

**FINAL Meeting Minutes – September 27, 2017**

Department of Criminal Justice Services  
Private Security Services Advisory Board  
Double Tree by Hilton  
1900 Pavilion Drive  
Virginia Beach, VA 23451  
757-422-8900

September 27, 2017

**Member(s) Present**

Mr. Robert Soles, Chairman  
Vice-Chairman Kevin Hodges  
Mr. Dave Killip, Secretary  
Mr. Michael Ashley  
Mr. Rodney Budd  
Mr. Edwin DePolo  
Mr. Robert Dickenson, II  
Mr. Jagdish Katyal, Jr.  
Mr. Frederic Pleasants, Jr.  
Mr. Frank Weaver, Jr.

**Member(s) Absent**

Mr. John Frazer  
Mr. Thomas Gallemore  
Mr. Eric Pohland

**DCJS Staff Present**

Mr. Leon Baker, Division Director  
Ms. Brenda Cardoza, Fingerprint &  
Criminal History Specialist

**1. Meeting Called to Order:** Chairman Robert Soles called the meeting to order at 10:00 a.m.

**2. Acceptance of Meeting Minutes:** Mr. Kevin Hodges made a motion to accept the minutes from the June 7, 2017 meeting; Mr. Rodney Budd seconded the motion. With no objections, the minutes were unanimously approved.

**3. Chairman Comments/Recognition:** Chairman Robert Soles acknowledged Mr. Daniel Schmidt for his dedication and professional service to the Commonwealth of Virginia while a member of the Private Security Services Advisory Board from 2009 to 2017 and for contributions as the Chairman of the Private Security Services Advisory Board from 2014 to 2017.

**4. Welcome/Introduction of New PSSAB Members:** Chairman Robert Soles welcomed and introduced the new PSSAB members:

Mr. Edwin F. Depolo, Private Security Services Business Representative; and

Mr. Frank O. Weaver, Jr., Private Security Services Instructor Representative

**5. Election/Appointment of PSSAB Officers (2017-2018):** Mr. Jagdish Katyal, Jr. made a motion to re-elect Mr. Kevin Hodges as Vice-Chairman; Mr. Rodney Budd seconded the motion. With no objections, the motion was unanimously approved.

Chairman Robert Soles re-appointed Mr. David Killip as secretary.

**6. 1<sup>st</sup> Public Comment Period (2 minutes per speaker):**

Ms. Nicole Gray

On behalf of the Professional Investigative and Security Association (PISA) Ms. Gray congratulated DCJS on the successful rollout of the photo ID. Ms. Gray stated that she appreciates the work that DCJS is doing with moving forward with the Trustify investigation. Ms. Gray further stated that the private investigation industry is solely looking for an even playing field.

**7. DCJS Report:**

Ms. Fran Ecker, DCJS Agency Director

Ms. Ecker announced that Leon Baker accepted the position of Division Director for the Division of Licensure and Regulatory Services. Ms. Ecker stated that Mr. Baker's start date was September 10, 2017. She further stated that many of you have worked with Leon over the years he's been at DCJS. He brings considerable expertise in managing DCJS regulatory programs, and earlier in his career was a senior manager of a private security business and a member of the Private Security Services Advisory Board and also served as a board member and President of the International Association of Security and Investigative Regulators (IASIR).

Ms. Ecker congratulated Mr. Robert Soles on his CJSB appointment as Chairman of the PSSAB; commended Mr. Dan Schmitt appreciation for his dedication and professional service to the Commonwealth of Virginia while a member of the Private Security Services Advisory Board from 2009 to 2017 and recognition and appreciation of your contributions as the Chairman of the Private Security Services Advisory Board from 2014 to 2017.

Ms. Ecker welcomed new PSSAB members Mr. Edwin F. DePolo and Mr. Frank O. Weaver, Jr. on their CJSB appointment to the PSSAB and congratulated the re-elected 2017/2018 PSSAB Officers.

