

PRIVATE INVESTIGATORS LICENSING BOARD

MINUTES

JUNE 17, 2009

**MEMBERS PRESENT:**

DANIEL CRATE: BOARD MEMBER

RICHARD PUTNAM: BOARD MEMBER

DAVID SPENCER: BOARD CHAIRMAN

ROBERT UITHOVEN: BOARD MEMBER

**MEMBERS ABSENT:**

LOIS WILLIS: BOARD MEMBER

**OTHERS:**

MECHELE RAY: EXECUTIVE DIRECTOR

TAMMY WHATLEY: INVESTIGATOR

JEFF MENICUCCI: BOARD COUNSEL

ROBERT KILROY: ACTING BOARD COUNSEL

JOE DUPUIS: INVESTIGATOR

COLIN MURPHY: COMPLIANCE AUDITOR

BRANDI KING: ASSISTANT

ELAINE TRENT: ASSISTANT

Executive Director Ray asked those present to turn off all cell phones. She informed the attendees that Board staff would send approval letters by mail immediately after the Board meeting and asked for cooperation in allowing time for that process.

Chairman Spencer opened the meeting. Executive Director Ray called the roll. She noted that Board Member Willis was absent and recently announced her engagement.

**APPROVAL OF MINUTES:**

Board Member Putnam moved to approve the March 18, 2009 and the March 19, 2009 minutes and Board Member Crate seconded the motion, which passed.

## **FINANCIAL REPORT:**

Executive Director Ray briefly discussed the budget. A new budget would be available for the next Board meeting for FY 2010 and she would have the final report regarding the close of the FY 2009 budget at that time as well. Board Member Crate asked for a total of projected funding available for the end of June 2009. Executive Director Ray said \$150,000 would be carried over to the FY 2010 budget. The report did not require Board action.

## **SWEARING IN:**

Board Counsel Menicucci swore in those present who were to testify or comment during the meeting.

## **STAFF REPORT:**

Executive Director Ray reported that from February 26, 2009 through May 31, 2009, Board staff had the following statistics for complaints: received 27 new complaints, 20 closed complaints, 57 pending complaints, and 6 pending complaints against licensees. The North was assigned 54 complaints and 3 were assigned to the South. Investigator Whatley wrote 10 unlicensed activity citations, sent 9 cease and desist letters, performed 12 convention/show inspections. There were 2 CFI applications pending and 2 new CFI certifications had been issued by Investigator Whatley. She completed 3 addendums to backgrounds. Investigator DuPuis completed 68 backgrounds (37 for corporate officers, 11 for corporations, and 20 qualifying agents or individuals). Investigative Assistant King prepared 68 backgrounds and assisted in 7 conventions/show inspections. A total of 8 applications were rejected or withdrawn. There were 27 pending backgrounds (4 for corporate officers, 4 for corporations, 3 for change of status, 1 for Canine Handler, 10 for Private Investigator, 5 for Private Patrolman). Investigator Murphy issued 4 notices of violation to licensees, performed 5 audits, had 6 audits pending, performed 14 conventions/show inspections, and wrote 1 cease and desist letter. Executive Director Ray authorized one person to work in Nevada pursuant to NAC 648.280, issued 36 notices of violations, wrote 3 cease and desist letters, conducted 2 workshops, and completed 6 background updates. Investigator Murphy provided a summary of JCK 2009. Investigator Whatley, Investigative Assistant King, and Investigator Murphy attended a number of jewelry shows: various shows at the Sands Expo, Bally's, the Winn, the Mirage, Caesar's, and the Las Vegas Convention Center. They checked 30 employees from Century Security, 3 from Elite Security, 11 from Brinks, 9 from Positive Protection, 20 from SOA, 5 from Security Unlimited, 21 from All Purpose Security, 12 from Dunbar, and 1 from Official Security. There were no major issues to report. All guards had valid work cards or proper reciprocity credentials to work in Nevada. The only exception involved 2 employees of Brinks whose names did not appear on the reciprocity list and were not registered with the PILB. He was following up on the issue.

## **CONSENT AGENDA:**

5. FHI Plant Services, Inc. (#1480) requested corporate officer approval for Jody Kirby and Ty McFarland.
6. Pinkerton Government Services, Inc. (#1297) requested corporate officer approval for James Freeze, Harley Hughes, and Nils Thunman.
7. US Investigations Services LLC (#825) requested corporate officer approval for Michael Cherkasky and David Fontaine.
8. Worldwide Security Services LTD (#1232) DBA Covenant Government Services requested a corporate name change to Covenant Security Services LTD DBA CSS Security Services. Robert Coe requested qualifying agent status and corporate officer status. Gregory Ianuzzi and Dominic Ferrara requested corporate officer approval.
9. Global Intelligence Network LLC (#883) requested a corporate name change to Global Intelligence Network, Inc. Peter Maheu requested qualifying agent status and corporate officer approval. Noel Krieger and Charles Kenerson requested corporate officer approval.
10. American Security and Protective Services, Inc. (#724 and 724A) requested qualifying agent status for Anthony Galante. He asked the Board to allow him to be the acting qualifying agent until his Private Investigator application could be approved.
11. All Purpose Security LLC requested a corporate Private Investigator license, a corporate Private Patrolman license, and a corporate Process Server license. Anthony Seda (#1396, 1396A, 1396B) requested qualifying agent status and to place his individual licenses into abeyance if approved. He also requested corporate officer status.
12. G4S Compliance & Investigations requested a corporate Private Investigator license. Michael Malone (#858) asked to place his individual Private Investigator license into abeyance so he may become qualifying agent. Those seeking corporate officer status were Michael Malone, Julie Payne, Ian Green, and Susanne Jorgensen.
13. MCSS Ltd. (#1311) requested qualifying agent status for James Weston, Private Investigator category.

Board Member Crate had inquiries regarding Item 11. Mike Kirkman wished to discuss Item 10 and Item 12. Board Member Crate moved to approve Items 5, 6, 7, 8, 9, and 13. Board Member Putnam seconded the motion, which carried.

Mike Kirkman and the Nevada Society of Private Investigators opposed the granting of an interim Private Investigator license, as they felt it would allow Mr. Galante to work in an unlicensed capacity. He supported the granting of a Private Patrol license to Mr. Galante.

Executive Director Ray explained that the request was to grant Mr. Galante qualifying agent status for a current company. When she began the update on Mr. Galante's background, both Mr. Galante and she believed he held a Private Investigator license in abeyance. There was no evidence of that in his file. The

agenda item was to approve him as qualifying agent in the Private Patrolman category. A corporation can appoint an acting qualifying agent until approved. He could then take the necessary steps to gain a Private Investigator license. She said there was nothing wrong with the agenda item. Mike Kirkman said, as the individual had not taken the Private Investigator license exam, he was not qualified to be an investigator.

Board Member Crate moved to recognize Anthony Galante as the qualifying agent for American Security and Protective Services, Inc. in the Private Patrol license category, and to recognize him as the acting qualifying agent for #724A in the Private Investigator license category, subject to the receipt of the completed application and taking the required Private Investigator license exam, subject to all statutory and regulatory requirements. Board Member Uithoven seconded the motion, which passed.

Chairman Spencer addressed Item 11. Board Member Crate voiced his concern regarding the change from an individual license for Anthony Seda to an LLC. He asked if a new license would be issued for the corporation. Executive Director Ray said the license numbers would remain the same, as the LLC belonged to Anthony Seda. Board Member Crate asked what would occur if there was a separation in the future between Anthony Seda and the LLC. Executive Director Ray explained that typically the license numbers were issued to the LLC. Past practice was that if Mr. Seda was the sole owner and member, the license numbers would not change. Often, licensees did not keep individual licenses in such a case. If multiple officers were in place and the qualifying agent was not an owner, he typically would receive separate license numbers for abeyance purposes. Board Member Crate said his question was asked to anticipate future changes. He asked if another company purchased All Purpose Security, they would be issued a new license. Executive Director Ray said that was correct.

Board Member Crate then moved to grant All Purpose Security LLC a corporate Private Investigator license, a corporate Private Patrolman license and a corporate Process Server license, to grant Anthony Seda qualifying agent status and corporate officer status, and to place his individual licenses into abeyance, subject to all statutory and regulatory requirements; the motion was contingent upon Mr. Seda's full cooperation regarding a potential pending complaint/citation. Board Member Putnam seconded the motion for discussion purposes. Chairman Spencer asked Investigator Whatley if she wished to comment, but she said the issue had been addressed. The motion carried.

Item #12 was then discussed. Mike Malone was not in attendance. Steve Stock and Carmelo San Juan were present. Board Member Crate said his concern was similar to that of Mr. Kirkman. He had not requested to discuss the issue separately, as the corporation was presently licensed and the request was for a change of officers. The issue could be addressed under Item #18. Mr. Kirkman said there was an

issue with the name that needed to be resolved. Chairman Spencer noted the corporations were long-standing. Mr. San Juan said he could explain the corporate structure umbrella regarding G4S Compliance and Investigation and Wackenhut of Nevada DBA G4S Wackenhut in Nevada. They were both two subsidiaries, wholly-owned by Milestone Holding One, which was owned by the parent company, G4S PLC. That same company owned G4S International in California. He distributed a hand-out which related the companies. Two licensed companies operated in Nevada, G4S Wackenhut and Wackenhut Services, Inc. Board Member Crate moved to grant Michael Malone (#848) qualifying agent status for G4S Compliance & Investigations and to place his individual licenses into abeyance, to grant corporate officer status to Michael Malone, Julie Payne, Ian Green, and Susanne Jorgensen, subject to all statutory and regulatory requirements. Board Member Uithoven seconded the motion, which carried.

