

Office of Professional Regulation

BOARD OF PRIVATE INVESTIGATIVE & SECURITY SERVICES

**UNAPPROVED MINUTES
Meeting of NOVEMBER 21, 2003**

1. The meeting was called to order at 9:05 a.m.

Members Present: Daniel A. Coane, Chairman; Robert E. Edwards; Leo P. Blais; and Christine Schlegel Brown.

OPR Staff Present: Rita Knapp, Licensing Program Coordinator; Carla Preston, Unit Administrator; and Patty Skinner, Administrative Assistant.

Others Present: Steven Faye, Mark Stockton, Lenn Lockwood and Gary LeRoux.

2. The Chair called for approval of the Minutes of October 24th meeting. Mr. Edwards made a motion, seconded by Ms. Schlegel Brown, to approve the Minutes as presented. Motion passed unanimously.

3. **Hearing/Stipulations** - None to report.

4. **Reports**

- a. The Board explained that registrants will have 60 days in which to complete their training and are permitted to work during that period. A method of approval and follow-up for persons in training needs to be developed for tracking purposes. The Board noted that it preferred the Temporary Registration issued remain the stamped portion of the application.

Rita Knapp attended the meeting to discuss how registrations could be issued for employees that are in the process of receiving their training. Ms. Knapp suggested adding the applicant's information to the computer system with a 60-day expiration date with has a specialty code indicating "In Training," but not issuing a computer generated registration at that time. Once the applicant has provided evidence of having successfully completed the training, the "in training" specialty code would be removed and the registration card with the current expiration date could be issued. She provided some examples of how this could work and noted that it is easy to track expiration dates of registrants via the computer system. She said the Board could request a stamp stating "IN TRAINING" or something similar to add to the application portion of the Temporary Registration issued immediately.

- b. Ms. Preston reported on the OPR Seminar held on November 3rd and handed out documents from the seminar pertaining to the legislative process, continued competence, and disciplinary actions.

5. **Legislation/Rulemaking**

- a. Review of the November 19, 2003 draft of the Rules was tabled until the December meeting. Ms. Schlegel Brown indicated that she will not be present, but will submit her comments for consideration.
- b. The Board reviewed Chris Winters' November 20, 2003 Memorandum with regard to Investigations Crossing State Lines. The Board preferred Counsel's suggestion to amend the existing transitory permit system to allow an investigator from another state to apply for the temporary permit after coming into the state unexpectedly, but within a certain time

period (i.e., 24 or 48 hours). The Board would like this matter considered during the next legislative session.

6. **Complaints**

- a. **PD-04-0703** - The Board reviewed the Report of Concluded Investigation. Based on the information presented, Ms. Schlegel Brown made a motion, seconded by Mr. Blais, to accept the Investigative Team's recommendation to conclude this matter without charges. Mr. Edwards, Board Investigator, did not participate in the vote. Motion passed.
- b. **PD-05-0803** - The Board reviewed the Report of Concluded Investigation. Based on the information presented, Mr. Blais made a motion, seconded by Ms. Schlegel Brown, to accept the Investigative Team's recommendation to conclude this matter without charges. Mr. Edwards, Board Investigator, did not participate in the vote. Motion passed.

7. **Applications discussed and reviewed**

The Board reviewed the following applications and took action as indicated.

- a. **Stacey L. Dean** - The Board reviewed Ms. Dean's application for registration as an Unarmed Security Guard with Deter Security, Inc. Mr. Edwards made a motion, seconded by Ms. Schlegel Brown, to preliminarily deny Ms. Dean's application based on failure to provide the information requested by the Board (Title 26, Chapter 59 § 3181 (b) (15) and § 3181 (b) (18). Motion passed unanimously.
- b. **Elias Brook Bradford-Weston** - The Board reviewed Ms. Bradford-Weston's application for registration as an Unarmed Security Guard with IPC International Corp. The Board noted gaps in her employment history. Mr. Edwards made a motion, seconded by Mr. Blais, to table approval of her application pending receipt of the information regarding her employment history. Motion passed unanimously.
- c. **Kirstin Reilly** - The Board reviewed Ms. Reilly's application for registration as an Unarmed Private Investigator with Sally Hansen (tabled from the October meeting). Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Schlegel Brown, to approve Ms. Reilly for registration. Motion passed unanimously.
- d. **William D. Finnigan** - The Board reviewed Mr. Finnigan's application for registration as an Unarmed Security Guard with IPC International Corp. Chairman Coane recused himself from this matter due to a conflict of interest. Ms. Schlegel Brown made a motion, seconded by Mr. Edwards, to preliminarily deny Mr. Finnigan's application based on failure to provide the information requested by the Board (Title 26, Chapter 59 § 3181 (b) (15) and § 3181 (b) (18). Motion passed.
- e. **Lenn R. Lockwood** – Mr. Lockwood was present at the meeting to discuss his application for registration an Unarmed Security Guard with Deter Security, Inc. Mr. Lockwood said that the offenses showing up on the VCIC record pertained to his son (DOB 10/1981) who has a similar name. He said the offenses occurring in 1980 and 1981 must have been his. The Board explained the process to have the VCIC record corrected. Since he answered “No” to question number one on the application, he must provide copies of court docket sheets and police affidavits of his offenses. A corrected VCIC Record is needed to issue a full license. After further discussion Mr. Edwards made a motion, seconded by Mr. Blais, to issue Mr. Lockwood a 30-day Temporary Registration so that he may work. The matter will tabled until the December 19th meeting. Motion passed unanimously.