Mr. Leon Baker presented the DCJS report:

Mr. Baker thanked Ms. Ecker, on behalf of the PSSAB for taking time out of her very busy schedule to attend the meeting. Mr. Baker proceeded with the DCJS report:

Photo ID Registration Card

DCJS began exporting data to DMV to produce and mail photo identification cards on July 11, 2017. As of September 12, 2017, over 3,300 photo ID cards have been generated and mailed by DMV. We have experienced a few glitches, primarily with individuals who were not in DMV's database, but DMV is extremely quick to respond to DCJS' inquiries. On average, it is taking 9 calendar days from when we export data to DMV for individuals to receive their cards in the

mail. DCJS has received very positive feedback from registrants regarding the new photo-ID card. Applicants must make sure that they submit their complete and correct address and any changes thereafter; DCJS sends the address of record to DMV. DMV will charge DCJS to reprint a card, DCJS will pass that cost on to the applicant. DCJS will continue to meet with DMV to ensure that the photo ID process remains smooth. If you receive feedback regarding the photo-IDs, positive or negative, please share that information with DCJS.

#### Online Application Process System

As reported at the June 7, 2017 PSSAB meeting, phase two of the online system is in the testing stage. Phase two will add the ability to submit initial and renewal training school applications, initial and renewal instructor applications; and additional category applications for schools, instructors and individuals.

During the testing stage of phase two some issues were identified and DCJS wants to ensure that this phase is successful prior to the rollout. Once the issues have been rectified DCJS will communicate the rollout date to the industry. DCJS is also working on Phase Three of the online system which will include Businesses, Compliance Agents, and add category capabilities for both.

#### LiveScan Fingerprint Submittal Program

DCJS will soon form a team to discuss the logistics related to the LiveScan fingerprint submittal program; and prepare for implementation. DCJS will seek industry input and will have a delayed implementation date included in the communications provided to our stakeholders. FieldPrint's proposal includes mobile LiveScan options-if there is a sufficient number of individual's to be fingerprinted, they will come to your location to fingerprint your personnel. Likewise, if a business fingerprints a large enough number of employees per year, Fieldprint will provide equipment and training to the business so that they can roll and submit their employees' fingerprints.

#### Staffing

Currently, DCJS is in the process of filling a vacant Training Specialist position. We reported this at the last meeting, but the top candidates did not work out. DCJS is nearing the interview stage and anticipates having a candidate on board soon. We also want to state that addressing the vacancies within our field investigator staff is also a very high priority for us. While the current three investigators are performing well, DCJS recognizes that the current field presence is lacking.

#### Communication

DCJS continues its work on an initiative with the management system vendor that will allow us to email renewal notices, temporary registration letters, discrepancy notices, and other pertinent information if there is a valid email address on file in our database. The program when operative will email notices to individuals with a valid email address on file and will generate letters for snail mail for those individuals that don't have an email address on record. This will be a much more efficient way of handling this situation. The initiative is now in the testing phase and we should be able to send the October renewals utilizing this technology.

DCJS now has an operative mass email system that allows the ability to quickly communicate with constituents. It is very important that our constituents provide and maintain a valid email address for utilizing the online application system as well as for general communication.

DCJS is also studying the telephone system within our customer service unit to determine how we may better serve you. While DCJS is attempting to provide you with multiple ways to serve yourself without relying on the availability of a State employee to assist you, we realize that there are people who prefer to talk with a “live” person to address their needs. DCJS wants to make sure as best we can that if someone chooses that option, it is a pleasurable experience for them.

## **6. Board Member/Committee Reports:**

### SCOP – Mr. Frederick Pleasants

- 2015 General Assembly met and made a significant change to the training requirements for the SCOP industry.
- 2016 a curriculum review committee was developed. The committee had 2 meetings and with some debate they discussed what they refer to as the “legal” curriculum and reached a reasonable consensus.
- In June 2016 the committee met to discuss the firearms training requirements-there was a very distinct debate without reaching a consensus. The committee was told that they would meet again in December 2016; and that a DCJS representative would have a document with the final legal course and firearm requirements. Prior to the meeting date the committee was advised that because of the work required for the 2017 General Assembly the meeting was postponed however the Curriculum Review Committee would meet again to review and approve the curriculum.
- August 8, 2017 the committee received an email advising that there would be no further meetings. The curriculum requirements would go to the Committee On Training, CJSB and through the regulatory process. To make comments on the SCOP training curriculum you must register and do so on TownHall.