### **PRESENTLY LICENSED CORPORATIONS REQUESTING NEW QUALIFYING AGENT:**

**Weiser Security Services, Inc. (#1400)** requested qualifying agent status for **Nicholas Davidson**.

Board Member Crate recused himself from voting on this agenda item. Mr. Davidson worked for Wells Fargo from 1989 to 2000. The remaining balance of his experience was gained through college coursework. Board Member Putnam asked why Mr. Davidson indicated no liens in his application, but a tax lien existed in California in 1993 that was released in 1995. A federal tax lien had been filed for 2009. Also, Board Member Putnam noted that Mr. Davidson stated in his application that he had not been convicted of any crimes. However, he had been subject to several arrests for domestic violence. One case had been dismissed, but he had pled guilty at a subsequent case. Mr. Davidson was barred for life from owning a firearm or possessing ammunition. Board Member Putnam asked Mr. Davidson why he had not included all this information in his application. Mr. Davidson addressed the tax lien in California. He said it was so long ago he had not remembered it. The current tax lien was not in place until after he had submitted his application. He intended to contract with a third party and expected either a refund or a minimal tax liability. He said he was either misinformed or misunderstood his attorney. He allowed Investigator DuPuis to speak directly to his attorney during the process of investigating his background. He wanted to avoid any misconception. Chairman Spencer asked Mr. Davidson to clarify his arrests. Mr. Davidson said one case was dismissed. He felt they should all have been dismissed. His attorney at the time recommended that they proceed with the matters as planned and to resolve them as quickly as possible. Mr. Davidson understood that the charges were equal to a moving violation. When Investigator DuPuis conducted his investigations, Mr. Davidson directed him to speak with his attorney. Board Member Putnam said the questions were not for his attorney to answer. It was Mr. Davidson's responsibility to answer the questions truthfully on the application and the answers on the application were equivalent to making a statement under oath. Board Member Putnam said he could not support the approval of the application because Mr. Davidson falsified information. Mr. Davidson said he did not intentionally falsify

any information. He misunderstood his attorney. Mr. Davidson thought the charges were the equivalent of traffic tickets. He did not make any efforts to conceal the information and again referenced providing contact information for his attorney to Investigator DuPuis. Board Member Putnam said the attorney did not complete the application, but Mr. Davidson did. Mr. Davidson had signed the application, but it was not true and correct. Mr. Davidson again said he was not trying to be deceptive. Chairman Spencer said he was confused by Mr. Davidson's reference to traffic violations. Mr. Davidson began to discuss his attorney at the time of the charges. Chairman Spencer asked him to clarify the charges, and Mr. Davidson said they were domestic violence charges. His attorney explained to him at the time that one charge would be dismissed, but he would need to attend classes for the other charge, much like those who had been issued traffic tickets. Chairman Spencer agreed with Board Member Putnam. He had difficulty comparing a domestic violence charge with a parking ticket. Mr. Davidson again said he had misunderstood what his attorney told him at the time. He was not attempting to blame the attorney entirely for the misunderstanding. Chairman Spencer asked why Mr. Davidson was barred for life from owning a firearm or ammunition. Mr. Davidson was not aware of that fact until Investigator DuPuis explained it to him. Mr. Davidson said it must have stemmed from the domestic violence charge. Chairman Spencer again asked Mr. Davidson if he was aware he was barred for life from owning a firearm. Mr. Davidson said it was never an issue, as he had never owned a firearm. Chairman Spencer asked what degree Mr. Davidson had earned in college. It was Criminal Justice. Chairman Spencer said the classes Mr. Davidson had taken to earn his degree should have explained the difference between domestic battery and a parking ticket. Mr. Davidson again referred to the advice he had been given by his attorney at the time. Mr. Davidson did not study or evaluate the matter. Chairman Spencer asked Mr. Davidson if he was arrested. Mr. Davidson said that was correct. He asked if Mr. Davidson was fined or was subject to incarceration. Mr. Davidson paid a fine and was ordered to attend counseling sessions. Chairman Spencer asked if Mr. Davidson was found guilty of the crime for which he was arrested. Mr. Davidson did not know that at the time. He never went before a judge.

Board Member Uithoven said he had received parking tickets in the past, but had never spent two days in jail for it. Mr. Davidson failed to disclose the charges on his application. He did not think Mr. Davidson was very forthcoming in providing necessary information. Mr. Davidson said he answered as truthfully as he understood the questions. He did not try to conceal any questions from Investigator DuPuis. Chairman Spencer noted Mr. Davidson indicated on his application that he had never been a part of any civil actions lawsuits, yet three separate suits were shown in his background information (one with Argenbright Security, one with Wells Fargo Guard Services, and one with Walter Zadanoff and Victoria Parshall). Mr. Davidson said he was not aware that the lawsuit involving Kurt Lord (Wells Fargo Guard Services) existed. It occurred because of a traffic accident with a company vehicle. He never received paperwork and knew nothing about it. The suit involving Walter was also a traffic accident. He believed All State was charged with settling the case and did not know he was a defendant. He didn't believe it went to trial and

occurred in 2003. Chairman Spencer noted that Mr. Davidson was found guilty of negligence in both cases. Again, Mr. Davidson said he was unaware of that fact in the Kurt Lord case. The second case he again did not realize was a lawsuit, but thought the matter was settled through an insurance company. As far as the Argenbright case, Mr. Davidson thought it was settled by a third party arbitrator and did not think it was a lawsuit. He gave the information to Investigator DuPuis. Chairman Spencer asked what Mr. Davidson did in terms of employment from 2004 to 2006. Mr. Davidson said he stayed at home. He had been disabled in a motorcycle accident in 2000. He worked at Argenbright and Pedus after the motorcycle accident, but then he stayed home with his young son during his first few years of school. It then became more difficult to re-enter the industry. Chairman Spencer said Mr. Davidson had not filed federal tax returns for the years of 2004, 2005, and 2006. Mr. Davidson believed that was true. Chairman Spencer asked if the IRS had contacted him regarding those three years. Mr. Davidson said he was using a third party individual to assist with the matter. Mr. Davidson said there was no taxable income during those years and felt there would be either a refund or minimal tax liability, as he previously stated. Mr. Davidson had not yet been contacted regarding those three years. Chairman Spencer said it was not the intent of the Board to embarrass Mr. Davidson. If he had truthfully answered the questions on the application, he would not be subject to these questions today. Investigator DuPuis found several employers that Mr. Davidson had not mentioned in his application. Mr. Davidson said his work with Wells Fargo allowed for enough statutory hours. Argenbright Security had been purchased by Cognisa and he thought it might be too difficult to obtain statements. Pedus no longer existed and had been bought by Weiser Security. He had worked at Pedus for a very short time. Chairman Spencer asked Investigator DuPuis to explain his contact with the employers not listed on his application. Investigator DuPuis said Mr. Davidson only worked at Pedus for one month and resigned when he learned they were operating without a license. He had not been able to obtain any information from Argenbright Security. Board Member Putnam commented that on Section C of the application clearly asked if Mr. Davidson had ever been convicted of a crime or pled guilty to charges. Truthfully, Mr. Davidson had pled guilty to domestic battery charges. He spent two days in jail and paid a fine. The question was very clear and did not ask what Mr. Davidson's attorney told him. Board Member Putnam said Mr. Davidson falsified his application. Mr. Davidson apologized and again said he had misunderstood the issue and had answered them as truthfully as possible. He said he made no attempt to conceal any information. Chairman Spencer asked Investigator Murphy about the violation issue with Weiser Security. Investigator Murphy said on June 10, Executive Director Ray issued a notice of violation to Weiser Security because they had not submitted a quarterly report due December 30, 2008 or a quarterly report due March 30, 2009. Investigator Murphy went to the business to follow up on the violation. He found employees there who had not been properly registered with the Board. On June 15, Investigator Murphy issued a violation to Weiser Security for not registering the employees properly. They did have work cards, but were not registered per NRS 648.140. Mr. Davidson said he was the branch manager at the time and had submitted the quarterly reports to the

state. He said the June 2009 quarterly report was ready to submit. He offered to speak to Mr. Murphy and correct the employee registration situation.

John de Luca asked if Mr. Davidson held a work card. Mr. Davidson said he did not have a work card. Mr. Maheu said he was the president of the Nevada Society of Private Investigators and did not normally become involved in Private Patrol issues. In this case, the failure to report truthfully on an application should cause it to be dismissed.

Chairman Spencer moved to deny qualifying agent status for Nicholas Davidson and to deny an individual Private Patrolman license for failure to report both the issues of arrests and the issue of tax information requested pursuant to NRS 648.100(3)(c) "Demonstrated untruthfulness or lack of integrity", subject to all statutory and regulatory requirements. Board Member Putnam seconded the motion to deny.

Chairman Spencer explained that Mr. Davidson had made several mistakes in the application process. He told Mr. Davidson when he applied for a license it entailed a tremendous amount of responsibility. He noted that Mr. Davidson spoke of his lawyer repeatedly, but it was not his lawyer's responsibility to complete the application for Mr. Davidson. The motion carried.

**Diplomatic Protective Services, Inc.** requested qualifying agent status for **Suzanne Durr**.

Ms. Durr worked in the security field for approximately 15 years. She started as a security guard. She worked with her husband to begin a security guard company. That company was sold to her parents at one point and then they decided to buy back the company. Her husband was interested in pursuing a law enforcement career and she was seeking qualifying agent status at this time.

Board Member Crate asked about the proposed board of officers. Ms. Durr said she was the treasurer. Executive Director Ray said the officers had already been approved and there were no changes.

Board Member Crate asked if Ms. Durr could provide more specific information about her 15 years of experience. Ms. Durr was a security guard and patrol officer for Hillcrest Patrol Services. She ran patrol and checked the properties by vehicle. She also checked on other security guards. She began working in the administrative area in 2001. She helped manage the officers, scheduling, and meeting with clients. She did assist with sites as needed. Her licenses were current.

Board Member Crate asked about her husband's intent to pursue a law enforcement career. Ms. Durr said if Mr. Durr became a law enforcement officer, he would step down and she would be the qualifying agent.

Board Member Crate asked if regulations restricted corporate officers from having law enforcement status. Executive Director Ray said in the past corporate officer status was never granted to law enforcement officers. Board Member Crate said Mr. Durr would have to step down as corporate officer status, and Ms. Durr said she was aware of that fact. She had discussed the issue with Executive Director Ray.

Board Member Crate moved to grant Suzanne Durr an individual Private Patrolman license to be placed in abeyance so she could become the qualifying agent for Diplomatic Protective Services, Inc. (#1094),



subject to all statutory and regulatory requirements. Board Member Putnam seconded the motion, which carried.

**Security Consultants Group, Inc. (#1189)** requested qualifying agent status for **Alberto Garcia**.

Mr. Garcia began working for the Security Consultants Group in 2003. He attended college and then entered the Marine Corp. He retired in 2003. He then began working in the security field. His duties included regional manager responsibilities and then he gained divisional manager experience. His current position was director of operations. Board Member Crate asked about problems with a company in North Carolina. Mr. Garcia said North Carolina had very strict requirements and gave a brief description of the process. He resided in Tennessee and had no desire to move to North Carolina. He said every state had slightly different requirements. Board Member Crate moved to grant an individual Private Patrolman license to Alberto Garcia to be placed in abeyance so he could become the qualifying agent for Security Consultants Group, Inc. (#1189), subject to all statutory and regulatory requirements. Board Member Putnam seconded the motion, which passed.

**Kroll Background America, Inc.** requested qualifying agent status for **Craig Olsen**. Mr. Olsen began working for Infolink Screening Services in June 2001. The primary focus was background investigations for employment purposes. For 2 ½ to 3 years he worked in employment verification and branched out to other areas such as public records retrieval and analysis. The company was purchased by Kroll Background America in May 2006. He transferred to another office and focussed primarily on public records and quality assurance. It was noted that the agenda showed Mr. Olsen requested an individual Private Patrolman license, but was actually requesting an individual Private Investigator license. Board Member Putnam moved to grant Craig Olsen an individual Private Investigator license to be placed in abeyance so he could become the qualifying agent for Kroll Background America, Inc. subject to all statutory and regulatory requirements. Board Member Uithoven seconded the motion, which passed.

