

Department of Criminal Justice Services
Private Security Services Advisory Board
Libbie Mill Public Library – County of Henrico
2100 Libbie Lake East Street
Henrico, Virginia 23230
(804) 290-9400

March 14, 2018

Member(s) Present

Mr. Robert Soles, Chairman
Mr. Dave Killip, Secretary
Mr. Michael Ashley
Mr. Rodney Budd
Mr. Robert Dickenson, II
Mr. Jagdish Katyal, Jr.
Mr. Frederic Pleasants, Jr.
Mr. Eric Pohland
Mr. James R. Posey, Sr.
Mr. Frank Weaver, Jr.

Member(s) Absent

Vice-Chairman Kevin Hodges
Mr. Edwin DePolo
Mr. John Frazer
Mr. Thomas Gallemore

DCJS Staff Present

Mr. Leon Baker, Division Director
Ms. Brenda Cardoza, Fingerprint &
Criminal History Specialist
Mr. Conor O'Donnell, Fellow
Ms. Cordelia Starkes, Training Spec.

1. Meeting Called to Order: Chairman Robert Soles called the meeting to order at 10:00 a.m. Chairman Soles introduced and welcomed the new PSSAB member Mr. James R. Posey, Sr., Locksmith Representative.

2. Acceptance of Meeting Minutes: Mr. Robert Dickenson made a motion to accept the minutes from the November 29, 2017 meeting; Mr. Eric Pohland seconded the motion. With no objections, the minutes were unanimously approved.

3. 1st Public Comment Period (2 minutes per speaker): No public comment received.

4. Board Member/Committee Reports:

SCOP – Mr. Frederick Pleasants

Mr. Pleasants reported on HB 151 **Special conservators of the peace; authority; insurance.**

1. The bill prohibits all SCOPs from using the word "**police**"; and all SCOPs other than those employed by a state agency from using the seal of the Commonwealth on their equipment in the performance of their duties.
2. The bill requires the order of appointment to provide that such duties shall be exercised only in the geographical limitations specified by the court.
3. Explain their duties.

CJSB Report – Robert Soles

There was no CJSB report.

Subcommittee on PSSAB Structure/Sizing Report – Mr. Robert Soles

Meetings placed on hold until the completion of the 2018 legislation period.

Curriculum Review Committee Update

§ 9.1-150.2. Powers of Criminal Justice Services Board relating to special conservators of the peace appointed pursuant to § 19.2-13.

The Board shall adopt regulations establishing compulsory minimum, entry-level, in-service, and advanced training standards for special conservators of the peace.

The Board shall adopt compulsory, entry-level training standards that shall not exceed, but shall be a minimum of 98 hours for unarmed special conservators of the peace and that shall not exceed, but shall be a minimum of 130 hours for armed special conservators of the peace.

In order for the CJSB to recommend what the SCOP training standards should be, an SCOP Curriculum Review Committee (CRC) was established. The SCOP CRC will present their recommendation(s) to the Committee on Training (COT) and Criminal Justice Services Board (CJSB) on March 22, 2018. Once the CJSB approves the recommendation(s) of the SCOP CRC, DCJS staff will begin the regulatory actions required to amend the Regulations Relating to Special Conservators of the Peace, to include the new training standards. In accordance with § 9.1-150.2 of the Code of Virginia, the CJSB must seek the advice of the Private Security Advisory Board as it pertains to SCOP training standards. DCJS will provide regular updates to the PSSAB regarding the regulatory review process during future meetings. The full regulatory review process can take up to 2 years. There are three stages to the regulatory process:

1. Notice of Intended Regulatory Action (NOIRA);
2. Proposed Regulation Stage; and
3. Final Regulation Stage

Virginia Regulatory Town Hall is a source of information about proposed changes to Virginia's regulations, including a meetings calendar and board minutes. This site also facilitates public participation through online comment forums and an email notification service. Individuals interested in following the regulatory process should register as public users at <http://townhall.virginia.gov> so that they receive notices of any meetings associated with this review process, notice of commencement of action, and opportunities to submit public comment during the different stages.

