

Private Security/Private Investigator Policy Committee

Minutes

December 5, 2017

The Private Security/Investigator Policy Committee of the Board on Public Safety Standards and Training held a meeting on Tuesday, December 5, 2017, in the Governor Victor G. Atiyeh Boardroom at the Department of Public Safety Standards and Training located in Salem, Oregon. Chair, Bill Geiger, called the meeting to order at 1:30 p.m.

Committee Members:

Bill Geiger, Chair, Private Security Industry
Raymond Byrd, Vice-Chair, Private Security Industry
Donovan Beard, Armed Security Representative
Drew Sharpe, Unarmed Industry
Dwayne Fund, Health Care Industry
Dan Lenzen, Hospitality Industry
Steven Swenson, Private Investigator
Fred Kuest, Private Business/Governmental Entity
Jeremy Grahn, Retail Industry
Jimmie Edmonds, Alarm Monitor Industry (phone)
Eric Morse, Manufacturing Industry (phone)
Chris Bloom, Investigator, OSB Appointed (phone)

DPSST Staff:

Linsay Hale, Professional Standards Division Director
Suzy Herring, Program Manager
Mona Riesterer, Professional Standards Assistant
Jennifer Howald, Rules Coordinator
Karen Evans, PSPI Investigator
Kristine Boatman, PSPI Compliance Assistant
Carissa White, PSPI Compliance Investigator
Rob Meeks, Training and Development Specialist/PSPI
Sherry Elward, Certification & Licensing Specialist



1. Introductions

Introductions of members, guest and staff were presented.

2. *Minutes of August 15, 2017

Approve meeting minutes from August 15, 2017 Private Security/Private Investigations Policy Committee Meeting.

- *Steve Swenson moved to approve the minutes from August 15, 2017 Private Security/Investigator Policy Committee meeting. Ray Byrd seconded the motion. The motion carried unanimously.*

3. ***Proposed Rule Change for OAR 259-060-0010, 259-060-0120, 259-060-0135 and 259-060-0300-SB 39 and Suspension of Armed Professionals and Firearms Instructors for Failure to Complete Annual Refresher Training/Marksmanship.**

Presented by Jennifer Howald

The changes to the Oregon Revised Statutes allowing the suspension of a private security provider's certifications become effective January 1, 2018. The corresponding Oregon Administrative Rules in Chapter 259 Division 60 that outline the annual firearms refresher training and marksmanship refresher training standards for certification as an armed private security provider and a private security firearms instructor will need to be amended to reflect the statutory changes resulting from the passage of SB 39.

DPSST staff is also recommending amendments to the OAR text that have been developed to help clarify the training timelines that are in place for the armed professional and firearms instructor certifications. The recommended draft rule language was presented the Private Security/Investigator Policy Committee.

- *Fred Kuest recommended that the Board adopt with the amended changes, the implementation of emergency suspension of armed private security certification and private security firearms instructor certification for a failure to complete and report the existing annual certification refresher training requirements and that the Board approve the proposed rule changes for OARs 259-060-0010, 259-060-0120, 259-060-0135 and 259-060-0300 with the Secretary of State as a permanent rule if no comments are received. Steve Swenson seconded the motion. The motion passed unanimously.*
- *By consensus the committee found no fiscal impact to small businesses.*

4. *** Review of Public Comment and Rulemaking Hearing Summary for the Proposed Rule Change to OAR 259-060-0300. Establishes Emotional Standards for Armed Private Security Professionals and Private Security Firearms Instructors.**

Presented by Jennifer Howald

On August 15, 2017, the Private Security and Investigators Policy Committee (PSIPC) discussed the proposed rule changes to OAR 259-060-0300 that were drafted to amend the rule language to address a potential of serious risk to public safety and health. The Committee recommended approving the proposed changes to OAR 259-060-0300 and that the Board approve filing the changes to OAR 259-060-0300 as a permanent rule with the Secretary of State if no comments are received. By consensus, the PSIPC approved the fiscal impact statements that were included in August 15, 2017 memo.

DPSST staff filed a proposed rule change after the PSIPC meeting so that the public comment period could be completed prior to the October meeting scheduled for the Board. The proposed rule change was filed with the Secretary of State on September 1, 2017 for a public comment period beginning October 1, 2017 and ending October 21, 2017. During the initial October public comment period, DPSST received public comment and a request for a rulemaking hearing.