**G4S International (#1426)** requested qualifying agent status for **John Sellens**. Mr. Sellens was a retired police officer from El Segundo, California. He had 60,000 hours of experience. He held a Master's Degree in Criminal Justice from Chapman University. Board Member Crate asked for clarification on the relationship between G4S International and the other G4S corporations, noting that his question did not reflect on Mr. Sellens or his qualifications. Before allowing Mr. Sellens to explain, Board Member Crate moved to grant John Sellens an individual Private Patrolman license to be placed in abeyance so he could become the qualifying agent for G4S International subject to all statutory and regulatory requirements. Board Member Putnam seconded the motion. Board Member Crate was concerned with the need for multiple licenses relating to G4S and/or Wackenhut. His issue was that there seemed to be an over-specialization which could mean an individual license for each client, which could be detrimental to the

public good with respect to general liability as required by statute. He said the Board could ask for name changes to avoid public confusion. Chairman Spencer said the Board's mission was to benefit the public and not the licensees. This topic had surfaced before in the Private Patrol industry. Mr. San Juan said the same name would be used by the company if it applied for another category of licensure. He explained that G4S PLC was a British company which acquired the Wackenhut Corporation in 2002. In May of 2008 they acquired MJM Investigations, currently known as G4S Compliance & Investigations, Inc. The aim of the company was to be recognized world-wide under one parent company name that provided various services through a family of companies. Wackenhut of Nevada relinquished its Private Investigator license because it stopped providing those services. Wackenhut of Nevada was now known as G4S Wackenhut. He said it was a marketing strategy to use G4S in company titles to let the public know the different types of services provided. Wackenhut Services, Inc. had provided services to the Department of Energy in Nevada for the past 30-40 years. The DOE required the company to separate the operations. Chairman Spencer said the corporation was very large and was confusing in Nevada. He said the same name was providing different services. Executive Director Ray asked Mr. San Juan to explain future plans for Wackenhut of Nevada (#721). Mr. San Juan again explained Wackenhut of Nevada, Inc. was incorporated 30-40 years ago at the request of the Department of Energy to keep services separate. Wackenhut of Nevada was a wholly-owned subsidiary of Wackenhut Corporation. Wackenhut Corporation was licensed in all 50 states. The requirement inherited from the Department of Energy decades ago was no longer needed. The Wackenhut Corporation cannot influence the decision or the operation of Wackenhut Services, Inc. There was no longer a requirement to have a separate, independent company solely for Nevada. The plan was to file a full application package with the PILB to obtain a Private Patrol license in Nevada as the Wackenhut Corporation. Upon approval, the intent was to remove Wackenhut of Nevada and to transfer the personnel to G4S Wackenhut. Wackenhut of Nevada would eventually be dissolved. The DBA would be transferred in Clark County and Washoe County to the Wackenhut Corporation.

Executive Director Ray commented on an e-mail from a person named Julie which referenced G4S International, Inc. She read from the e-mail, which explained that the company was in the transport business for high value shippers and did not belong in the ownership chain with Wackenhut Corporation, Wackenhut of Nevada, Inc., Wackenhut Services, Inc., or G4S Compliance & Investigations, Inc. Mr. San Juan agreed. Board Member Crate said there were two distinct companies that were not directly related operating in Nevada related to G4S. Mr. San Juan said the parent company was located in London. Board Member Crate asked where the Board's accountability of these various companies rested for the welfare of the people of Nevada and its visitors. He asked if Mr. San Juan was prepared to travel to Nevada and he said he was willing to do so. Board Member Crate asked for clarification of what companies would be licensed. Executive Director Ray referred to the flowchart. She said Wackenhut Corporation and the name DBA G4S Wackenhut would be moved to the place currently held by Wackenhut of Nevada, which would

no longer exist. Board Member Crate said he pursued the issue because his first Board meeting included the licensure of Wackenhut of Nevada. The compelling reason they offered for their need for licensure was that Workman's Compensation insurance was too expensive for the test site. He said Mr. San Juan indicated that the need for two licenses no longer existed, so he asked why there continued to be the need for two licenses in Nevada. Mr. San Juan said the government required it. Executive Director Ray said the only action taken today was to approve qualifying agent status for a somewhat unrelated corporation with regard to the flowchart. A pending application was in place to be considered at the September 2009 Board meeting for the Wackenhut Corporation with Thomas Harper as the qualifying agent. Once approved, two separate corporations would be licensed in Nevada and owned by the same holding company. She said the companies would be considered sister corporations. Mr. San Juan agreed. Executive Director Ray explained that Wackenhut Services, Inc. (#19 and #19a) performed their own government investigations and did nothing of an independent nature. She asked for clarification that originally the Wackenhut Corporation was necessary to be the parent corporation of Wackenhut Services, but that need no longer existed. Mr. San Juan said the statement made by Board Member Crate differed from what he recalled. He said several reasons could be given why the licensure was needed initially. Board Counsel Menicucci asked Mr. San Juan if G4S International was owned by G4S PLC; he affirmed the question. Board Counsel Menicucci asked if that was a direct ownership or if there were any intermediaries. Mr. San Juan said he believed there was one intermediary holding company. Board Counsel Menicucci said there was no dispute over the use of the G4S name. Mr. San Juan said there was an international agreement where the name G4S was authorized to be used by every entity worldwide. Board Member Crate asked who owned G4S International. Monica Kolbly provided paperwork for Board Member Crate. He thanked Mr. San Juan for his efforts in explaining the business details to the Board. He was still not convinced the Board was acting in the best interests of the state by allowing similar names to be licensed. Chairman Spencer apologized to John Sellens for the lengthy discussion and commended him on his qualifications. He asked for a vote. The motion carried.

**PRIVATE PATROLMAN:** (Taken out of order on agenda.)

**Westmoreland Protection, Inc.** requested qualifying agent status for **Paul Spence**. Mr. Spence had worked in the security field for 14 years. He had worked for the Wackenhut Corporation as a manager. He began working for Westmoreland Security in 2003, which had 95 employees. He was the sole corporate officer.

Board Member Crate moved to grant Westmoreland Protection, Inc., a corporate Private Patrolman license, to grant Paul Spence an individual Private Patrolman license to be placed in abeyance so he could become the qualifying agent, and to grant him corporate officer status, subject to all statutory and regulatory requirements. Board Member Putnam seconded the motion, which passed.

**PRESENTLY LICENSED CORPORATIONS REQUESTING NEW QUALIFYING AGENT:  
(Return to agenda category.)**

**American Protection Agency DBA American Safeguard (#1457)** requested qualifying agent status for **William Fitts**. Mr. Fitts had 8 years of experience in loss prevention. He had stood post and provided surveillance for casinos. Board Member Putnam moved to grant William Fitts an individual Private Patrolman license to be placed in abeyance so he could become the qualifying agent for American Protection Agency DBA American Safeguard, subject to all statutory and regulatory requirements. Board Member Uithoven seconded the motion, which passed.

**Dawn Ricci** requested a change in licensing status from qualifying agent of Truthfinders LLC to an individual Private Investigator license **DBA All State Investigations**. Ms. Ricci began working in the investigation business in 1995. She owned and operated All State Investigations in New Jersey and was licensed in several states. She was licensed in Nevada in 2005. Board Member Crate asked for the status of Truthfinders LLC. Ms. Ricci said she was the qualifying agent for that company. She wished to become the qualifying agent for Dawn Ricci DBA All State Investigations in Nevada. Board Member Crate asked if Investigator DuPuis had any comments, but he did not. He then asked Investigator Murphy for any comments. Investigator Murphy said there was a complaint regarding an alleged employee of Truthfinders LLC who solicited business, but was not registered with the Board and did not hold a work card. Investigator Murphy asked Shawn Kessler to provide a statement about the matter, which had not yet been received. Mr. Kessler told him that particular employee was clerical. Investigator Murphy said the phone call regarding the illegal activity involving Craigslist occurred in March/April 2009. Board Member Crate asked Ms. Ricci if she was aware of the issue. She said she unfortunately was not, which was the basis for her request for change of status. She had to learn of the complaint from the Board and not from someone within her company. She formally sent a letter in January stating that if matters did not improve, she would leave Truthfinders LLC in June 2009. She said she was licensed in 4 states, was compliant with the rules and regulations, and was extremely reputable. Board Member Crate said with regard to the outcome of the complaint, she was the qualifying agent on record. Ms. Ricci said she understood, but she needed to do the right thing. Chairman Spencer reiterated that Ms. Ricci was the qualifying agent for the corporation. He asked if she was aware of who was performing the alleged acts in the complaint. She had no idea, though she called, e-mailed, and sent letters repeatedly for information. Board Member Crate asked if Ms. Ricci had filed a complaint against Truthfinders LLC. She said that was not in her nature. Board Member Crate again noted that it was her responsibility as the qualifying agent and license holder. If she chose to not hold her employees accountable, then she was assuming responsibility. Ms. Ricci said she understood that fact and she apologized for allowing the events to occur. She had no relationship with Truthfinder LLC. She had sent a certified letter but had not received a response. Shawn Kessler was not

present to explain his behavior or practices. Board Member Crate asked if the Board had formally been notified that Truthfinders LLC currently did not have a qualifying agent. Executive Director Ray said the Board had been notified. She said Dawn Ricci was licensed as an individual initially and then formed Truthfinders LLC. Ms. Ricci was a member of the LLC, Shawn Kessler became a member, and Ms. Ricci removed herself as a member of the LLC but remained as the qualifying agent. When Ms. Ricci notified Executive Director Ray that she was leaving Truthfinders LLC, Mr. Kessler, an owner, became the acting qualifying agent. A pending application had since been received by the Board to be considered for licensure at an upcoming meeting. The background report reflected the complaint about the employee, as well as the posting for All State Investigations, Inc. to offer services in Nevada (before licensure). In summary, Executive Director Ray said Truthfinders LLC did have an acting qualifying agent and there had been some sort of parting of the ways. Ms. Ricci added that when the change occurred, the intent was for Shawn Kessler to become his own licensed entity. She apologized again. With regard to the posting for All State Investigations, Ms. Ricci submitted her change of status application and formed the DBA in March. It was an oversight on the part of her office which prematurely placed a link on the website before she had been granted the license in Nevada. She immediately removed the posting once Investigative Assistant King brought it to her attention. Chairman Spencer noted that the web posting should not have used the phrase "Inc." in the wording. Ms. Ricci said All State Investigations, Inc. was a New Jersey Corporation. Her present request was for the DBA All State Investigations in Nevada. She realized she could not advertise as a corporation in Nevada. Mike Kirkman explained he filed a complaint June 16, 2009. He ran a search on Google the day before, June 16, for All State Investigations and found the New Jersey company was advertising for business in Las Vegas. As that company was not licensed in the state, it equaled unlicensed activity. He said if the applicant was affiliated with the company in New Jersey, a license should be withheld due to the serious allegations. Ms. Ricci said if her name was searched on Google, Las Vegas would appear, as various feeds appear during searches. Mr. Kirkman said the feed he searched was for All State Investigations, Las Vegas, which produced the name of the company in West Caldwell, New Jersey and All State Investigations, Inc. in Nevada. Board Member Uithoven asked for clarification if that information appeared on the web pages of All State Investigations. Mr. Kirkman was asked to fax the document he was holding in his hand. Chairman Spencer asked for the affiliation between Ms. Ricci and All State Investigations, Inc. She again stated it was her company in New Jersey. Board Counsel Menicucci said a web page was included in the materials provided for the background investigation dated May 20, 2009. Board Member Uithoven asked if Board Counsel Menicucci was referring to the Las Vegas listing on the left side of the page in question, and he agreed. He wasn't certain it was the same page to which Mr. Kirkman was referring. Ms. Ricci noted on May 20<sup>th</sup> Investigative Assistant King notified her about the advertisement for business in Nevada. Ms. Ricci immediately told her webmaster to remove the link. She again explained that her office had prematurely placed the link on the advertisement for Nevada business once the DBA was filed in March 2009 unbeknownst to her, but she