Ms. Fran Ecker encouraged the PSSAB to reach out to her or Mr. Leon Baker when people are unhappy and feel that they have not had the opportunity for appropriate input; DCJS wants to know about it immediately-it should not sit unresolved. Ms. Ecker would like DCJS and the PSSAB to continue to maintain an open and honest line of communication. The APA process has not started on the SCOP training regulations. Ms. Ecker will get an answer; and Mr. Leon Baker will provide the information to the PSSAB.

CJSB Report – Robert Soles

There was no CJSB report.

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

Mr. Robert Soles provided the PSSAB with a written presentation providing background and detailing the make-up of the PSSAB per the 2006 Code of Virginia § 9.1-143 - Private Security Services Advisory Board; membership and encouraged more discussion on the make-up of the Board; and to influence what it should look like.

Mr. Jagdish Katyal made a motion that the subcommittee has full support of the PSSAB to contact DCJS regarding the make-up of the PSSAB and how to move forward. Mr. Robert Dickenson seconded the motion. With no objections, the motion was unanimously approved.

Trustify Report - Mr. Rodney Budd and Mr. Michael Ashley

Trustify is a company operating out of northern Virginia for several years, soliciting private investigation business in the Commonwealth of Virginia; without a DCJS business license. The private investigation industry is concerned about the unlicensed activity and what is being done to stop this conduct and prevent them from soliciting business from other regulated industries. This is creating contention and dismay amongst the private investigation industry. As PSSAB private investigator representatives, the industry is looking to them for representation to DCJS and answer(s) as to what is being done in this matter. It is front and center on Ms. Ecker's desk.

Ms. Fran Ecker advised that DCJS has received the complaint through her office, the investigation and Ms. Ecker's review/decision are completed; and the administrative findings of the investigation have been communicated to Trustify. DCJS has engaged the Agency's council at the Office of the Attorney General in representing DCJS' decision. DCJS is not at liberty to publicly share the decision until the adjudication process is done.

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

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

**9. 2<sup>nd</sup> Public Comment Period (5 minutes per speaker):**

Mr. John Kochensparger

Mr. Kochensparger asked Mr. Leon Baker if applicants have to take a new photo every two years.

Mr. Leon Baker advised that once a photo is taken it is good for 16 years.

Ms. Nicole Gray

Ms. Gray commented that she had two questions.

1. How will the PSSAB P.I. Representatives disseminate the information to their respective constituency once it is received from DCJS?

Mr. Rodney Budd advised that the PIVA and PIAVA Associations' presidents should share the information with their members. Ms. Fran Ecker advised that anything that's a part of the minutes is public knowledge and is posted on the DCJS website at:

<https://www.dcjs.virginia.gov/about-dcjs/boards-committees/private-security-services-advisory-board/minutes> and on the TownHall website: <http://townhall.virginia.gov/>

2. What is the status of the independent contractor legislature?

Mr. Leon Baker advised that it is going through the final stage in the Governor's office. If the Governor doesn't act on it-it becomes legislation after 60 days-DCJS will disseminate via mass email to the valid email addresses in DCJS' records management database, advising the effective date of the regulation.

**10. Announcements:** It was announced that the next PSSAB meeting is Thursday, November 30, 2017-be it corrected that the next PSSAB meeting is Wednesday, November 29, 2017, 10:00am at the Libbie Mill Public Library-County of Henrico, 2100 Libbie Lake East Street, Henrico, VA 23230.

**11. Adjournment:** Mr. Edwin DePolo made a motion to adjourn the meeting. Mr. Mike Ashley seconded the motion. With no objections, the motion was unanimously approved. Chairman Robert Soles adjourned the meeting at 11:41a.m.