



Private Security Services Advisory Board

Chesterfield County Police Academy
6610 Public Safety Way
Chesterfield, Virginia 23832
(804) 751-4492

FINAL MINUTES

September 30, 2014 Meeting

Members Present

Mr. Daniel Schmitt, Chairman
Mr. Stanley Corn
Mr. Gary Ford
Mr. Kevin Hodges
Mr. Thomas Kaschak
Mr. David Killip
Mr. Seth Oginz
Mr. Rick Pleasants
Mr. Robert Soles
Mr. James Washburn, Jr.

Members Absent

Chief Craig Branch
Mr. Robert Clark
Mr. Charles Ciccotti
Mr. John Hall, III
Mr. Stokes McCune

- 1. Meeting Called to Order:** Chairman Daniel Schmitt called the meeting to order at 10:10 a.m.
- 2. Acceptance of Meeting Minutes:** Mr. Hodges moved to accept the minutes from the meeting on June 4, 2014. Mr. McCune seconded the motion. With no objections, the minutes were unanimously approved.
- 3. Welcome New Board Members and Election of Officers:**

Effective July 1, 2014, the following members were appointed to the Board: Stanley R. Corn, Electronic Security Business Representative; Thomas Kaschak, Private Investigator Representative; and Robert D. Soles, Personal Protection Specialist Business Representative.

Mr. Daniel Schmitt was selected by CJSB Chairman, Sheriff Jett, to serve as Chairman of the PSSAB.

Following board introductions, Chairman Schmitt welcomed the new members and called for nominations for the PSSAB Vice-Chairman. Mr. Washburn nominated Mr. Hodges. Mr. Pleasants seconded the motion. After a brief discussion, the motion passed unanimously. Mr. Hodges accepted the nomination.

Chairman Schmitt selected Mr. Killip to serve as the PSSAB Secretary, Mr. Killip accepted.

4. Public Comment: There were no public comments offered.

5. DCJS Report:

CMS (Credentialing Management System) – Staff are diligently working with the vendor in the development of the new database system. This process includes 3 to 4 web-based meetings a week as well as a recent week-long on-site visit from the vendor to develop and review business processes. The system will be activated in two stages. The first stage will be the back-office database system utilized by the Department, and the second phase consists of the web-based on-line system. The back-office is expected to go live by mid-December. The Department will utilize this system for a few months while finalizing the development of the on-line version of the system. The on-line version of the system is tentatively scheduled to go live by the end of March. Ideally, once the on-line version is available, individuals may apply on-line and if all credential requirements are met, the Department expects to see a significant decrease in the time it takes to issue a credential.

Special Conservator of the Peace (SCOP) Regulatory Action: The Criminal Justice Services Board (CJSB) voted at their June meeting to amend the SCOP regulations to establish the minimum bond amounts and minimum amount and type of liability or self insurance for special conservators of the peace. The CJSB took this action after receiving input from the Department and the PSSAB. The Department has filed a Notice of Intended Regulatory Action (NOIRA) on the Virginia Town Hall for executive review and approval. The action is currently being reviewed by the Department of Planning and Budget and the Governor's office. Once approved, the Department will notify the Board and the industry of the publication date and public comment period.

DCJS Training: Compliance Agent and General Instructor training dates have been scheduled for the remainder of the year. The training dates and locations are available on the DCJS website at <http://www.dcjs.virginia.gov/pss/trainingSchools/index.cfm>.

PSSAB Member Resources: The Department conducted a PSSAB Orientation Session on September 18, 2014 for new and current members of the Board. A new link has been added to the DCJS website that provides relevant member resources and links to sections of the Code of Virginia and Administrative Code. DCJS advised the Board members to contact them with any requests for additional resources and links.

