

Vermont Secretary of State
Office of Professional Regulation

BOARD OF PRIVATE INVESTIGATIVE & SECURITY SERVICES

**UNAPPROVED MINUTES
MEETING of FRIDAY, APRIL 18, 2003**

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

Members present: Daniel A. Coane, Chairman; Christine Schlegel Brown; Richard A. Walton; and ad hoc member Robert Edwards. Absent: Leo P. Blais, Secretary; and Todd Lemieux, Vice-Chair. OPR Staff Present: Carla Preston, Unit Administrator; and Kara Sanborn, Staff Secretary.

Others present: Mark Stockton; Earl W. Russin; and William R. Bezio.

2. The Chair called for approval of the Minutes of the March 21st meeting. On page one, members noted that the monthly report from Brinks had not yet been received, thus it was not available for review. The record was amended to show that no action was taken. Mr. Edwards made a motion, seconded by Mr. Walton, to approve the Minutes of the March 21, 2003 meeting as corrected. Motion passed unanimously.

3. **Reports:**

- A. The Board reviewed and noted the Budget for period ending March 2003.

4. **Complaints**

- A. The Board reviewed the March 2003 report from Brinks, a condition of its Stipulation and Consent Order in the matter of PD06-0200. Based on the information submitted, Mr. Edwards made a motion, seconded by Ms Schlegel Brown, to accept the March report from Brinks as being in compliance with the Order. The Board will write to Mr. Crawford and request submittal of compliance reports by the date of the meeting so that it is reviewing reports for the current month. Motion passed unanimously.

5. **Licensing**

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

- a. **Bezio, William R.** - (Unarmed Security Guard with Lemieux Security Services). Mr. Bezio was present and offered testimony with regard to his application. Based on the information provided, Mr. Edwards made a motion, seconded by Mr. Walton, to approve Mr. Bezio for licensure. Motion passed unanimously.
 - b. **Boice, Jr., Robert C.** - (Unarmed Private Investigator with TCAR Recovery and Remarketing Service). Ms Schlegel Brown made a motion, seconded by Mr. Edwards, to table action on this application pending receipt of documents from New York and his own explanation as to the offense. Mr. Boice's explanation must include the legal disposition of the matter. Motion passed unanimously.
 - c. **Russell, Thomas E.** - (Unarmed Security Guard with Special Investigations, Inc.). No additional information had been received. Ms Schlegel Brown made a motion, seconded by Mr. Edwards, to deny Mr. Russell's application on the basis that he failed to provide all information requested by the Board (26 V.S.A. § 3181 (b) (15) and § (3181 (b) (18)). Motion passed unanimously.

5. **Licensing** - continued

- d. **Walker, Jonathan D.** - (Unarmed Security Guard with Sensor Security) - No additional information had been received. Mr. Edwards made a motion, seconded by Ms Schlegel Brown, to deny Mr. Walker's application on the basis that he failed to provide all information requested by the Board (26 V.S.A. § 3181 (b) (15) and § (3181 (b) (18). Motion passed unanimously.
- e. **Russin, Earl W.** - (Unarmed Security Guard with Lemieux Security Services). Mr. Russin was present and offered testimony with regard to his application. Based on the information provided, Mr. Edwards made a motion, seconded by Mr. Walton, to approve Mr. Russin for licensure. Motion passed unanimously.
- f. **Derby, Mark M.** - (Unarmed Security Guard with MVM, Inc.). The information Mr. Derby had requested from New York had not yet arrived. The Board noted that he has made a good faith effort to obtain those documents and agreed to table his application.
- g. **Lenane, David M.** - (Firearms Instructor). The Board reviewed Mr. Lenane's application and concluded that he needed verification directly from either the National Rifle Association or the Massachusetts State Police where he received his training, and a copy of the training program he took. If the instructors' training program he took from either of those organizations is not available, a notarized statement from his instructor indicating that the program Mr. Lenane took either meets or exceeds Vermont's training program, will be acceptable. Mr. Walton made a motion, seconded by Mr. Edwards, to approve Mr. Lenane's application for licensure as an instructor, pending receipt of this information. Mr. Walton amended his motion to include approval pending receipt of the results of an FBI check, which was seconded by Mr. Edwards. The Board reviewed and approved the training program he will teach once he is a licensed instructor. Motion passed unanimously.
- h. **Armell, Timothy R.** - (Unarmed Security Guard with Deter Security). The Board noted that this matter was tabled from an earlier meeting pending receipt of documentation. The Board concluded that Mr. Armell must provide an explanation as to the 1984 incident mentioned in his application. Mr. Edwards made a motion, seconded by Ms Schlegel Brown, to table Mr. Armell's application. Motion passed unanimously.
- i. **Huard, Joshua** - (Unarmed Security Guard with Censor Security). Based on the information provided, Mr. Edwards made a motion, seconded by Mr. Walton, to approve Mr. Huard for licensure. Motion passed unanimously.
- j. **Flanders, Travis** - (Unarmed Security Guard with). The Board reviewed Mr. Flanders' application and noted that he did not respond to the Board's request within the time allowed. Mr. Flanders' documentation was received after the dates requested. The Board concluded that Mr. Flanders must reapply. Once complete, the Board will consider his application.

6. **Correspondence:**

- a. The Board reviewed and discussed the letter from National Armored Car Association, Inc. concerning training for registrants. They believe that their training is very different from that of the security business. The Board welcomes their ideas for training.

6. **Correspondence** - continued

- b. The Board reviewed the April 16, 2003 E-Mail from Robert P. Metcalf who mentioned the Board's Newsletter and asked about the requirements to become a licensed as an instructor to teach unarmed security guards (registrants). The Board discussed training requirements, if any, that will be required of persons providing the instruction to registrants. The information in the newsletter pertained to firearms instructors. The Board may impose some type of evaluation for persons providing training to registrants. This issue will be discussed further in the future.
- c. The Board reviewed the April 16, 2003 letter from Investigative Resources Global, Inc. concerning relocation of its office, and changes in corporate officers and directors. The Board noted that a new application is required for the Corporate Officers. A copy of the official documentation that changed the name is required (Articles of Amendment or Trade Name) and fingerprint cards are also required.

7. **Other Business Introduced by the Board**

- a. The Board reviewed two revised applications: Application For Firearms Instructor; and Application to Register as a Private Investigator and/or Security Guard. The applications were approved with corrections. The Board suggested that a form be created concerning instructor's training programs that are proprietary and not available to be included with the Firearms Instructors' application. The form will include a statement that the course taken by the applicant to become an instructor, either meets or exceeds Vermont's training requirements, and must be signed by the instructor providing the training, and witnessed by a notary public.
- b. The Board agreed to revisit its Policies for the next and future meetings during the rulemaking session.

8. **Public Comment:**

Mr. Stockton mentioned a situation in which the Office indicated to his employee that an FBI check was required. The Board confirmed that if an applicant is working in law enforcement (including "specials") within 90 days of the date of application, an FBI check is not required.

9. The date of the next meeting is scheduled for **Friday, May 16, 2003.**

10. Mr. Edwards made a motion, seconded by Mr. Walton, to adjourn the meeting at 11:45 a.m. Motion passed unanimously.

Respectfully submitted,

Carla Preston, Unit Administrator
Office of Professional Regulation