

Commonwealth of Virginia
PRIVATE SECURITY SERVICES ADVISORY BOARD

December 9, 2008
Quarterly Meeting Minutes

Tuckahoe Public Library
1901 Starling Drive
Richmond, Virginia 23229

Call to Order

Dennis VanDuzee, Chairman, called the meeting to order at approximately 10:00 a.m.

Attendees

Dennis VanDuzee, Chairman; Christopher DiMartino, Vice-Chairman; Thomas Turner, Secretary; Carl D. Armstrong; Charles E. Ciccotti; Steve Demma; Paul Ellis; Brent Fortner; Kevin Hodges; Joseph Maslanka; Seth P. Oginz.

Absent

Deputy Chief James A. Cervera; Charles Tobin

Approval of Agenda

Christopher DiMartino, Vice Chair made a motion to approve the agenda.
Carl Armstrong seconded the motion and the motion carried.

Approval of Minutes

Charles Ciccotti made a motion to approve the minutes for the PSSAB Meeting from October 28, 2008. Carl Armstrong seconded the motion and the motion carried.

Committee Reports

Training Committee

Committee Chair – Steven Demma

Mr. Demma reported that the Committee met on November 24, 2008 in Annandale. Representatives from DCJS, certified instructors and the general public were in attendance. The discussion centered on the up-coming regulation changes and the committee is in the process of finalizing their ideas in writing to be circulated to the instructors and other interested parties. Another meeting will be scheduled for end of January to be held in Richmond. The committee will notify DCJS of the date and location.

Conference Committee

Committee Chair – Joseph Maslanka

Mr. Maslanka recommended that they dissolve the committee for the time being. At their last meeting it was determined that by the time they finish conducting their research there wouldn't be enough time to book a conference for 2009. Based on the information they already have they don't feel confident to move forward and would like to re-visit it in the spring.

Seth Oginz motioned to dissolve the committee.

Thomas Turner seconded the motion and the motion carried.

Special Recognition

Lisa McGee on behalf of the Department gave condolences to the family of Grayce Roberts, who passed on November 20, 2008 at the age of 90. Ms. Roberts was well known to many individuals in

the private security field. Leon Baker attended the funeral and made a few comments in her memory.

DCJS Report

Lisa McGee, Private Security Services Section Chief provided the report.

Department Update:

Ms. McGee advised that reduced staffing continued to be an issue and there had been no change in the state hiring freeze and she does not expect the freeze to be lifted in the near future. Ms. McGee reported that Brandy Anderson the Training Coordinator would be leaving the section and the Department was saddened to lose Brandy but excited for the opportunity she had taken. Ms. Anderson had taken on an assignment in Brazil, teaching English.

PSSAB:

Based on the recent statutory amendments to 9.1-143, the Private Security Services Advisory Board membership was to increase with the addition of two representatives from the locksmith industry. The application process has closed and the packages were submitted to the Criminal Justice Services Board Nominations and Appointment sub-committee for review. The sub-committee would present their nominations to the full Criminal Justice Services Board for appointment on Thursday, December 11, 2008. Once appointments are made, the Department would like to provide an orientation session with the new members of the Private Security Services Advisory Board.

Ms. McGee advised the Board of the requirement to complete and submit their Conflict of Interest forms and any applicable training by January 12, 2009.

Regulatory Update:

The Private Security Services Regulations are currently in the first stage of the regulatory process (NOIRA). The public comment period for this stage ends on December 12, 2008. A handful of comments have already been received. After the closure of the public comment period, all comments will be reviewed by the Department. Ms. McGee advised that a future meeting with the Regulatory Committee may be set.

The Bail Enforcement Agent Regulations were approved by, the Governor. They are in the 2nd stage of the regulatory process (proposed stage). The proposed regulations will be published in the December 22, 2008 Virginia Register and opened for a 60 day public comment period ending on February 20, 2009. The tentative date for the public hearing for the Regulations Relating to Bail Enforcement Agents is March 12, 2009 at the Criminal Justice Services Board meeting.

The Department posted a new informational update on the Department website, as well as mailed a copy to all known locksmiths in regard to the regulatory program. The update provided clarification on some of the issues presented to the Department as well as information regarding licensing/registration for locksmiths and the electronic security industry.

Compliance/Enforcement Unit Update:

Burt Walker, Compliance & Enforcement Manager provided the update.

Mr. Walker advised that complaints were continuing to come in and the enforcement team is carrying a heavy caseload. He provided information on a specific case resulting from a complaint received from four (4) students that attended a locksmith class at a certified school in Northern Virginia. Based on the complaint, DCJS staff attended one of the training sessions. During the session audit, numerous violations were observed and DCJS dismissed the session. Based on further investigation the school was issued a summary suspension and a consent order. Some of the violations included lack of lesson plans, proper records of examinations, and incomplete training hours. Mr. Walker advised that the enforcement team would be increasing their inspections of schools and each investigator would conduct a minimum of at least one school audit per month.

Board Member Comment: Carl Armstrong questioned Mr. Walker about what could be done about Bail Bondsmen that have multiple misdemeanors. Mr. Walker responded that nothing could be done about misdemeanors - only felony convictions. Any changes to grant the Department with additional authority would require a legislative amendment to the Code.

Board Member Comment: Thomas Turner inquired about the Blackwater Security officers who were indicted, and asked if the Department has looked into that situation. Mr. Walker responded that anytime information is provided that involves individuals registered in Virginia, the Department does look into it. Mr. Walker advised that most of the Blackwater people were independent contractors. Mr. Turner also inquired about the Department's staffing issue and the hiring freeze. Mr. Turner asked how many positions were vacant within the Section to which Ms. McGee responded that there are a total of 5 vacant positions: three full-time, and 2 wage positions. Mr. Baker, the Division Director provided additional comment on the budget climate that has resulted in recent layoffs within the Department. He also advised the Board that the Department was preparing for a restructuring which would increase the overall effectiveness and efficiency.

This concluded the DCJS report.

Board Comments:

Dennis VanDuzee, Chairman addressed the Harold McCann Award. He requested the Department to send out nomination packages and advised the Board once the nominations are received the Board will review and select a recipient.

Public Comments:

Nicole Bocra – Spoke to the Board about the Private Investigators Licensing Act. She advised that there are state legislators throughout the county who got together to form a committee called "ALEC". This is a legislative committee that makes model legislation then recommends it to all the different states in hopes they will adopt it. Ms. Bocra stated that what they don't take into consideration is what other states currently have in place or actively looking into. She stated that ALEC has a strong voice in the American legislation Exchange Council. She asked that the Board

look into this and see how it would affect private investigators if legislators approve it and to give her some feed back.

Announcements

The next board meeting will be at 10:00 on Tuesday, March 10, 2009 at the
The following meeting will be scheduled for June 9, 2009.

Adjournment

Carl Armstrong made a motion to adjourn the meeting.

Brent Fortner seconded the motion. The motion carried and the meeting was adjourned.

Public Attendees

Lisa Dangler
Tom Kramer
John Palomares
B.E. McCrory, Jr.
Mary Kay Wakefield
William W. Parris
Nicole Bocra
Bill Scouten
Harold Huber
Ellie Culbertson
George Haudricourt
Stephen Para
Pat Moore
Gary Ford

DCJS Attendees

Lisa McGee
Leon Baker
Burt Walker
Kim Freiberger
Robbie Robertson
Star Spillman