6. Board Member/Committee Reports

Special Conservator of the Peace (SCOP) Committee: *Committee Chair – Mr. Rick Pleasants*

During the 2014 General Assembly session, SB495 was introduced recommending significant changes to the SCOP program. The bill was tabled to the 2015 session. Secretary of Public Safety and Homeland Security, Brian Moran, formed a taskforce of the various stakeholders to include current special conservators of the peace, members of the general assembly, law enforcement, clerks, judges and private security representatives. PSSAB members, Mr. Pleasants and Mr. Hall were invited to participate in the taskforce.

The taskforce conducted four meetings that included presentations on the historical evolution of the SCOP, how training is delivered, court processes and liability issues. The purpose of the taskforce was to gather information and provide for an opportunity for the various members to provide input. The industry is extremely broad with many stakeholders and difficult to come up with a solution to solve all of the problems. However, enough information was gathered and consensus was reached regarding inadequate training to expect legislative activity during this upcoming session.

Individuals wishing to get involved in the SCOP committee may contact Mr. Pleasants.

Criminal Justice Services Board: *CJSB Representative – Mr. Charles Ciccotti*

Due to the absence of Mr. Ciccotti, no formal report was provided. DCJS provided an overview of information relevant to the PSSAB during the DCJS report.

ID Badge Committee: *Committee Chair – Mr. Kevin Hodges*

Board members have received significant communication from the industry in regard to the current ID card issued by the Department. The industry feedback reflects concern over the removal of the photograph and the layout of the card. A committee meeting is expected to be held in late October or early November to discuss what changes the industry would like to see made. The committee welcomes input and recommends anyone interested to attend the committee meetings.

Harold McCann Award Committee: Committee Chair – Chief Craig Branch

In the absence of Chief Branch, no report was offered.

7. Old Business:

SCOP Updates from CJSB Meeting – As reported by DCJS, the CJSB voted to amend the bond and insurance requirements to reflect a minimum requirement of \$100,000 surety bond or \$500,000 Professional Law Enforcement Liability insurance. DCJS has submitted the regulatory action for executive review and will notice the industry when the action is filed and advise of the public comment period.

CJSB/PSSAB Bylaw Updates: The CJSB amended their bylaws regarding the PSSAB to reflect that the Chairman of the CJSB will annually select the Chairman for the PSSAB from its membership. The PSSAB was provided the opportunity to make a recommendation that Mr. Daniel Schmitt be selected as the Chairman.

Harold McCann Award: Discussion on this issue will continue to be tabled until sufficient interest in pursuing or continuing the presentation of an award is received from the industry.

8. New Business:

Reciprocal Agreements: The Board received correspondence from a member of the North Carolina Locksmith Licensing Board requesting the Board consider recommending a reciprocal agreement concerning locksmith licensing between Virginia and North Carolina. The CJSB has the statutory authority to enter into reciprocal agreements and has done so with other states in relation to private investigators. DCJS staff are currently reviewing those agreements and agreed to review the request and report back to PSSAB in December with an update. Mr. Ford will respond to the North Carolina Locksmith Licensing Board with a summary of the Boards discussion and actions, and both Mr. Ford and Mr. Washburn will seek input from the locksmith industry. Discussion followed to request that the Board and Department include the electronic security industry in their research and future discussions.

Availability of Fingerprint Cards: The Board received correspondence from a licensed business in Maryland regarding the ability to receive fingerprint cards from DCJS. DCJS advised that fingerprint cards are available at the Richmond office during normal business hours if anyone wishes to make arrangements to pick them up or provide their shipping account to receive them by mail. Discussion followed that consideration was given to the Department's manpower and costs associated with the significant number of requests to mail 1 or 2 fingerprint cards and the need for staff to focus on the

processing of applications. It was recommended that training schools, businesses or law enforcement agencies in various parts of the state maintain a supply of fingerprint cards. The Department ensured that cases of fingerprint cards are available to meet this request. The Department advised that Live Scan is not an option at this time.

