immediately cease and desist from the practice as an armed security services officer and from providing contract security services in the State of Utah until a hearing can be convened pursuant to Utah Code Ann § 63G-4-502 and Utah Admin Code R151-46b-16, and a contravening order is issued.

RIGHT TO REVIEW

1 In accordance with Utah Admin Code R151-46b-16, the Division will schedule a hearing upon receipt of a written request from Green. At the hearing it will be determined whether this Emergency Order should be affirmed, set aside, or modified, based on

the standards set forth in Utah Code Ann § 63G-4-502 The hearing will be conducted in conformity with Utah Code Ann § 63G-4-206

2 Upon receipt of a request for hearing pursuant to Utah Admin Code R151-46b-16, the Division will conduct a hearing as soon as reasonably practical, but not later than twenty (20) days from receipt of a written request, unless the Division and the party requesting the hearing agree to conduct the hearing at a later date

DATED this 9TH day of February, 2010

W Ray Walker
W Ray Walker
Regulatory & Compliance Officer, Division of
Occupational and Professional Licensing



SERVED: COBY NEWT GREEN
OF: STATE WIDE PATROL AGENCY LLC
AT: 1353 W. 2350 S.
WOODS CROSS UT 84087
ON: 2/09/2010 AT: 6 40 a (PTA)
BY: GALEN W HESTER / LARRY GOODEN
TITLE: DOPL INVESTIGATORS
UTAH STATE DEPARTMENT OF COMMERCE
DIVISION OF OCCUPATIONAL & PROFESSIONAL LICENSING