took full responsibility. Chairman Spencer noted in her communication that the link had been removed. He said other servers could continue to pick up the link. Chairman Spencer asked why she was not asking for a corporate license. Ms. Ricci lived in New Jersey and planned to stay there. She could work with licensed investigators in Nevada as needed. John de Luca said, as Ms. Ricci was leaving as qualifying agent, Truthfinders should become null and void. He said All State Investigations had been operating in Las Vegas for over 20 years by referring investigations to an investigator who had since died. Chairman Spencer asked if this were a separate company. Ms. Ricci said the company had absolutely not been working in Nevada. Mr. De Luca asked if All State Investigations was ever licensed in Nevada. Ms. Ricci said it had not. Board Member Putnam said part of the investigations showed that while Dawn Ricci was acting as qualifying agent for Truthfinders LLC, a complaint was received and that employees were acting as independent contractors. He asked if it would be appropriate to defer action on the item until the investigation was concluded. Board Member Crate said an option would be to keep Ms. Ricci's license in abeyance until the matter was resolved. Chairman Spencer noted the two options were to not allow her to be licensed today or, according to Board Counsel Menicucci, she could be licensed and still be held accountable for the findings regarding the Truthfinders LLC complaint. Board Member Crate said there were three issues. One was that the complaint was still outstanding against Truthfinders LLC. The second issue was that Ms. Ricci was applying for an individual license asking to operate on her own. That issue was complicated by the fact that the name she wished to use was involved in improper advertising to do business in Nevada before a license was granted. He noted the Board only became aware that Ms. Ricci was no longer affiliated with Truthfinders within the last 30 days. He was concerned about the pending outcome of the complaint, including learning what Ms. Ricci knew or should have known about the conduct of Truthfinders that caused her swift separation from that company. He expected her full cooperation with the investigator. He saw no immediate reason to deny her current request for an individual Private Investigator license. Pete Maheu, president of the Nevada Society of Professional Investigators, believed it was a privilege to hold a license in Nevada. He felt an individual under investigation should not be licensed until any outstanding issues were resolved. He asked what would happen if a person was found guilty of an infraction after the license was granted. There would be little repercussions after the fact. He said it made no sense. If he were under investigation, he would not apply for a license. Ms. Ricci said she had been licensed since 1995. She ran a very reputable company and took offense at his comments. Mr. Maheu said she should direct her comments to the chair. His position was that a license should not be granted until the conclusion of a pending investigation. It had nothing to do with Ms. Ricci personally. Chairman Spencer said Mr. Maheu's point was well taken. Board Member Uithoven discussed the point of innocence until proven guilty. He could anticipate an individual who would file a complaint against an applicant to stop the Board from licensing that person or company. Chairman Spencer asked for a motion. Board Member Uithoven moved to grant a change in licensing status to Dawn Ricci from qualifying agent of Truthfinders LLC to an individual Private Investigator license DBA All

State Investigations, subject to all statutory and regulatory requirements. Board Member Crate seconded the motion. Board Member Putnam could not support the motion because, while Ms. Ricci was qualifying agent, a complaint was filed against Truthfinders LLC and employees which alleged they were acting as independent contractors. He felt the license should be placed in abeyance until such time as the complaint was resolved. Chairman Spencer observed the vote was tied. Board Member Crate said there was a pending complaint against Truthfinders, which was continuing to operate without any current action on the part of the Board to hinder its operations. Ms. Ricci was asking to separate herself from that company and was still accountable by statute for any ultimate findings against Truthfinders or All State Investigations. He didn't feel any harm was being done. He typically would not approve licensure for a new person who was subject to a pending complaint investigation; Ms. Ricci was a current licensee. Fairness should dictate the Board's allowance for Ms. Ricci to activate her personal license. Chairman Spencer said they were approaching the setting of a precedent. Board Member Uithoven and Board Member Crate voted for the motion, while Board Member Putnam voted against it. The motion carried. Chairman Spencer cautioned Ms. Ricci that her license may be removed if she was found guilty of any allegations that were pending. She could only hire 1099 individuals (outside contractors) unless they were licensed. She said she understood and would cooperate with the Board during the investigation. Executive Director Ray said the matter would appear on the September 2009 agenda for resolution and the new application brought before the Board.

#### **PRIVATE INVESTIGATOR:**

**K2 Investigations, Inc.** applied for a corporate Private Investigator license and **William Koressel** applied for an individual Private Investigator license. Mr. Koressel had a Bachelors degree in criminal justice and a Master's Degree in public administration. He was a police officer for approximately 13 years and a private investigator in California for about 15 years. He had never done any work in Nevada or had any complaints. Board Member Crate noted that there were 16,000 hours that were certified as patrol experience and should be designated as private investigative experience. Mr. Koressel was a police officer in Buena Park for about 7 years and Huntington Beach for 6 years, both in California. Board Member Putnam moved to grant K2 Investigations, Inc. a corporate Private Investigator license, to grant William Koressel an individual Private Investigator license to be placed in abeyance so that he could be the qualifying agent, and to grant corporate officer status to Stacy Koressel and William Koressel, subject to all statutory and regulatory requirements. Board Member Uithoven seconded the motion, which passed.

**Defense Investigators Group** applied for a corporate Private Investigator license and **Alan Rogers** applied for an individual Private Investigator license. He was unable to attend the meeting. Chairman

Spencer moved to continue the item until the next Board meeting, Board Member Putnam seconded the motion, and it carried.

**Brian Brown & Associates, Inc.** applied for a corporate Private Investigator license and **Stephen Bellows** applied for an individual Private Investigator license. Mr. Bellows spent 6 years in the Army National Guard in California. He had also been involved in the building industry and had much experience in arson investigations. With the downturn in the building industry, he wished to return to fire investigations. Board Member Crate asked if Mr. Bellows anticipated performing any investigations other than those related to fires. Mr. Bellows also investigated fraud. Board Member Crate asked how much of his time was related to investigations outside the fire and arson arena. Mr. Bellows said probably a third of the time he investigated methamphetamine labs. Board Member Crate noted much of the experience shown by Mr. Bellows was in fire and arson investigations. Chairman Spencer asked how many were involved in the corporation. Mr. Bellows explained he was the sole person and that it was a Canadian corporation. He pursued the requirements for Nevada. The company also performed fraud investigations. He had several thousand more hours of experience that could not be documented. Chairman Spencer asked if the company wanted him to conduct investigations other than fire/arson. Mr. Bellows explained his hours were gained under training and he had received no compensation. He performed surveillance in arson investigations. Chairman Spencer asked if the investigations involved insurance fraud. Mr. Bellows said that was the primary reason. Chairman Spencer asked how difficult it would be for Mr. Bellows to document those additional hours. Mr. Bellows said he was unpaid, but the work he performed primarily involved surveillance and learning state requirements while performing ride-alongs and video surveillance. He noted that fire and arson cases were still investigations. Board Member Uithoven moved to grant Stephen Bellows an individual Private Investigator license to be placed in abeyance so that he could be the qualifying agent for Brian Brown & Associates and to approve Mr. Bellows as a corporate officer, subject to all statutory and regulatory requirements. Board Member Putnam seconded the motion, which carried.

**Brian Messenger DBA Covert Business Solutions** applied for an individual Private Investigator license. Mr. Messenger graduated from the Fullerton Police Academy in 1999. He had experience in private investigative work in the insurance field. He was licensed in California in 2004 and was licensed in Arizona in 2006. He was still working in the insurance field performing defense work and due diligence for the Attorney General of Arizona. He never actually worked on the Fullerton police department. Board Member Crate asked for clarification of circumstances at Chapman University. Mr. Messenger was hired as a public safety officer and then began to date a student, which was not against policy. The person he was dating began to create problems by bragging that she was able to have drugs and alcohol and was untouchable because of the dating relationship. He was terminated from the job on campus. Board



Member Putnam asked for the name of the police department. Mr. Messenger did not work for any police department, but explained it was Chapman University Public Safety. Board Member Putnam moved to grant Brian Messenger DBA Covert Business Solutions an individual Private Investigator license, subject to all statutory and regulatory requirements. Board Member Crate seconded the motion, which passed.

**Guy Bovard DBA Bovard investigations** applied for an individual Private Investigator license. Mr. Bovard worked in the county sheriff's office in Bangor, Maine. He left that position in 1980. He was licensed in Maine. He was a U.S. Marshall until he resigned in 1990 to work with a consulting group. He retired in 2005. Chairman Spencer moved to grant Guy Bovard an individual Private Investigator license, subject to all statutory and regulatory requirements. Board Member Putnam seconded the motion, which passed.

**A-Check America, Inc.** applied for a corporate Private Investigator license and **Carlos LaCambra** requested an individual Private Investigator license. Mr. LaCambra had been an investigator since 1991. He worked for EMS at the time investigating white collar crime. He then worked for ChoicePoint from 1997 to 1998. He began working in his current company in August 1998. He had a Private Investigator license in Texas. Board Member Crate asked the investigators if there was any concern regarding unlicensed activity. Investigator Whatley said a cease and desist letter had been sent A-Check America after Investigator DuPuis had begun working on the background. The office received paperwork that the University of Phoenix-Reno contracted with A-Check America to perform pre-employment background investigations. Mr. LaCambra said he had a contract with Apollo Group in Arizona for the work done. He said if information was gathered from Nevada, a sub-contractor licensed in Nevada was used for that purpose. The two firms he worked with were SJV, who worked with Julie Ptashne (Nevada licensee), and PDR, who worked with Diamond Abstractors (Nevada licensee). Mr. LaCambra had no licensed investigators currently working in Nevada. He discovered a license was necessary to solicit business in Nevada. Investigator Whatley said the paperwork the office received clearly stated that the applicant was to provide personal information to A-Check. She read the specific language regarding the work Apollo Group had contracted with A-Check. Chairman Spencer asked specifically about unlicensed activity. Investigator Whatley said in their response, they did say they used the two licensed companies. Her issue was that the applicants should have been directed to provide the information directly to the licensees and not A-Check America. Chairman Spencer asked Mr. LaCambra to explain his relationship to the company in Arizona. Mr. LaCambra said that company was a client. He explained that years ago the issue arose that companies could not ask for a person to provide a date of birth. Apollo Group does not request date of birth from the applicants. Apollo Group asked A-Check to obtain the date of birth on their behalf and pass it on to the investigator. Chairman Spencer asked if Mr. LaCambra had considered that the practice may be a violation of federal law. Asking an applicant questions about age in any way was not allowed.