DCJS ID Cards: The Board received correspondence from Kenneth P. D'Angelo, President of the Private Investigator's Association of Virginia, Inc. (PIAVA) regarding the changes DCJS has made to the appearance and content of identification cards issued to private security registrants and regarding the Department's current initiative to develop a new Credentialing Management System. PIAVA requested the Board to take an active role in voicing and supporting the concerns of the industry and that the Board actively monitor the ongoing design, development and testing of the new system.

Discussion followed acknowledging that many individuals have voiced their concerns for the ID cards. The Board will continue to monitor the process and that any changes to the ID card would be addressed with the new credentialing system. An invitation was offered by PIAVA to address their membership at their next meeting, Chairman Schmitt will respond to Mr. D'Angelo with a summary of the Board's discussion and actions, and both Chairman Schmitt and Mr. Hodges as the Chair of the ID Card Committee would be happy to meet with their association.

Audit Amnesty – Mr. Corn requested that the Board and Department consider further discussion regarding the Department providing licensees an opportunity to conduct a self audit on a yearly basis and correct issues of noncompliance without penalty. Discussion followed that this could take some strain off of the Department but concerns were also presented regarding the possible level of noncompliance. DCJS will discuss the concept internally and look at all possibilities as the Department does support opportunities to provide feedback, seek compliance and educate the industry.

Electronic Security Summer Sales: Mr. Corn provided the Board with a brief overview of companies that hire college students and bring them to Virginia to conduct electronic security services sales. The problems involve unethical sales techniques and possible unlicensed and unregistered activity. Mr. Corn reported that he currently sits on an industry ad hoc committee with other industry members to evaluate the problem. The committee has met with the Attorney General's office and is working with other states to find a way to address the issue. Mr. Corn would like to see the Department and Board get involved and he will keep the Board abreast of the committee's actions.

Electronic Security Employee – Electronic Security Employees that are not technicians or sales representatives but have access to certain end-user information are required by statute to submit a fingerprint application for a criminal history background check. Currently, the individual only sends in a fingerprint application which does not specify the specific statutory reason for the submittal. The Department plans on requiring a

formal application process to assist in identifying and capturing the appropriate data for compliance purposes.

Access Control under Electronic Security Registration – Mr. Corn requested the Board and Department review the dual registration and licensure requirements for individuals that fall within the statutory definition of locksmith services and electronic security services, specifically the crossover regarding access control. Mr. Corn would like to see some type of exemption to eliminate dual requirements. Further discussion reflected that an exemption would require a statutory amendment. Mr. Corn will research the issue further and keep the Board updated of his actions.

PSSAB Meetings - Audio – A request was made of the Board to look into ways to improve the audio of the meetings to ensure that attendees, both Board and public could clearly hear the discussions. The Department will look into possible options and Board members agreed to speak clearly and distinctly to improve the quality of communication.

9. Public Comment Periods. There were no public comments were offered.

10. Board Comments:

Locksmith – Fraudulent Advertising: Mr. Ford reported that the locksmith industry has seen some success in the removal of fraudulent locksmith advertisements in Virginia. This success was based on a recent lawsuit filed against major advertising entities. Google has removed thousands of advertisements reflecting fictitious addresses and Mr. Ford believes that they are close to eliminating 100% of advertisements made by unlicensed locksmith companies.

11. Announcements:

PSSAB Meetings: The next quarterly Private Security Services Advisory Board meeting is scheduled for Tuesday, December 2, 2014. Location to be determined. Meeting information will be posted on the Commonwealth Calendar.

The next CJSB meeting is scheduled for Thursday, December 11, 2014. Meeting information will be posted on the Commonwealth Calendar. Meeting dates for calendar year 2015 will be scheduled at this meeting.

Once the CJSB dates are set, Chairman Schmitt will recommend PSSAB meeting dates and time, which are normally scheduled a week prior to each CJSB meeting.

12. Adjournment: Mr. Hodges moved to adjourn the meeting. Mr. Pleasants seconded the motion. With no objections, the meeting was adjourned at 11:12 a.m.