

# Private Security/Investigators Policy Committee

## Minutes

### May 17, 2016

The Private Security/Private Investigators Policy Committee of the Board on Public Safety Standards and Training held a regular meeting on Tuesday, May 17, 2016 at 1:30 p.m. in the Boardroom at the Department of Public Safety Standards and Training located at 4190 Aumsville Hwy SE Salem, Oregon. For more information, contact Kristina Follis Mwepu at (503) 378-2431.

#### *Attendees:*

##### **Committee Members:**

Bill Geiger, Chair, Private Security Industry  
Raymond Byrd, Private Business/Governmental Entity  
Paul Castleberry, Vice Chair, Private Security Industry (Phone)  
Donovan Beard, Armed Security  
Jimmie Edmonds, Alarm Monitor Industry (Phone)  
Jim Gibson, Private Investigator  
Mark Rauch, Public Member  
Randall Scott, Hospitality Industry  
Michael Snyder, Unarmed Security Industry (Phone)  
Erick Morse, Manufacturing Industry (Phone)  
Jeremy Grahn, Retail Industry  
Ronald Miller, Private Investigator

##### **Committee Members Absent:**

Carol Coates, Healthcare Industry

##### **Guests:**

Will Laying, SEIU Local 49

##### **DPSST:**

Linsay Hale, Professional Standards Division Director  
Suzy Herring, Private Security Private Investigator Program Manager  
Jennifer Howald, Rules Coordinator  
Carissa White, Interim Compliance Investigator  
Kristina Follis Mwepu, Professional Standards Assistant  
Brandy Pitt, Certification & Licensing Assistant  
Julie Johnson, Compliance Specialist



#### **1. \*Minutes – February 16, 2016**

Approve the minutes of the February 16, 2016 Private Security/Private Investigations Policy Committee meeting.

It was determined that grammatical changes need to be made to pages three and a fact check needs to be made concerning Sharon Huck's retirement.

Bill Geiger moved to approve the minutes from February 16, 2016. Jim Gibson seconded the motion. The motion passed unanimously.

*To see a complete record of the February 18, 2016 Police Policy Committee minutes, please go to:*

2. **\*Proposed Revision- Examination for Private and Provisional Investigator Applicants**

Presented by Suzy Herring

Oregon Revised Statute 703.480 requires the Board on Public Safety Standards and Training, in collaboration with the Private Security Investigator Policy Committee to adopt a test of investigator competency. A bank of questions has been created to allow examinations to be changed periodically. All exams will include 50 randomly selected questions from the bank of questions.

Mark Rauch moved to recommend approval of the proposed examination revisions to the Board on Public Safety Standards and Training. Jim Gibson seconded the motion. The motion carried unanimously.

3. **\*OAR 259-061-0020- Proposed Rule Change: Amends language for fingerprint submission for PI-4**

Presented by Jennifer Howald

In July 2015, the Department established the ability for constituents to provide an electronic fingerprint submission to meet the requirements for licensure. With the fingerprint submission process broadened to include the submission of fingerprints electronically, the need for submission of a fingerprint card and Form PI-4 (Affidavit of Person Rolling Fingerprints) in a sealed tamper-proof bag to the department was eliminated. The following proposed rule language in OAR 259-061-0020 removes the requirement to submit fingerprints enclosed in a tamper proof bag with a Form PI-4.

Jim Gibson moved to recommend filing the proposed language for OAR 259-061-0020 with the Secretary of State as a proposed rule and as a permanent rule if no comments are received. Randall Scott seconded the motion. The motion carried unanimously.

It was determined that there is no significant fiscal impact on small business.

4. **\*OAR 259-060-0025 and 259-060-0600- Proposed Rule Change: Amends language for fingerprint submission for PS-4**

Presented by Jennifer Howald

In July 2015, the Department established the ability for constituents to provide an electronic fingerprint submission to meet the requirements for licensure. With the fingerprint submission process broadened to include the submission of fingerprints electronically, the need for submission of a fingerprint card and Form PS-4 (Affidavit of Person Rolling Fingerprints) in a sealed tamper-proof bag to the department was eliminated. The following proposed rule language for OAR 259-060-0025 and OAR 259-060-0600 removes the requirement to submit fingerprints enclosed in a tamper proof bag with a Form PS-4.