7. **Applications discussed and reviewed** - continued
- f. **James P. Coyle** – The Board reviewed Mr. Coyle’s application for registration as an Unarmed Private Investigator with Nichols Investigations. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Schlegel Brown, to approve Mr. Coyle for registration. Motion passed unanimously.
- g. **Eric A. Darling** - The Board reviewed Mr. Darling’s application for registration as an Unarmed Private Investigator with MJM Investigations (tabled from the October meeting). Mr. Darling was preliminarily denied at the October meeting for failure to provide information requested by the Board. Mr. Edwards made a motion, seconded by Ms. Schlegel Brown, to give Mr. Darling until November 30, 2003 to request a hearing or to provide the necessary information. Failure to do so will result in Final denial. Motion passed unanimously.
- h. **S.L Jackson & Associates, LLC** - The Board reviewed the application for S. L. Jackson & Associates, LLC as a Private Investigative Company with Mr. Jackson as the Qualifying Agent. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Schlegel Brown, to approve licensure for an Unarmed qualifying agent subject to receipt of more information about Kathryn Feeney. Ms. Feeney verified Mr. Jackson’s employment but did not provide information as to her position or title. Upon receipt of verification that Mr. Jackson received his firearms certification by a Vermont licensed Firearms Instructor, his license may be upgraded to Armed status. Motion passed unanimously.
- i. **John R. Dryer** – The Board reviewed Mr. Dryer’s application for registration as an Unarmed Private Investigator with Censor Security, Inc. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Schlegel Brown, to table this application for the December meeting for additional information. Motion passed unanimously.
- j. **U.S. Investigative Services, Inc.** – The Board reviewed this application which changed the company’s organization from that of a corporation to a limited liability company thereby changing its name to U.S. Investigations Services, LLC. Based on the information provided, Mr. Edwards made a motion, seconded by Mr. Blais, to approve the application for licensure. Motion passed unanimously.

8. Correspondence

- a. The Board reviewed the letter from Howard MacLauchlan requesting licensing requirements, if any, for “Judgment Enforcing.” The Board briefly discussed the matter and referred it to Counsel for review.
- b. The Board reviewed the advertisement noted on the JobsInVT.com Web site from Triad Temporary Services, Inc. The Board will write a letter to Triad and ask them to provide details as to Triad’s function with regard to hiring and/or training for security persons. If Triad is providing security personnel to clients it would be governed by the Board.
- c. Gary LeRoux wrote to the Board and attended the meeting to discuss his firearms training from the National Rifle Association. The Board reviewed his application as a firearms instructor, NRA certifications and training manuals. Mr. LeRoux explained that the NRA course he took was not in security and law enforcement but in pistol instruction. He said he has taken other courses from Sig Arms, the military, etc. He asked if his firearms training would qualify him as an instructor. The Board concluded that his firearms training was satisfactory to become an instructor and that

his proposed training program was acceptable. The Board noted that his application was not complete.

8. Correspondence - continued

- c. The Board reviewed the Memo from Marty Searight of the Governor's Office regarding the Executive Code of Ethics, E.O. 10-03. Members resigned page four of the Executive Order.

9. Other Business

Mr. Edwards reported on his attendance at the International Association of Security and Investigative Regulators (IASIR) meeting. He said it was a very interesting and extensive meeting. Topics included regulation, training, private/public cooperation, armored car industry, homeland security, as well as particular attributes of the industries we regulate. He said there was considerable focus on the differences between their industry and law enforcement and noted that efforts are being made to work together more closely and share information. He said he made great contacts and hopes to be able to attend next year's meeting which will be held in Phoenix.

10. Election of Officers

The Board held an election of offices which resulted as follows:

Danny Coane, Chairman
Leo Blais, Vice-Chairman
Robert Edwards, Secretary

11. Public Comment

- a. The issue of employers filling out applications for registrants was discussed. Both Messrs Stockton and Faye stated that they ask their employees the questions and then they write it down on the application. They indicated that they do this to be sure that the application is legible and to ensure that all of the information is completed. They said the applicant reviews the application and signs it.

The Board indicated that it could appreciate their reasons, but noted that it preferred that applicants complete applications themselves.

- 12. There being no further business, Mr. Blais made a motion, seconded by Mr. Edwards, to adjourn the meeting at 12:26 p.m. Motion passed unanimously.

Respectfully Submitted,

Carla Preston, Unit Administrator
Patty Skinner, Administrative Assistant
Office of Professional Regulation