6. DCJS Report:

Mr. Leon Baker presented the DCJS report

Mr. Baker announced that Shannon Dion is the appointed DCJS Agency Director. Director Dion is looking forward to work with the PSSAB and attending a PSSAB meeting.

Legislation

DCJS tracked three bills:

HB 63. Removes the experience requirements to be a Compliance Agent and it removes the option for a Private Security Services Business or Training School to be covered by a bond in lieu of liability insurance. The PSSAB supported the contents of this bill in the 2017 General Assembly; due to a reenactment clause, the bill introduced again in the 2018 General Assembly session. The Governor has signed the bill and it will go into effect on July 1, 2018.

HB 151. Replaces the powers that may be provided in the power of appointment for a special conservator of the peace (SCOP), which currently may include all powers, functions, duties, responsibilities, and authority of any other conservator of the peace, with only the duties for which the SCOP is qualified by training established by the Department of Criminal Justice Services. The bill requires the order of appointment to provide that duties be exercised only in the geographical limitations specified by the court. The bill requires that the order delineate a limit beyond which the SCOP may not make an arrest following a close pursuit. The bill prohibits all SCOPs from using the word "**police**" and all SCOPs other than those employed by a state agency from using the seal of the Commonwealth on their equipment in the performance of their duties. The bill provides exceptions from its provisions for SCOPs employed by the Shenandoah Valley Regional Airport Commission and the Richmond Metropolitan Transportation Authority, if such SCOPs meet all the requirements for law-enforcement officers, including the minimum compulsory training requirements.

HB 883. Directs the Department of Planning and Budget (the Department), under the supervision of the Secretary of Finance (the Secretary), to administer a three-year regulatory reduction pilot program aimed at reducing 25 percent of the regulations and regulatory requirements of the Department of Professional and Occupational Regulation and the Department of Criminal Justice Services by July 1, 2021.

Online Application Process System

The Department is currently working on Phase III of the online system that will include private security services businesses, compliance agents, and add category capabilities for both. DCJS is looking to go as paperless as possible. Once Phase III is launched and operating properly, all private security and towing applications will be able to be submitted online. All businesses, schools, and individuals are strongly encouraged to set up their online accounts. DCJS will soon announce plans to go paperless as it pertains to application submittal and will only accept applications submitted through the online system. A sufficient timeline will be provided for businesses, schools and individuals to make the transition

LiveScan Fingerprint Submittal Program

On February 12, 2018, DCJS sent a mass email advising registrants that we would begin participating in the live scan process around April 1, 2018. We are still assessing whether we will be in a position to meet that target date, at this point, it looks as if we will be shooting for May 1, 2018. There are some updates required to our system, which will determine the launch date.

Staffing Update

Mr. Baker introduced Cordelia Starkes, DCJS Training Specialist; and Conor O'Donnell, a participant in the Virginia Management Fellows (VMF) program-Virginia Tech Program. The VMF program aims to create a succession pipeline for leadership and management jobs in all branches of state government that

will be in high demand as current employees begin to retire. The Department will be hiring a Policy Director, Customer Service Liaison, Intake Analyst and a Field Investigator.

Trustify

DCJS issued a consent order for unlicensed activity. DCJS has received a private security services business license application from Trustify.

PSSAB Vacancy

There are three candidates for the Bail Bondsman Representative vacancy on the PSSAB. The Nominations and Appointments Subcommittee will meet March 22, 2018 to review their credentials and make a recommendation to the CJSB for appointment to the PSSAB.

7. Old Business: There was no old business to discuss.

8. New Business: There was no new business to discuss.

9. 2nd Public Comment Period (5 minutes per speaker): No public comment received.

10. Announcements: The next PSSAB meeting is June 6, 2018. The CJSB meeting is March 22, 2018.

11. Adjournment: Mr. Jagdish Katyal made a motion to adjourn the meeting. Mr. Rick Pleasants seconded the motion. With no objections, the motion was unanimously approved; Chairman Robert Soles adjourned the meeting at 11:00a.m.