Donovan Beard moved to recommend filing the proposed language for OAR 259-060-0025 and OAR 259-060-0600 with the Secretary of State as a proposed rule and as a permanent rule if no comments are received. Randall Scott seconded the motion. The motion carried unanimously.

It was determined that there is no significant fiscal impact on small business.

5. **\*OAR 259-060-0015, 259-060-0130, 259-060-0200, 259-060-0450 and 259-060-0600- Proposed Rule Change and Rule Adoption: Amends and adopts responsibilities and compliance regarding use of prohibited business name per HB 4142**

Presented by Jennifer Howald

**\* Agenda items require a vote by the Committee.**

House Bill 4142 states that it unlawful for an entity that employs private security providers to use a name that implies that the entity is, or is affiliated with, an existing law enforcement unit or public safety agency as defined in ORS 181A.355, the organized militia as described in ORS 396.105, the Armed Forces of the United States, a federal law enforcement agency or a federal intelligence agency. This proposed rule change amends language in OAR 259-060-0015, 259-060-0130, 259-060-0450 and 259-060-0600 to comply with the provisions of HB 4142 and to clarify executive manager responsibilities.

Jim Gibson moved to recommend filing the proposed language for OAR 259-060-0015, 259-060-0130, 259-060-0200, 259-060-0450 and 259-060-0600 with the Secretary of State as a proposed rule and as a permanent rule if no comments are received. Randall Scott seconded the motion. The motion carried unanimously.

It was determined that there is no significant fiscal impact on small business.

**6. \*Brittany M. Harris PSID #54055- Civil Penalty**

Presented by Julie Johnson

The issue in this case involves Brittany Harris providing security services while not licensed or certified to do so, a violation of the Private Security Providers Act and carries a civil penalty of \$250.00 pursuant to OAR 259-060-0450.

After extensive discussion, the chair decided to table the case until further information can be obtained. This case will be brought before PSIPC at a later date.

**7. Department Update**

**Suzy Herring reported:**

There have been several staffing changes within PS/PI including Suzy Herring as the new permanent section manager. Carissa is working out of class as a Compliance Specialist 3, that position as been listed internally so we should know if that will become permanent soon.

The first issue of PS/PI's newsletter has received positive feedback; the next issue will be posted on the DPSST website mid-June. Julie Johnson has been updating the Ethics Bulletin regularly; please refer again to the DPSST website to find helpful information concerning ethics.

Due to recent changes to the OAR set into motion concerning finger prints and tamper proof bags, we have not been requiring bags or PS-4/PI-1 forms when applicants have submitted finger print cards. There has been a general show of appreciation and support from constituents.

Another positive feedback we are receiving from constituents is that we are printing cards every day. There is no longer a backlog of applications and essentially an applicant can walk off the street, apply, and have his card the next day. On average we are printing 210 cards for Private Security and 10 for Private Investigators a week?.

Private Security is currently in the market for a card printing machine. This will enable private security providers to carry a more durable plastic card similar to the private investigator card without the picture. Ideally we should start printing plastic cards late June.

Carissa has been making partnerships with the City of Portland and the Oregon Liquor Control Commission by going up once a month and participating in a liquor license workshop. We have also been partnering with

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Portland Police Bureau, Fire, Noise Control, and Crime Prevention; the groups have been coming together to do quarterly bar summits.

With summer approaching we have been focusing on promoting the program by participating in career fairs and taking advantage of speaking opportunities.

Summer is the prime season for events and night life, with that said Carissa and Karen will be going out to do more compliance checks. Rob will also be going out to observe the general conditions of venues to use as a tool within his own work developing curriculum.

We are excited to announce that the PI application process is being streamlined by way of updated forms and a new PI exam proctor program. Carissa is working to do an audit of community colleges that are willing to take on the duty of providing exam proctoring services at a fee for the applicant. This will lessen the burden of PIs having to travel across the state to DPSST in order to take the PI exam. This audit includes making sure the colleges have updated materials and are aware of program rules and procedures.