Mr. LaCambra said his company was not the one hiring the applicants, but merely funneling the information to others. Mr. LaCambra said he understood Chairman Spencer's point. Mr. LaCambra said attorneys had looked into the matter. The information was only obtained to check against any possible criminal activity that may or may not exist. Board Member Crate asked if, once the date of birth was obtained, the information was provided to others. Mr. LaCambra said the information was truncated, they were not allowed to share that information, and it was not passed on; it was kept in the company database. Chairman Spencer said the discussion did not involve Mr. LaCambra's licensing request. He asked how the information on the date of birth was sent to the client. Mr. LaCambra again said the date of birth was not sent to the client. The information was sent to the researcher. The data was held on A-Check's computer system and does not leave it. The site was secure and the date of birth information was redacted when the record was accessed. The client was not able to see the date of birth and his company was not allowed to provide it. Board Member Crate asked Investigator Whatley if the applicant's response was inconsistent with her follow-up to the matter. Investigator Whatley said the fact that A-Check continually claimed they were not performing unlicensed activity was incorrect. She believed that the paperwork provided showed unlicensed activity took place. Board Member Crate said Mr. LaCambra's response validated that licensed Private Investigators were used by A-Check. Investigator Whatley said the written response matched what Mr. LaCambra verbally stated. The paperwork the office received made no mention at that time of other licensed individuals or companies. The only entities named in the paperwork were A-Check America, Inc., the Apollo Group, and the University of Phoenix. Chairman Spencer moved to grant Carlos LaCambra an individual Private Investigator license to be placed in abeyance so he could become the qualifying agent for A-Check America, Inc., and to approve Carlos LaCambra, Greg Hassler, Janice Howroyd, and Michael Hoyal as corporate officers, subject to all statutory and regulatory requirements. Board Member Uithoven seconded the motion, which passed.

#### **PRIVATE PATROLMAN:**

**Gateway Security, Inc. DBA Gateway Group One** applied for a corporate Private Patrolman license and **Sunia Williams** requested an individual Private Patrolman license. Mr. Williams previously worked for Aviation Safeguards in Los Angeles until 2008. He oversaw the security operations there and was the qualified manager in California. In June 2008 he began working at Gateway Group One. The company was expanding and wished to do business in Nevada. He said he was based in Los Angeles and would travel to Nevada as needed. Board Member Crate moved to grant Sunia Williams an individual Private Patrolman license to be placed in abeyance so he could become the qualifying agent for Gateway Security, Inc. DBA Gateway Group One, to grant that company a corporate Private Patrolman license, and to approve James Dell'Ermo, Louis Dell'Ermo, Vivian Dell'Ermo, and Kurus Elavia as corporate officers, subject to all statutory and regulatory requirements. Board Member Putnam seconded the motion, which carried.

**Signal 88 Franchise Group, Inc.** applied for a corporate Private Patrolman license and **Shea Degan** requested an individual Private Patrolman license. Mr. Degan had 17 years of experience in the security field. From 1992 to 1999 he worked various security jobs, including loss prevention, the 911 dispatch center, and corrections. He was hired in 1999 as a deputy sheriff for Douglas County in Omaha, Nebraska. He worked there until March 2008 when he resigned to focus on his business. He was a patrol officer for 4 years and worked the canine unit for about 4 years as well. He also worked part-time for the Bennington Police Department in Bennington, Nebraska and recently formally resigned to adhere to the statutory requirements for licensure in Nevada. Board Member Uithoven asked about the civil rights case while Mr. Degan was employed by the Douglas County Sheriff's Office. Mr. Degan was asked while he was a deputy sheriff to assist a friend of his boss (the sheriff) in a situation involving a former fiancée. The friend needed help with the eviction process of his ex-fiancée after a failed relationship. The woman had a long history of domestic violence, criminal acts, and mental illness issues. Her refusal to vacate the premises was detrimental to the friend's business. Mr. Degan was asked to assist with the situation. The friend was afraid he would be assaulted by the ex-fiancée while attempting to retrieve the items from the home that were necessary to conduct his business. Mr. Degan followed standard operating procedures for the department and the sheriff approved the command before performing the off-duty work. He went to the residence in plain clothes. He carried his firearm and badge. When Mr. Degan arrived at the residence, the ex-fiancée was living there with her parents from California. She was very upset and was on the phone with 911. He had told his supervisors he was going there. She told the 911 dispatcher that a big, bald guy was standing on her front porch. Mr. Degan identified himself as an off-duty Douglas County Deputy Sheriff and lifted his shirt and showed her his badge and credentials, which were near his firearm. She began to scream into the telephone that he was armed and trying to rob her. Mr. Degan and the friend went to the back of the house and entered the garage. She continued to scream. The ex-boyfriend entered his own vehicle and backed out of the garage. The ex-fiancée appeared and was confrontational. Mr. Degan told her if she approached or touched her ex-boyfriend she would go to jail. Three or four Douglas County Sheriff cruisers arrived and took control of the situation. The ex-fiancee was arrested for obstructing a peace officer. She was taken to jail and then filed a lawsuit. Mr. Degan felt it was a petty, frivolous case. Board Member Putnam moved to grant Shea Degan an individual Private Patrolman license to be placed in abeyance so he could become the qualifying agent for Signal 88 Franchise Group, Inc., to grant that company a corporate Private Patrolman license, and to approve Shea Degan and Reed Nyffeler as corporate officers, subject to all statutory and regulatory requirements. Board Member Uithoven seconded the motion, which passed.

**Phillip Satterfield DBA L.T.S. Security** applied for an individual Private Patrolman license. Mr. Satterfield retired as a lieutenant from the police force after 28 years of service in California. He had been

a college professor for the past 9 years. He held an Associates Degree and a Bachelor's Degree in criminal justice and a Master's Degree in public administration. He had written 7 books on police and security training. He ran a police academy for 8 ½ years. He had been a sheriff in Los Angeles and an officer for the Cypress Police Department near Fullerton. Board Member Putnam moved to grant Phillip Satterfield DBA L.T.S. Security an individual Private Patrolman license, subject to all statutory and regulatory requirements. Board Member Uithoven seconded the motion, which carried. Chairman Spencer asked where Mr. Satterfield lived. Mr. Satterfield owned a house in Las Vegas and taught at Cerritos College. He also had a home in California.

**Admiral Security Services, Inc.** applied for a corporate Private Patrolman license and **Mohamed Ahmed** requested an individual Private Patrolman license. Mr. Ahmed appeared with Youssef Abdallah. Mr. Ahmed had 7 years of experience in the security industry. He worked as a security guard for about 6 months with Prudential when he was a student. He moved on to an in-house security corporation, Maxim Integrated Products. He left there in 2000 and started Admiral Security in 2004. He was licensed in California. Board Member Crate asked about the citations for operating a vehicle. Mr. Ahmed said the violations were all disclosed in his application. He had numerous speeding tickets and discussed the fact with Investigator DuPuis. One of his moving violations was driving on a suspended license, whereby the authorities could book a person until the situation was verified. Board Member Crate noted some of the violations were as recent as 2006. Mr. Ahmed explained he had a new car and was speeding a lot. He said the peak of the speeding activity was in 1999 and 2000. He didn't resolve the matter and go to court until 2004 and 2006. He said nothing major had occurred recently. Board Member Crate asked if Mr. Ahmed went to court in 2006 to resolve the arrest from 2001. Mr. Ahmed didn't have the details in front of him, but he discussed the speeding tickets at length with Investigator DuPuis. Board Member Uithoven asked if Mr. Ahmed recalled if he was cited in 2006. Mr. Ahmed said he may have had one. Board Member Uithoven asked if the court case in 2006 involved new or old citations. Mr. Ahmed said he couldn't recall. He may have had one speeding ticket in 2006. He made an effort to rectify the tickets in 2006. Board Member Uithoven asked if Mr. Ahmed currently had a suspended license. Mr. Ahmed said his license had not been suspended for some time. Board Member Crate asked about 10 days in jail in 2006. Mr. Ahmed said it was probably a sheriff's work program. Board Member Uithoven asked him to clarify. Mr. Ahmed said he did not spend time in jail in 2006. Chairman Spencer asked what Mr. Ahmed had done in 2006. He again said it was probably a sheriff's work program. Board Counsel Menicucci clarified by stating that Mr. Ahmed was sentenced to 10 days in jail. He spent 2 days in custody at the Department of Corrections and was released on a work furlough program. Board Member Crate asked Mr. Ahmed about the unlicensed activity in Nevada he had affirmed on the application. Mr. Ahmed had an opportunity to work in Nevada through a national contractor in California to provide security. He wanted to sub-contract the work to a local company. Board Member Crate restated that a national company

contacted Mr. Ahmed for work to be done in Nevada. That company sub-contracted with Mr. Ahmed's company, who in turn sub-contracted the work. Board Member Crate asked if the client knew of the plan. Mr. Ahmed said the company knew he was going to sub-contract the work.

