

Office of Professional Regulation
BOARD OF PRIVATE INVESTIGATIVE & SECURITY SERVICES

**APPROVED MINUTES
MEETING OF JUNE 16, 2006**

1. The meeting was called to order at 9:10 a.m.

Members present: Daniel A. Coane, Chairman; Leo P. Blais, Secretary; Elizabeth Gilligan; and Emma J. Pudvah, Ad Hoc Member. Absent: Robert E. Edwards, Vice-Chair. Mr. Edwards participated via phone for input on a few matters.

OPR Staff present: Kevin F. Leahy, Board Counsel; Robert H. Backus, State Prosecuting Attorney; and Carla Preston, Unit Administrator.

2. The Chair called for approval of the Minutes of the May 19th meeting. Mr. Blais' name was spelled incorrectly. Mr. Blais made a motion, seconded by Ms. Gilligan, to approve the Minutes of the May 19, 2006 meeting as corrected. Motion passed unanimously.

3. **Hearings/Stipulations**

At 9:30 a.m., the Board considered the State's Request for Summary Suspension in the matter of Investigative and Accident Reconstruction Services, Inc. d/b/a Professional Investigations, Docket Number PD-14-0506. Kevin Leahy, Esq. presided for the Board. Robert Backus, Esq. represented the State. The Board voted to go into deliberative session at 9:50 a.m. and out at 10:00 a.m. Based on the information provided, Mr. Coane made a motion, seconded by Ms. Pudvah, to approve the State's request for Summary Suspension. The question was called and the motion passed. Mr. Blais, Investigating Member, did not participate in the vote.

4. **Complaints/Follow-up cases:**

The Board reviewed the Report for June 2006 submitted by MVM Inc., Docket No. PD12-1203. Mr. Blais made a motion, seconded by Ms. Gilligan, to accept the Report noting that MVM, Inc. is in compliance with its December 17, 2004 Stipulation and Consent Order. Motion passed unanimously.

5. **Legislation/Rulemaking**

The Board discussed topics to consider for possible legislative changes which included, "scope of duty," flagging, classes of licenses, and further clarifying training requirements.

6. **Applications Reviewed/Discussed**

- a. **FYI Investigations** – Unarmed private investigative agency with Richard Murphy as the Qualifying Agent. The Board found the application to be incomplete. Page five of the application with regard to the Qualifying Agent will be returned for completion. Mr. Murphy must answer question number one on the application, which asks, "Have you ever been arrested, taken into custody, held for questioning, cited into court or charged by any law enforcement authority? He must initial and date his response on the form. In addition, the Board requests a written explanation as to why he did not respond to the question initially.

- b. **Paradee and Associates, Inc.** with E. Guy Paradee as the qualifying agent. Mr. Edwards participated via phone for this discussion. The Board noted that federal background checks must be performed on the President and Secretary (Rule 2.3 (B)(1)) of the corporation. Pursuant to Board Rule 2.4, the Board waived successful completion of the State Laws and Rules examination for Guy Paradee since he holds a current license (066-0004839). The Board will remind the applicant that all employees must submit an application to become registered and provide evidence of having received 40-hours of training. Mr. Blais made a motion, seconded by Ms. Gilligan, to table this matter to the next meeting. The question was called and the motion passed unanimously.
- c. **Shawn R. Pratt** –The Board reviewed Mr. Pratt’s application for registration as an Unarmed Security Guard with Wackenhut Corp. Mr. Blais made a motion, seconded by Ms. Gilligan, to preliminarily deny Mr. Pratt’s application for *failing to provide information requested by the Board and providing incomplete, false or misleading information on an application*. Motion passed unanimously.
- d. **Personal Security Institute** – This Florida based organization is requesting Board-approval of its 40-hour Basic Training Course. It appeared from their outline that most of Vermont=s required subject areas were covered. However, they must elaborate further as to the specifics of these areas of training. The training course must include the lesson plan, qualification of instructors (curriculum vitae or resume), examinations, method of instruction, record keeping, responsible individual, and so on. The Board had several questions, which will be asked of the organization. Is their training program approved by a regulatory board, department of education, or other organization in Florida? How similar is the course offered in Florida to Vermont=s requirements? Do they plan to offer their training course to Vermont residents or only to Florida residents who plan to relocate to Vermont? Ms. Pudvah made a motion, seconded by Ms. Gilligan to not accept the information as submitted and to table the matter until additional information has been provided. Motion passed unanimously.

7. Follow Ups

- a. **C.A.H. Services Airport Parking** – At its January 19th meeting, the Board reversed its decision and voted to grant licensure to this agency with Curtis A. Hennigar as Qualifying Agent. This decision was reported to the applicant and his attorney. To date the requested updated application has not been submitted. The Board asked Ms. Preston to contact Mr. Hennigar or his attorney Allison Bell for a status report.
- b. **Geoffrey T. Brewster** – Mr. Brewster submitted an application as a private investigator with Downeast Investigations and requested a waiver of the training requirements. The information requested by the Board has not been submitted. Mr. Brewster’s 60-day Temporary has expired. He must reapply.

8. Correspondence

- a. The Board reviewed and noted the *IASIR Regulator* – Winter 2006.

9. Other Business

- a. The Board discussed topics it would like to see addressed at OPR’s Fall Training Seminar, scheduled for November 14th. They included the quality of licenses and the need for photos on the licenses, and the need to have spot checks performed to verify that persons are duly registered or licensed.

- b. Ms. Preston reported that the intent of the statutory \$20 initial license fee is in addition to the \$50 application fee, making the total fee \$70. The \$20 fee would be returned to applicants who are denied; application fees are non-refundable. The Board discussed this matter further and preferred not to charge the additional \$20 at this time. Ms. Preston agreed to discuss the matter with the Director and will report back to the Board.
- c. The Board discussed Board Rule 2.11 C, Firearms Training, and its intent with regard to “particular weapon.” Does particular weapon mean shotgun, revolver or automatic; or does it mean S&W .357, S&W 460 Magnum, etc? The Board asked Mr. Edwards to partake in this discussion.

The Board verified that the intent of the Rule and firearms certification form is that for each specific model of weapon to be carried, four hours of training is required. The training requirement is not generic to a shotgun, revolver or automatic; it is specific to the manufacturer, make, model and caliber of each weapon. The applicant would only have to qualify on one weapon (12 hours of class time and four hours on safety and use of the particular weapon). It would be up to the instructor to determine if more training was necessary when multiple weapons are to be used. Attorney Leahy was involved in the discussion and concurred with the Board’s interpretation.

10. Public Comments

- 11. There being no further business, the meeting was adjourned at 11:55 a.m.
- 12. The next meeting is scheduled for July 21, 2006.

Respectfully submitted,

Carla Preston
Unit Administrator
Office of Professional Regulation