**Rob Meeks reported:**

For the unarmed group, we have begun conducting webinars for the beta-testers. There were multiple instructors who came together to experience the new process being fine-tuned. On May 23 at 1:10pm there will be a second webinar that we hope will have more participants.

For the out of state alarm monitors, we have seen a successful shift from traveling to them for classes and testing, to strictly utilizing webinars. Along with this change, we are administering the test after they go through the training; as a result we have seen greater success in testing scores.

**Linsay Hale reported:**

The concepts for the 2017 Legislative Session have been submitted. We have received permission from the Board to file three concepts on behalf of DPSST and the Board. The first concept relates to the fingerprint authorities. The second is would allow DPSST to suspend the certification of Armed Private Security providers who do not complete the annual requalification training. The final concept involves adding a voting public member to the Corrections, Police, Fire and Telecommunications Policy Committees.

The Board is happy to announce Jason Myers as the new Board Chair and Patricia Patrick-Joling as the new Vice Chair. There are several member changes to the Policy Committees as well. Matthew Frohnert is officially a member on Corrections Policy Committee as the Oregon Jail Command representative; Tami Jackson is terming out in July. Sheriff Matthew English will be joining CPC in the fall to replace Andy Long.

During the month of April, DPSST hosted the first Law Enforcement Career Fair for potential new law officers. Agencies from around the state showed up to promote their departments and filled the Hall of Heroes. The event is considered a success, bringing in a crowd total of over 2000. Next year DPSST will consider expanding the area for booths so more agencies can attend.

With the academy at maximum capacity and the campus being continually used for outside affiliated classes and meetings, we have come to the conclusion that staffing is being judiciously utilized and our budget is being given positive feedback. With that said, this facility is being used for what it was designed for. Unfortunately, the main issue we have is our lack of parking. Please keep this in mind when you make arrangements to come on campus.

**\* Agenda items require a vote by the Committee.**

This year's Law Enforcement Memorial honored Deputy Gil Datan from Coos County. Deputy Datan was killed in the line of duty while patrolling forest roads in Coos County when the ATV he was riding fell on top of him. DPSST will be asking the Board for permission to add Seaside Sgt. Jason Goodding's name to the wall at next year's memorial. The 2016 Fallen Fire Fighter Memorial will take place in September. We are hoping to add the name of a recently fallen fire professional to the memorial at that time.

Passport application project is going through the approval process for development and will begin in July. With the Passport application, applicants will be able to fully apply and pay for their application online. The intention is to streamline the application process and go paperless.

## **8. Subcommittee Reports**

### **▪ Armed Subcommittee -- Donovan Beard, Chair**

Donovan reported a recurring issue with armed security instructors and the lack of an instructor developing course and curriculum that is acceptable by standards set by the DPSST licensing program. In an effort to restructure the current curriculum, members of the Armed Subcommittee have gone out and taken nationally recognized programs such as the National Rifle Association's certification class. Partnering with Rob Meeks, they are developing an outline for the new curriculum that will be recognized by DPSST for Oregon based armed professionals to utilize instead of going out of state for training.

### **▪ Private Investigator Subcommittee – Ronald Miller, Chair**

The PI Subcommittee is finalizing the language on OAR 259-061-0110 for the temporary licensure of out of state investigators who need to work in Oregon for their case. Currently, Oregon does not recognize licenses from outside of Oregon; this is a matter of reciprocity that will make Oregon more accessible and to better regulate the actions of non-Oregonian investigators. Once the language has been approved, the subcommittee will submit it to the policy committee in August.

### **▪ Event/Hospitality Subcommittee – Randal Scott, Chair**

The subcommittee needs more time to develop their curriculum; Rob Meeks feels like they don't have enough to start finalizing an outline. The group has a current vacancy they are looking fill.

### **▪ Unarmed Subcommittee – Mark Rauch, Chair**

The group has begun beta testing new curriculum. The core essentials have been revamped to accommodate the changing industry. The next meeting will be in July.

### **▪ Alarm Monitor Subcommittee – Jimmie Edmonds, Chair**

The meeting has been postponed until May 23<sup>rd</sup>.

## **9. Next Regularly Scheduled Meeting – August 16, 2016 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](mailto:dpsst.records@state.or.us).*

**\* Agenda items require a vote by the Committee.**