The national company's response was that they held Mr. Ahmed responsible to find a licensed company to do the work in Nevada. Mr. Ahmed elaborated. His company did not merely take the work and sub-contract it. He had a computer science degree and his partner was an electrical engineer. They ran computer systems to integrate with the security services. His clients relied on him to provide solutions, including hiring guards and developing the services. In California he hired local contractors to provide the manpower and he would bring them up to speed with the computer and orientation training. His company attempted to do the same thing in Reno. Board Member Crate noted there was intent to work in Reno. Mr. Ahmed said they intended to sub-contract the guard work. He sub-contracted with All Purpose Security. They began the hiring process. Mr. Abdallah said there was no written contract because the process moved very quickly. An ad was placed to hire security officers in Reno. An address was provided so potential employees could come to apply. He was unaware that Admiral Security needed a license until Investigator Whatley arrived at the venue and told them. He didn't feel they were performing unlicensed activity as they were not providing the work directly, but hired a licensed company to provide the guards. He said he now realized that his company was providing consulting services. Once he knew he was providing consulting services, he pursued licensure. He halted the hiring process. Board Member Crate clarified that Investigator Whatley came to the hiring event at the casino and advised them they weren't licensed. Mr. Ahmed again said they were not performing unlicensed activity. Board Member Crate asked if Investigator Whatley had any complaints or concerns. Investigator Whatley observed an ad on Craigslist. A marquee in two different places read "Admiral Security". Signage in the room was marked clearly with Admiral Security and made no mention of All Purpose Security. Investigator Whatley investigated further before writing the citation. She was told Admiral Security was the parent company to All Purpose Security. She could not verify that statement. She took a sheet of paper from the event that outlined the job duties to take back to her office for further investigation. She was also told the two companies were partners. She needed to verify the truth. She told Admiral Security they must cease and desist immediately for violating Nevada law and they assured her they would change the marquees immediately. She was unable to stay at the venue to insure the required actions were taken with the signs. Board Member Crate asked Mr. Ahmed if he understood the directions given by Investigator Whatley and he said he did. Investigator Whatley saw a vehicle at the Highlands, an apartment complex, which showed AS Security on it. She did return to the site later and a magnetic strip had been placed on the vehicle which read All Purpose. Subsequent visits showed that the magnetic covering was not always present; sometimes it was on the vehicle and at others, it was not. Mr. Ahmed was aware at the hotel that they needed to stop consulting. He called Executive Director Ray to obtain more information. He understood the company could not place advertisements to hire employees or place the company name

on a room used for hiring purposes. They removed themselves from the operations. His company provided a vehicle for the lot to which Investigator Whatley referred. He understood the vehicle could not show Admiral Security on it. All Purpose was asked to provide a magnet or remove the decal immediately. His understanding was that the magnetic decal fell off several times. That explained why Investigator Whatley sometimes saw the magnet in place and sometimes it was not showing on the vehicle. He ordered that the decal be removed permanently. Investigator Whatley said if the wind had moved the magnetic decal, it would have been in view, but was not. Board Member Crate asked about the status of the citation. Executive Director Ray said the citation had been paid. Investigator Whatley said multiple companies were involved in the citation. An appeal had been made to the citation from a different company than Admiral. Investigator Whatley said prior to this citation, she had not received any complaints regarding Admiral Security. On the last day of the JCK she received a telephonic complaint that Mr. Ahmed and Mr. Abdallah were in Las Vegas for Admiral Security attempting to hire security for All Purpose Security for the final day of the show. She confirmed that Tony and Mo had gone to a casino and had left a note for security personnel to return their calls regarding the hiring of security officers. She clarified that Tony was Anthony Seda and Mo was Mr. Ahmed. Mr. Ahmed denied Investigator Whatley's statement and said he did not participate in hiring anyone. Mr. Ahmed said Mr. Seda was running the show in Las Vegas and he had nothing to do with it. He was attempting to be involved in a contract, but could not do so because of the citation. He observed the 2009 JCK show from a distance and planned to work at the event next year (2010). Board Member Crate asked if Mr. Seda had a contract to work at JCK and Mr. Ahmed said he did. Investigator Whatley asked how Mr. Ahmed's name was provided by the security director at the hotel if he was not physically present or involved. Mr. Ahmed suggested it was probably somebody else. Board Member Putnam asked about Mr. Ahmed's passport which was issued by the U.S. Embassy in Cairo, Egypt. Mr. Ahmed said his parents were Egyptians and he had lived there for 2-3 years while at college and 3-4 years of high school. The passport was issued and renewed while he was there. He was born in Chicago, Illinois. Board Member Uithoven asked if a DUI was a gross misdemeanor in California. Investigator DuPuis said it was a misdemeanor and not comparable between Nevada and California. Chairman Spencer asked for a motion for purposes of discussion. Board Member Crate moved to deny the licensure request of Item 31, Admiral Security Services, Inc. per NRS 648.100(3)(f) "While unlicensed, performed any act for which a license is required by this chapter", subject to all statutory and regulatory requirements. Board Member Putnam seconded the motion. Mr. Ahmed said he was confused by the denial because he had good intentions, did not know he was in violation in Nevada, and took corrective actions immediately once he was informed of it. He applied for the license, completed the paperwork, and paid the fine. He was truthful on his application. He posted an ad, paid for the room to conduct the interviews, and had a car in place. Once he was notified, he stopped all actions. Chairman Spencer asked if the denial had any stipulations. Board Member Crate noted that no denial precluded a person from applying in the future. His concerns were that an attempt to correct a violation

did not excuse the person from committing the violation in the first place. He said there was evidence that there was not a complete effort on the part of Mr. Ahmed to follow compliance. There was not a total disassociation with the activity that initially caused the citation. Additional unlicensed activity allegations had yet to be resolved. There was a question as to the character, truthfulness, and willingness to comply with the separate DUI incidents. Mr. Ahmed said he was never convicted of a DUI. Board Member Crate noted there was jail time for driving with a suspended license. Mr. Ahmed agreed he had speeding tickets, had driven with a suspended license, was caught, and ceased the activity. He had been stopped by a police officer who asked him for his license, but he did not have it. His license was suspended due to unpaid tickets. Board Member Crate said those actions established his character. The most recent concerns were his obligations as a licensee. It was his responsibility to investigate what was needed to be in compliance, and not the job of the investigator to discover that Mr. Ahmed's company was not in compliance with Nevada statutes. Mr. Ahmed said he rented out the room at a hotel to assist the subcontractor. Board Member Crate said Admiral Security's name was shown but there was no reference made to All Purpose Security. Mr. Ahmed said his company paid for the room. He didn't believe they were doing anything wrong in assisting with the interviews. He said they complied immediately and there was a problem with the decal on the car, but they remedied that, too. They stopped doing business when notified. He again said he was never convicted of a DUI. Board Member Uithoven read from the background information that on July 17, 2000 Mr. Ahmed was convicted of reckless driving and failure to obey lawful order and DUI, was sentenced to 14 days in jail, which was verified by California DOJ as matched on fingerprints. Mr. Ahmed said he could provide paperwork showing there was no DUI conviction. Board Member Uithoven said the report clearly showed a conviction, though Mr. Ahmed kept saying a DUI conviction never existed. He noted most unlawful activity occurred in 2000 and 2001, but there were more problems in 2006 with an arrest. The report clearly showed a conviction, but Mr. Ahmed was declaring under oath that there was never a DUI. Investigator Whatley said Mr. Ahmed continually stated he was assisting All Purpose Security. The paper she took from the interview room was on Admiral Security letterhead and made no reference to All Purpose Security. It stated the site was the Highlands and Investigator Whatley read the contact information from the sheet for the record. If she had interviewed that day, all information that would have been presented to her on that sheet related to Admiral Security, Inc. Mr. Ahmed said that was correct. He said his company provided all the documentation for the hiring process in Nevada. Based on his prior experience with assisting other companies in California with security services, he used those same documents in Nevada and provided the points of contact. He was unaware at the time that he was providing consulting services to All Purpose Security, and learned later he was not supposed to do that. He provided all the applicable documents and applied them to the Highlands. He changed the process once Investigator Whatley told him it was unlicensed activity. Chairman Spencer asked if Mr. Seda was still there. Board Member Crate said he was not. Chairman Spencer said to Mr. Ahmed's credit, he did seek licensure. He asked if the client in Nevada

was connected to any client Mr. Ahmed assisted elsewhere. Mr. Ahmed said that was correct and the work was done in California. Chairman Spencer asked why Mr. Ahmed came to Nevada to conduct interviews. Mr. Ahmed said that was the orientation process. He wanted to discuss his company's history with the two properties. He planned to present examples, case studies, what was expected of the employees, and answer any questions. The venture was a new client for All Purpose Security. All Purpose Security had never worked with Campus Advantage, which owned campus dormitory apartments nationwide. Mr. Ahmed's company had worked with two of them in California. He wanted to assure the right people were hired. After All Purpose hired the employees, Mr. Ahmed's company would provide orientation for them. Board Member Crate asked when the citation was issued. Investigator Whatley issued it April 6, 2009. Board Member Crate noticed the application was received March 23<sup>rd</sup>. Investigator Whatley initially went to Harrah's March 5<sup>th</sup> and issued the citation April 6<sup>th</sup>. Board Member Crate's point was that Mr. Ahmed was aware an application was required. Mr. Ahmed said he dropped everything and sent the application to the Board as fast as possible because of what happened at Harrah's. Mr. Ahmed said he had serviced two apartment complexes in California for the client. The company wanted Mr. Ahmed to provide his services in Reno for them. Board Member Crate asked why the company didn't provide the security services themselves. Mr. Ahmed said they had a relationship with his company in California. Mr. Ahmed said the client was a nationwide company that preferred to use a local company in Reno, rather than provide its own cars. Mr. Ahmed was based in Oakland, California. Board Member Crate noted the company was not licensed and couldn't provide the service. Mr. Ahmed said that company was unaware of the procedures. Admiral Security did a great job in California, so the company wanted to use them in Reno. Board Member Crate noted the national company sub-contracted across the country and relied on the local company to be aware whether or not they could provide the services. Mr. Ahmed said that was correct. Mr. Ahmed said the other company was more involved in the contracting area and his company was more hands-on, insuring that the guards were providing the proper service. When the opportunity in Reno occurred, he researched to find a licensee in Nevada to do the work. Board Member Crate said no restriction would be placed in the motion regarding when Mr. Ahmed could re-apply for a license. Chairman Spencer said Mr. Ahmed's plan to use a licensed company in Nevada was the right idea. He would have hoped Mr. Seda would be available to shed light on the situation. Mr. Seda should have told Mr. Ahmed what he could legally do and not do in Nevada. Mr. Ahmed said that was actually in progress. Mr. Seda told Mr. Ahmed at Harrah's that changes needed to be made immediately because Mr. Ahmed was not licensed. Investigator Whatley said when she arrived at Harrah's, Mr. Seda did say he was just telling them of the changes that needed to be made. That was 4 hours into the interviewing process. Mr. Ahmed said they were busy with the incoming applicants at the interview process. There was no intent for wrongdoing. He had no idea he was in error until Investigator Whatley told him. He pursued corrective action. Chairman Spencer agreed with Board Member Crate that Mr. Ahmed was in violation. He said Mr. Ahmed could re-apply for licensure if denied. He said Mr. Ahmed



