

Private Security/Investigators Policy Committee
August 15, 2023
Minutes- Draft

The Private Security/Private Investigators Policy Committee of the Board on Public Safety Standards and Training held a regular meeting on August 15, 2023, 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. The Chair, Thomas Thomas, called the meeting to order at 1:31 p.m.

Committee Members:

Thomas Thomas, Chair, Private Security Industry
Ben Bower, Armed Security Representative
Samantha Schrantz, Private Investigator
Al McGee, Retail Industry
Helena Snyder, Private Investigator OSB (Oregon State Bar)
Dustin (Alex) Stone, Hospitality Representative
Raul Herrera, Alarm Monitor Representative
Ken Berg, Manufacturing Industry
Nate Nakasone, Unarmed Security Representative

Absent Members:

Arthur Apodaca, Health Care Industry

Staff:

Phil Castle, DPSST Director
Chis Brodniak, Professional Standards Division Director
Suzy Herring, Private Security/Investigator/Polygraph Program Manager
Jennifer Howald, Legislative and Administrative Rules Coordinator
Shelby Alexander, Executive Support Specialist
Chantel Hawes, Compliance Specialist
Michael Holsapple, Compliance Investigator
Ben Hamilton, Compliance Investigator
Michelle Morrison, Compliance Investigator
Paula Hatch, Business Services Manager

1. Introductions

2. *Approve Meeting Minutes from August 16, 2022

Approve meeting minutes of August 16, 2022

- *Helena Snyder motioned to approve the Meeting Minutes from the August 16, 2022, Private Security/Investigator Policy Committee meeting. Al McGee seconded the motion. The PSIPC voted by roll call, and the motion passed unanimously.*

3. *Proposed Rule Changes for Oregon Administrative Rule (OAR) Chapter 259 Division 59 – Adoption of Administrative Rule for Private Security Entity Licensure

Presented by Jennifer Howald

- *Helena Snyder motioned to recommend to the Board approval of the proposed rule changes to Oregon Administrative Rules (OAR) Chapter 259 Division 59 Temporary Rules. Nate Nakasone seconded the motion. The PSIPC voted by roll call, and the motion passed unanimously.*

4. *Proposed Rule Changes for Oregon Administrative Rule (OAR) 259-060-0025, 259-060-0060, and 259-060-0136, PS-6 Forms and other proof required for applications

Presented by Jennifer Howald

- *Nate Nakasone motioned to recommend to the Board approval of the proposed rule changes to Oregon Administrative Rules (OAR) 259-060-0025, 259-060-0060, 259-060-0136. Ben Bower seconded the motion. The PSIPC voted by roll call, and the motion passed unanimously.*

5. *Proposed Rule Changes for Oregon Administrative Rule (OAR) 259-061-0005 and 259-061-0240, Investigator Continuing Education Requirements

Presented by Jennifer Howald

- *Helena Snyder motioned to recommend to the Board approval of the proposed rule changes to Oregon Administrative Rules (OAR) 259-061-0005 and 259-061-0240. Al McGee seconded the motion. The PSIPC voted by roll call, and the motion passed unanimously.*

6. Review of Executive Manager Authority to Contract Services

Presented by Suzy Herring

- *Not for voting purposes. Discussion on executive manager contract language and putting a cap on the number of entities that a contracting executive manager can be responsible for. At the time of the rule, there were no caps, but the committee discussed if it became an issue to, bring it back to the committee for further review. The topic was brought back to share the multiple complaints, found violations, and staffing resources used on individuals who contract their licenses to multiple entities. Open discussion on whether a proposed rule change would be needed. The consensus from the policy committee was for staff to come back with a proposed rule change at the next meeting.*

7. Report on Oregon Administrative Rule (OAR) 259-060-0012, Private Security Equipment, Vehicles, Uniforms and Titles

Presented by Jennifer Howald – Informational Report

- *On December 1, 2022, DPSST received notice from the Office of the Legislative Counsel that section (3) of OAR 259-060-0012 required amendment. SB 116 was effective January 1, 2022. The rule states, “(3) Private security providers and entities that employ private security providers operating prior to June 1, 2022, must be in compliance with section (1) of this rule before July 1, 2023.”*
- *Legislative Counsel found that including the July 1, 2023, date in the rule was not part of the statutory authority for rulemaking related to the provisions of SB 116. Legislative Counsel explained that the date in the rule had the effect of delaying enforcement until*

July 2023 when the statute prohibits this conduct now. To correct this unintended legal outcome, the rule must be amended to delete section (3).

8. Report on the Five-Year Review of the Adoption of Oregon Administrative Rule (OAR) 259-061-0195

Presented by Jennifer Howald

- *Oregon Revised Statute (ORS) 183.405 requires agencies to review each rule that has been adopted not later than five years after adopting the rule. After the review, the agency is required to submit a report to the Secretary of State, the Small Business Rules Advisory Committee, and any advisory committee appointed by the agency under ORS 183.333.*

9. Letter of Consideration - Stuart Roberts

Presented by Suzy Herring

- *A letter was received by the program, addressed to the policy committee. The letter was from a constituent asking for consideration of having background checks from gaming licensing exempt individuals from the private security background process for certification. Additionally, the letter asks for the policy committee to consider allowing law enforcement officers applying for private security certification the ability to challenge the training/testing requirements for certification.*

10. Agency Update

- *Welcome, Ben Hamilton, Compliance Specialist 2, for HB 2527 entity regulation. Ben comes to DPSST from the Department of Revenue, and we are very fortunate to have such a great worker. Ben has jumped in and is learning the private security program and assisting with implementing the entity regulation for private security businesses.*
- *The PSPIPL Training and Development Specialist, Juli Ann Lindemann, has taken a position with the Dallas School District and will depart from DPSST. Juli Ann provided all private security training to our constituents. We are actively recruiting for this position and will be conduct interviews on August 18, 2023.*
- *The PSPIPL Course Coordinator/Administrative Specialist, Nicole Leach, is no longer employed with DPSST. If you have any questions regarding instructor or manager applications, please direct them to the main line at 503-378-8531 or us at email dpsst.security@dpsst.oregon.gov. We currently have an individual in the background process to fill this position.*
- *The staff has devoted much time to finalizing the Oregon Administrative Rules (OAR) for HB2527. Staff are also working with the Oregon Bureau of Labor and Industries on a few projects related to the regulation.*
- *Workday's recent changes that have affected constituents' ability to self-register for our online training programs. As of June 11, 2022, to access our training programs, new applicants must first create an account on Workday, request access, and be granted access by program staff before they can attend the online training programs.*
- *With all the staffing changes, application processing time has increased. Please ensure that you and your staff send in a completed application without deficiencies. This will reduce the processing time. You and your team can continue to use IRIS to check the status of each certification's status and visit our website to see which day the program is currently processing.*

- *Due to the current backlog in processing applications, we have added the current processing dates for new and renewed applications daily to the website.*

11. Next Regularly Scheduled Meeting – November 15, 2023, at 1:30 p.m.

- *Chair, Thomas Thomas, addressed the Private Security/Investigator Policy Committee and adjourned the meeting at 3:56pm.*

Administrative Notes:

These minutes reflect the order of the discussion/voting items as they appear on the official meeting agenda. The actual order in which they were discussed may vary.

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@dpsst.oregon.gov.