The proposed rule change was removed from the Board's October consent agenda and is being resubmitted to the PSIPC for consideration of the comments received through public comment and the rulemaking hearing.

The requested rulemaking hearing was held on November 16, 2017 at DPSST. Based on the requirements for the hearing the public comment period was extended through November 21, 2017. The public comments collected from October 1, 2017 through November 21, 2017 and the rulemaking hearing summary was presented to the Private Security/Investigator Policy Committee members for review.

- *Ray Byrd recommended the Board adopt the addition of the emotional standards for private security providers as defined in the amended proposed changes to OAR 259-060-0300 with the recommended language amendment, and that the Board approve filing the changes to OAR 259-060-0300 and that the Board approve filing the changes to OAR 259-060-0300 as a permanent rule with the Secretary of State if no new comments are received. Chris Bloom seconded the motion. The motion carried unanimously.*
- *By consensus the committee found no fiscal impact to small businesses.*

5. Department Update:

By Suzy Herring

- Sherry Elward is the newest member in the Private Security/Investigator program. She is filling the Office Specialist 2 which was vacated by Kristine Boatman when she promoted to the Compliance Specialist 1 position.
- There are two new members that have joined the subcommittees. Ken Ross will be serving on the Event & Entertainment subcommittee and Kelly Sparlin will be filling in on the unarmed subcommittee.
- A schedule, per the bylaws, will be emailed to the members providing the dates for each subcommittee annually.
- The Form PS-20 has been updated and information was recently sent out on Listserv.
- The Form PS-24 was also recently updated, to provide clarification and ease when filling out. End of year newsletter will be posted to the website at the end of the month.
- Attendees of the manager and instructor courses are now provided their evaluation form through Google Forms via email. This will replace the evaluations that were previously handed out in class.

- Karen Evans will be heading up the instructor audits with Carissa White and Rob Meeks assistance. They are currently in the process of developing the procedures. The process will begin the first of 2018.
- The agency is currently looking at several potential products to assist with the online training that is currently provided through WebEx. Rob Meeks has been testing the product for meetings and classes. The system would allow for a larger volume of members to attend a meeting at one given time.

By Lindsay Hale

- Lindsay stated that the agency is working very diligently on updating our technology to provide facilitate our process and training.
- The agency is actively looking at ways to lessen the security risk and make Board and Policy Committee meetings more transparent so individuals from various locations can log into the system and watch the meetings.
- The Committee today reviewed the recent rule portion of SB 39 initiative that was recently approved by the Board. This is the culmination of a recommendations for a legislative changes introduced by the Armed Subcommittee in 2016 There were two other DPPST initiative concepts that were recently signed into law by the Governor. SB 40 that deals with the fingerprint authorities which was a housekeeping bill and the addition of adding a public member to all policy committees. The recruitment will begin January 2018.
- Legislature will be a short session which means agencies cannot file any legislative concepts.
- The last review of Moral Fitness Standards was completed in 2012. It is time for another review due to administrative hearings and case laws that impacts how the standard is interpreted and how it involves DPSST to enforce it. Staff will be seeking individuals that would like to participate in the process.

6. Subcommittee Reports:

Armed Subcommittee

The subcommittee has completed Mod 1 which is being reviewed for grammatical errors and formatting. Rob Meeks and Donovan Beard have been actively working on Mod 2, 3, and 4. At the last meeting, there were discussions in regards to dimensions on targets and what is acceptable for training.

Private Investigator

The subcommittee has been working through the protected privileged communication since there is not one in place. The members are working through the issue of client confidentiality requirements.

Events & Entertainment

The subcommittee is working with Rob Meeks in the process of developing specialized curriculum. Rob has received feedback from the workgroups and is diligently working on the development of a draft to present at the next meeting.

Unarmed Subcommittee

The subcommittee met recently and discussed the standards for trainers/instructors, what it looks like now and how it could look in the future, how to evaluate the training, and what mechanisms can be used to ensure the required training guidelines are met.

Alarm Monitor

The subcommittee met and discussed continued educational training for online use which could provide access for free for individuals to maintain their training. Unfortunately, the response back to assist with this idea was not as many they had hoped, so for now, the program is on hold.

7. Next Regularly Scheduled Meeting – February 20, 2018 at 1:30 p.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.*