could specify which parts of the investigation he believed should be re-visited. Mr. Ahmed asked if he was denied the license, what he could do to help his situation on the application. He again stated he did all he could. He stopped the activity when he was told to do so, had paid the fine, completed the application and paid the fees, and refrained from participating in JCK (though he wanted to work at the show). His company was very successful in California and was growing rapidly there. He had explained himself at length and wanted to know what else he could do to remedy the situation if denied. Chairman Spencer did not have a specific answer. He advised Mr. Ahmed to consider all that had just been discussed, such as the DUI conviction issue. Investigator DuPuis contacted the California Department of Justice to learn the specifics. It indicated that there was a fingerprint comparison made that substantiated Mr. Ahmed's identity on the DUI conviction. However, they did not provide any information regarding the arresting agency. Investigator DuPuis could not investigate the issue further at that point. Additional information provided by Mr. Ahmed to the Board and Investigator DuPuis was that he may have been arrested, but was not convicted. The DMV printout from California did not show a conviction for DUI for Mr. Ahmed. Investigator DuPuis said there was no explanation for that. There may have been an issue with lack of follow-through. Investigator DuPuis said there were possibly several scenarios, but he did not know which was correct. Mr. Ahmed said there was a possibility that someone advised him that if he pled guilty to XY, then Z would be dropped. He could probably obtain an alcohol test printout. That may be the cause of the conflict. Investigator DuPuis said the Board did not know what other agency was involved in the arrest and Mr. Ahmed claimed not to have any recollection of it. He said Mr. Ahmed now offered to produce paperwork for physical evidence to further explain the issue. Investigator DuPuis said either Mr. Ahmed had the information previously and did not provide it or now had a sudden recall of information. Chairman Spencer asked if Mr. Ahmed understood Investigator DuPuis's comment. He said he did not hear the comment. Investigator DuPuis explained again that the California Department of Justice showed Mr. Ahmed was convicted. The DMV record did not show that. The original records could not be located from the arresting agency. Mr. Ahmed told Investigator DuPuis during an interview that he had no recollection of a DUI arrest or conviction, but now was offering to locate records to substantiate his claim that he was not convicted. He asked why information existed now that Mr. Ahmed previously had not disclosed regarding the records. Mr. Ahmed said Investigator DuPuis was the one who said there was a conviction. Mr. Ahmed knew for a fact that he was not drinking and driving. He said he was willing to locate those records. Investigator DuPuis did not know how Mr. Ahmed could do that because neither the CDOJ nor the California DMV knew the location of those records. Mr. Ahmed said if he honestly believed he was innocent, he could try to clarify the issue. Chairman Spencer said the DMV records were very accurate. Investigator DuPuis said the matter fell on the court of jurisdiction. Once the record of conviction was entered in the system, the DMV was likely notified. Sometimes that did not occur. He did not know how the CDOJ received the fingerprint verification for the conviction or why it did not appear in the DMV records. Chairman Spencer said he was concerned with the discrepancy and the difference with being

arrested for DUI and not convicted. He said it was unfair to Mr. Ahmed to not obtain an answer to the questions. Board Member Crate said the Board tried to err on what seemed legitimate and logical. Each applicant received a copy of his background prior to the Board meeting. It was incumbent on the applicant to provide answers. The Board had to work on the information as presented and not challenge the validity or veracity of the background information. Mr. Ahmed said Investigator DuPuis indicated the DMV documents did not show a conviction of the DUI which was in conflict with other documents. Board Member Crate said the DUI issue did not have any bearing on his motion. He again discussed the unlicensed activity. Mr. Ahmed said there was the potential to work in different states with national clients. Board Member Crate said a subsequent application could be considered in the future. Mr. Ahmed said the information would be the same and again asked what would be different with a second application. Chairman Spencer advised him to contact Executive Director Ray if he was denied. She may ask for updates. He could then come back before the Board for licensure consideration. Chairman Spencer said Board Member Crate had moved to deny and the motion had been seconded. The motion passed. Admiral Security Services, Inc., Mohamed Ahmed, and Youssef Abdallah were denied licensure and corporate officer approval.

The agenda item for Point 2 Point/Stephanie Point was continued until tomorrow's meeting (June 18, 2009). Chairman Spencer moved to continue and Board Member Putnam seconded it, which carried.

#### **PROCESS SERVER:**

**Tag Messenger Management, Inc.** requested a corporate Process Server license and **David Rolf** requested qualifying agent status. Mr. Rolf owned a process serving company for over 10 years. He currently provided service in Arizona and New Mexico. He had a large staff. Board Member Crate asked about an incident in October 2003 in Arizona in which the charges were dismissed. Mr. Rolf was serving process for an individual and was waiting at the house for him to come home. His wife had actually served the individual two weeks prior. The man arrived at home, saw Mr. Rolf in his vehicle, and fled the scene in his car. Mr. Rolf followed the individual by car. At a red light, the individual was in the right-hand lane and Mr. Rolf was in the left-hand lane. The windows were open in both vehicles. Mr. Rolf leaned over to the individual and identified himself to the man, told him about the documents, tossed the documents into the car window, and told the individual he was served. The man became very angry and filed a complaint. In 2008 Mr. Rolf was renewing his license and had his fingerprints taken. An officer approached him, verified his name and social security number, and then handcuffed him. He had to post bond. He learned that mail had been sent to his house about the complaint. The individual claimed Mr. Rolf had exited his car and tried to fight with him in the middle of the street. Mr. Rolf was in the process of moving at the time the certified mail was sent to him and never received it. There was proof it was never received and had been returned. He hired an attorney to investigate and it was found Mr. Rolf had not done anything wrong and

the case was dismissed. In Mr. Rolf's opinion, the claim was bogus. Board Member Crate moved to grant David Rolf an individual Process Server license to be placed in abeyance so that he could be the qualifying agent, to grant Tag Messenger Service a corporate Process Server license, and to approve David Rolf as corporate officer, subject to all statutory and regulatory requirements. Board Member Putnam seconded the motion, which passed.

**Intelliserve** applied for a corporate Process Server license and **Andrea Matthews** requested qualifying agent status. Ms. Matthews had a Bachelor's degree in justice studies. She had been licensed in Arizona for 6 ½ years to serve process. Board Member Putnam moved to grant Andrea Matthews an individual Process Server license to be placed in abeyance so that she could be the qualifying agent for Intelliserve LLC, and to approve Andrea Matthews and Keith Spizziri as corporate officers, subject to all statutory and regulatory requirements. Chairman Spencer seconded the motion, which carried.

#### **OLD BUSINESS:**

Charles Long applied for an individual Private Patrolman license. Chairman Spencer asked if he requested a closed session. He left it to the discretion of the Board. Chairman Spencer said it was his option. He said the meeting could be open. Mr. Long was a police officer in Buffalo from 1996 to 1999. He was a Las Vegas Metropolitan Police Department officer from 1999 to 2002. From 2002 to 2004 he worked as a security officer at the Orleans. From 2005 to 2008 he worked at Green Valley Security. Mr. Long said he knew he had made mistakes and would face the public. He appreciated Chairman Spencer's concern to offer him a closed meeting. It was decided to table the issue until the later in the day.

#### **DISCIPLINARY MATTERS:**

Update, review, and possible action took place regarding **Michael Yepko (#988)** on compliance or resolution of each complaint as set forth in the executed agreement approved by the Board December 2008. Board Counsel Menicucci asked Robert Kilroy to act as Board Counsel for this portion of the meeting. He was welcomed to the proceedings. Board Counsel Menicucci said issues of non-compliance on the part of Mr. Yepko regarding fees and resolution as discussed in the December 10, 2008 meeting. It was his understanding there were issues whether or not Mr. Yepko had paid required fees to clients as laid out in the order. The order revoked Mr. Yepko's license, but suspended the revocation for 6 months. He was required to resolve disputes with clients and pay all fees as required. It appeared there was some question whether or not the client disputes had been resolved. Executive Director Ray noted her records indicated no payment had been received by the Board for April or May 2009. Yesterday a check was received for \$500 and a letter dated June 12<sup>th</sup>. She provided a copy of his status report to the Board. At the previous meeting, Ms. Taylor was owed \$153 dollars. Mr. Yepko indicated the payment had been sent via FedEx, but Mr. Yepko did not have the correct address. Executive Director Ray explained to him that

she had valid contact information for Ms. Taylor. He was provided with that information by Executive Director Ray. Ms. Taylor sent an e-mail to Executive Director Ray that she had not received the payment. Ms. Schultheis received a check from Mr. Yepko and there was a chronology of the events. She received a check for \$1,500 on June 9<sup>th</sup>. Executive Director Ray said during the March meeting the Board was told a check for \$500 had been sent by Mr. Yepko to Ms. Schultheis, but it had been lost in the mail and never found. She had an order from the Clark County Neighborhood Justice Center with an agreement that the issue must be resolved by a specific date or the fee would revert back to the original amount of \$2,500. She was not sure if Ms. Schultheis felt her debt had been satisfied. Ms. Kirsch reported no contact with Mr. Yepko. The e-mail was dated yesterday. Executive Director Ray tried to contact Mr. or Mrs. Hanratty. She had received no contact from them and had no information to report to the Board. Executive Director Ray had not received a monthly status report from Mr. Yepko for April. Board Counsel Menicucci asked for clarification of the issue with Ms. Taylor. Executive Director Ray specified that was \$153 amount she had stated earlier. Ms. Taylor had not yet been paid. Board Counsel Menicucci asked if her last contact with Ms. Taylor was on May 29<sup>th</sup>. She said contact may have been more recent. Mr. Yepko had paid \$1,000 to the Board thus far. Board Counsel Menicucci asked Mr. Yepko to provide a detailed account of the status of his compliance to the order. He corrected his amount owed by stating he had paid \$1,500 and still owed \$1,000. The check was mailed Friday. Executive Director Ray said she had received it and prior to that, had received one other check. Mr. Yepko said he thought he had made 3 of 5 payments. Executive Director Ray asked if he had any information regarding the time of the payments, but he did not. He paid Cheryl Schultheis and sent a check by certified mail. She signed the receipt on the 9<sup>th</sup> and he received it on the 11<sup>th</sup>. He contacted her several times why he was delinquent, but she never returned his calls. He assumed she was in contact with the Board about the situation. He had paid her. With regards to Mr. Hanratty and Ms. Kirsch, he contacted their administrative staff employees. He explained that he had two large out-of-state clients and he was waiting to be paid by them. Their late payments made him late with his obligations. He received the letter back he had sent to Ms. Taylor on June 8<sup>th</sup>. He mailed a check via certified mail for \$153. The original amount was \$103 and he added \$50 to placate her. When he signed the order, he was quite confident that he would be able to pay the money in a timely fashion. He explained to Executive Director Ray the delay he was experiencing on the part of his clients. In the past several months, his client's payments had slowed down. He entered into the agreement in good faith. It was not his intention to not pay the amounts. Mr. Yepko spoke to the attorney for the Las Vegas office on Friday and Monday and impressed on him the extreme urgency of the payment situation and that he needed to be paid as soon as possible. Chairman Spencer asked Mr. Yepko if he had taken any steps to receive payments from the out-of-state clients. Mr. Yepko said the attorneys were concerned about billable hours, rather than administrative tasks. He went up the chain of command at both firms. He was told by one firm that payment was imminent, which was approximately \$17,000. Board Counsel Menicucci asked if there were any disputes on the amounts owed to him, or if the issue simply was that he had not

