

Office of Professional Regulation
BOARD OF PRIVATE INVESTIGATIVE & SECURITY SERVICES
MINUTES
MEETING OF JANUARY 18, 2008

1. The meeting was called to order at 9:12 a.m.

Members present: Robert Edwards, Chair; James R. Eckhardt, Vice Chair; Stacey Nelson and Elizabeth Gilligan, Public members.

OPR Staff present: Kevin Leahy, Board Counsel; Robert Backus, Prosecuting Attorney; Carla Preston, Unit Administrator and Patty Skinner, Administrative Assistant.

Others present: Jennifer L. Chicoine, Registrant; John Palasik, Security One; Jeremy Spaulding, Green Mountain Concert Services; Francis Kinney, Deter Security Joshua Flore, Flore Investigation and Security Services and Marilyn Strait.

2. The Chair called for approval of the Minutes of the December 14th meeting. Mr. Eckhardt made a motion, seconded by Ms. Gilligan, to approve the Minutes of the December 14th 2007 meeting as presented. Motion passed unanimously.

3. **Hearings/Stipulations**

- a. PD11-0507 – Saber Security – Kevin Leahy, Esq. presided for the Board. Robert Backus, Esq. represented the State. Mr. Neilly represented himself via a conference call. Attorney Backus and respondent firm agreed to an order of suspension. Based on the information provided, Mr. Eckhardt made a motion, seconded by Ms. Gilligan, to suspend Saber Security's license indefinitely in Vermont, and that Mr. Neilly would have to reapply and come before the Board if he ever wanted to practice in Vermont again. Motion passed unanimously.

4. **Complaints/Follow-up cases – N/A**

5. **Legislation/Rulemaking – N/A**

6. **Applications Reviewed/Discussed**

- a. Security One - Agency change to an LLC. Based on the information provided, Mr. Eckhardt made a motion, seconded by Ms. Nelson, to approve the change in name structure for the agency. Motion passed unanimously.
- b. Tory Burke – Unarmed Security Guard with Guardsmark, LLC. Based on the information provided, Mr. Eckhardt made a motion, seconded by Ms. Nelson, to table Mr. Burke's registration to allow more time to obtain the necessary paperwork. Motion passed unanimously.
- c. Michael L. Clark – Unarmed Security Guard with The Wackenhut Corp. Based on the information provided, Mr. Eckhardt made a motion, seconded by Ms. Nelson, to preliminarily deny Mr. Clark for registration on the basis of *Title 26, Chapter 59 §3181(b)15 Failing to provide information requested by the Board and §3181(b)18 Providing incomplete, false or misleading information on an application*. Motion passed unanimously.

- d. Jennifer Chicoine – Unarmed Security Guard with The Wackenhut Corp., tabled from the December meeting. Based on the information provided, Mr. Eckhardt made a motion, seconded by Ms. Gilligan, to approve Ms. Chicoine for registration. Motion passed unanimously.
- e. Jeffrey Strait – Unarmed Security Guard with The Wackenhut Corp. tabled from the December meeting. Based on the information provided, Mr. Eckhardt made a motion, seconded by Ms. Nelson, to preliminarily deny Mr. Strait for registration on the basis of *Title 26, Chapter 59 §3181(b)15 Failing to provide information requested by the Board and §3181(b)18 Providing incomplete, false or misleading information on an application*. Motion passed unanimously.
- f. Mark E. Unwin – Unarmed Security Guard with Vance International, tabled from the December meeting. Based on the information provided, Mr. Eckhardt made a motion, seconded by Ms. Nelson, to preliminarily deny Mr. Unwin for registration on the basis of *Title 26, Chapter 59 §3181(b)15 Failing to provide information requested by the Board and §3181(b)18 Providing incomplete, false or misleading information on an application*. Motion passed unanimously.
- g. Flore Investigation and Security Services – with Joshua Flore as the qualifying agent, which was tabled from the December meeting for a personal appearance. Mr. Flore was present. Based on the information provided, Mr. Eckhardt made a motion, seconded by Ms. Gilligan, to approve the application for Flore Investigation and Security Services, with Joshua Flore as the qualifying agent. Motion passed unanimously.
- h. Jeffrey J. Parke – Instructor for Valor Security’s Forty Hour Training Course. Based on the information provided, Mr. Eckhardt made a motion, seconded by Ms. Gilligan, to approve Jeffrey Parke as an instructor of Valor Security’s Forty Hour Training Course.
- i. Thomas Norton – Green Mountain Concert Services and Mr. Norton requesting that the conditions be removed from his registration. Jeremy Spaulding was present on behalf of his employee, and stated that Mr. Norton had completed the conditions of the order. Mr. Eckhardt made a motion, seconded by Ms. Gilligan, to remove the conditions from Mr. Nortons license. Motion passed unanimously.
- j. Marilyn Pentkowski – Unarmed Security Guard with Hunter North Associates. Hunter North is requesting a waiver of her training due to previous employment with The Wackenhut Corp. Based on the information provided, Mr. Eckhardt made a motion, seconded by Ms. Gilligan, to hold this registration pending receipt of a training certificate. Motion passed unanimously.

7. Follow Ups – N/A

8. Correspondence

9. Budget Review

10. Other Business

- a. A brief discussion was held on fingerprint issues. Mr. Kinney with Deter Security spoke regarding unarmed registrants having to be fingerprinted at ident centers. He stated that it is very difficult to get an appointment to have fingerprints done, and if something comes up, and the officer has to leave at the particular day you are scheduled that you have to wait a couple more weeks to be scheduled. Mr. Kinney does not feel that it would be cost effective for this to happen, and requested that we not have unarmed registrants submit fingerprint cards.

Mr. Edwards stated that we should be looking at this from the public safety issue rather than the economic side of it.

Mr. Eckhardt suggested that a resolution is needed, and that we suspend fingerprint cards for the unarmed registrants until a rational decision to protect the public is made.

- b. The Board discuss the drafting of a memo to go out to all agencies, and would like to see a draft of same prior to the next meeting.

11. Public Comments

12. Number of Open Cases

- a. There are currently eleven open cases

12. There being no further business, the meeting was adjourned at 10:50 a.m.

13. The date of the next regularly scheduled meeting of the Board is set for February 15, 2008.