been paid. Mr. Yepko said there was no dispute about the amounts. The work involved collections and there was a flat-rate fee for each service. He received hundreds of documents at a time to serve regarding unauthorized use of major credit cards. His job was to serve the documents and submit a bill to the lawyer. He then had to wait 35 days to be paid. Board Counsel Menicucci asked if it was harder to be paid by out-of-state attorneys. Mr. Yepko said the attorney to which he referred was based in a southwest state but is licensed or has licensees in 4 other states. He said the issue lay more with the courts. Chairman Spencer asked for Mr. Yepko's solution. He said he bit off more than he could chew by thinking he could handle the situation in 6 months. If he could have more time, he felt he could pay all monies owed. It was his intention to do the right thing. Chairman Spencer said Lynn Kirsch indicated she had not been contacted by Mr. Yepko. He spoke to someone in the office named Claudia who identified herself as an office assistant. He asked Claudia at least 7 times to inform Ms. Kirsch of the situation. The only thing Claudia requested from him was that she wished to receive copies of all his reports to the Board. He told her to have Ms. Kirsch request those documents from Executive Director Ray, as he was under enough pressure attempting to work and make payments. Board Member Putnam said Mr. Yepko indicated that the Board was expecting too much from him to meet the obligations. Mr. Yepko said he should have asked for a year instead of 6 months to pay all monies owed and follow the order. Board Member Putnam said he recalled that Mr. Yepko was asked specifically if he could fulfill his obligations and Mr. Yepko stated clearly that he could do so without a doubt. Now, Mr. Yepko was telling the Board he could not. Mr. Yepko then referenced his own bills, mortgage, and his wife's terminal illness. He was dealing with a number of issues. He said the economy and other changes had kept him from meeting his obligations. He asked for the Board's indulgence to grant him more time. Board Member Putnam said Mr. Yepko should have anticipated the time needed to meet the requirements of the order. Mr. Yepko said he did not have a crystal ball. He said his intentions were honorable. He said 6 months was not a long time, though it seemed adequate when he agreed to pay in that amount of time. Board Counsel Menicucci asked if Mr. Yepko was still serving process, and he was. Board Counsel Menicucci asked if there were any current complaints. Mr. Yepko said there were none. Board Counsel Menicucci said there was no dissatisfaction on the part of the clients with Mr. Yepko's work; he merely had not been paid. Mr. Yepko again said two major clients had not paid him and he relied on them to pay his bills. Board Counsel Menicucci said the period of time could be extended. The amount Mr. Yepko owed to the Board could be verified. Ms. Kirsch said Mr. Yepko had not contacted her, though he says he did contact her office. Mr. Yepko again said he had spoken to Claudia repeatedly and never was able to speak to Ms. Kirsch directly. He said Mr. Hanratty was continually in court or otherwise unavailable. The last time Mr. Yepko spoke to Mr. Hanratty, he advised him he was intending to pay the money he owed to him. Chairman Spencer asked Mr. Yepko if he anticipated any payments coming to him in the near future. Mr. Yepko said he did not have a firm answer. He expected to be paid 30-40 days to be paid from the date of the statement. He now had waited 57 days to be paid. They paid him at their own pace. Board Member Uithoven noted that a particular client

owed Mr. Yepko \$17,000. Mr. Yepko said that was the Arizona lawyer. He told the attorney the importance to Mr. Yepko to receive the payment as soon as possible. His clients paid for each case with one check. Board Member Uithoven asked about Check #6447 written today. Mr. Yepko said that was correct and he sent it to Ms. Taylor by certified mail. Chairman Spencer said it would concern him that the attorney may no longer have any interest in Nevada and he should pursue the matter as soon as possible. Mr. Yepko said the company would pay him. If not, he would find another way to pay the debts. Chairman Spencer said the Board had an obligation to serve the people in the amount of time given. Chairman Spencer was aware of the status of the economy. Board Counsel Menicucci asked if Mr. Yepko had a documented history of when he billed his slow-paying clients for specific amounts. Mr. Yepko said every 30 days a statement was produced and sent. It listed the plaintiff, the defendant, file number, the date of service, the amount owed and number of days when the case was closed. He could reprint all the invoices to re-submit to the clients. He had not sued an attorney in 7 years. Board Counsel Menicucci again asked Mr. Yepko if he could represent to the Board that his clients were not disputing the amounts. Mr. Yepko said there were no disputes. The attorneys had been nothing but happy with Mr. Yepko's work. Executive Director Ray asked Mr. Yepko to explain if he had sent the check to Ms. Taylor via FedEx or certified mail. Mr. Yepko sent the check first class mail February 20<sup>th</sup>. He received the check back June 8<sup>th</sup>. The check was not delivered to the Sarasota address. The address Executive Director Ray provided to Mr. Yepko by e-mail was the same address he had used on the initial check mailing. He used that address to mail the check today by certified mail. Executive Director Ray asked him to provide the receipt for her records by fax. Board Counsel Menicucci said the Board could find that Mr. Yepko had not met his obligations and could revoke his license or they could grant him more time to meet his obligations. Chairman Spencer was inclined to extend the time allowed. He asked if the reporting process was adequate. Executive Director Ray said monthly reports were fine, but Mr. Yepko had missed one month. Chairman Spencer asked Mr. Yepko that, if the time was extended, he would provide the Board a full report on a monthly basis his actions. Mr. Yepko said as soon as his funds were received, he would send the checks. Executive Director Ray said the situation with Cheryl Schultheis may not be fulfilled due to the order through the Clark County Neighborhood Justice Center. He needed to pursue it. Mr. Yepko said he would pay more money if needed. Executive Director Ray said the issue was not the payment amount, but the fact that Ms. Schultheis had made many attempts to resolve the matter, but then resorted to an order through the small claims court. He needed to take care of the issue. Board Member Putnam asked when Mr. Yepko thought he could take care of the obligations in full. Mr. Yepko said he did not know. He talked about the billing process for process service. He didn't think it would take more than a month. Board Member Uithoven said the Board was asking for a maximum timeframe Mr. Yepko needed to meet obligations. Again, Mr. Yepko had no definite answer. Mr. Yepko said he would like to ask for a maximum of 6 months, but would like to appear before the Board in September and say all was paid in full and he could have his license back. Board Member Crate moved to extend the revocation an additional 3 months,

subject to the ongoing progress reports and the status for the next regularly scheduled meeting. The motion carried.

The Board returned to Old Business that had been tabled earlier. **Charles Long** applied for an individual Private Patrolman license. Board Member Crate said his issues concerned the circumstances for which Mr. Long was terminated from the Las Vegas Metropolitan Police Department. He failed to disclose a DUI arrest in his application, but it was disclosed on his Metro application. There was another incident which occurred prior to his termination with Las Vegas Metropolitan Police Department. These incidents led to integrity and character issues. Mr. Long said he disclosed the DUI arrest in 1998 to the investigator. He explained the incident. He said he displayed a lack of good judgment. He was not excusing his actions. The incident occurred several years ago and he had been a productive member of the community since then. He was off-duty and drinking in a bar. He was identified by a group of known gang members. He did not have his firearm with him. He was a senior officer on the squad. If anything happened, it was decided he would take charge of the situation as the lead officer. One of the officers went outside and retrieved his firearm. Mr. Long placed it in the back of his waistband. A gentleman he recognized as an officer started to exit the bar without incident. One of the people in Mr. Long's group said something and the man who had just left came rushing back into the bar. Mr. Long took the firearm out and placed it behind his back. He attempted to de-escalate the situation. He told the man "the bar wasn't the time or the place" and he agreed. The bartender believed the situation was serious when he saw the firearm and called the police. Mr. Long accepted that he was terminated and took full responsibility. A separate incident of which Mr. Long was totally unaware was brought to his attention by the investigator. The incident involved the Henderson Police Department. He was completely unaware of the incident. He went to the authorities. No one from the police department had contacted him about the incident, even though the documentation had been in existence for more than one year. He knew he had made mistakes. He was as truthful as possible with the investigator. He knew his actions were egregious. He did pay the ultimate price by losing his job. He wanted the opportunity to be a productive member of the security community and would agree to a probationary period for licensure. He owned up to his mistakes and asked for the Board to consider that his heart was in the right place. He said he was unable to move forward. He again asked for probation or any criteria the Board would see fit to require of him. He chose to discuss the matter in an open forum. Board Member Putnam asked Mr. Long to explain Las Vegas Metropolitan Police Department's policy regarding the carrying of a firearm by an off-duty officer, particularly when that officer was drinking alcohol. Mr. Long said an off-duty officer was not supposed to carry a weapon. Board Member Putnam asked how Mr. Long obtained the gun at the bar. Mr. Long again explained that the gun was retrieved from another officer's vehicle. Board Member Putnam asked if Mr. Long asked that officer to go get the gun and bring it to him. The small group at the bar decided, if an incident occurred, Mr. Long would be the best person to handle it. He said that decision was obviously wrong. Board Member Putnam

again asked if Mr. Long asked the other officer to retrieve the gun and bring it to him. Mr. Long said that is not exactly what occurred. The officer was new and he offered to go get the gun. One other officer had a gun with him. He was not aware if anyone else was armed. Board Member Putnam asked what about the situation suggested to Mr. Long that he may have to use deadly force. Mr. Long said someone notified him that he had been identified as a police officer by a member of the 18<sup>th</sup> Street Gang. Mr. Long said he felt more comfortable with a firearm. He was not in uniform and was not on duty. Chairman Spencer said Mr. Long's decision to get the gun was based on the fact that he had been drinking. Mr. Long agreed that the decision was wrong and he couldn't make any excuses. He was not on duty and should not have the firearm with him. Board Member Crate referenced Page 4 on the background regarding a DUI arrest by NHP in January 2005. Mr. Long said he paid his fine and attended victim impact classes. His license was suspended for a period of time. He pled guilty. Board Member Putnam again revisited the firearm incident at the bar. He noted Mr. Long said he directed the other officer to go retrieve the gun from the car, yet he told the investigator he disarmed another officer to obtain the gun. Mr. Long said he was having a difficult time articulating what exactly occurred. He said he did not have to strong-arm the officer to obtain the gun, but the investigator may have drawn that conclusion. Board Member Putnam asked why Mr. Long told the investigator that was the case if in fact it was not. Board Member Putnam reminded Mr. Long he was under oath. Mr. Long said he was extremely nervous and thought he had done poorly on the exam; therefore, he hadn't articulated the events at the bar properly. He stated in his report that the officer went to the vehicle to get the gun. He did not disarm the officer in any way. Investigator DuPuis noted that he interviewed Mr. Long about the Las Vegas Metropolitan Police Department incident after the exam was administered. Mr. Long did use the term "disarm" and Investigator DuPuis questioned him about it. During Investigator DuPuis's career as a police officer, he never felt the need to disarm a fellow officer. Mr. Long did not have an explanation for it. Investigator DuPuis read in the Las Vegas Metropolitan Police Department's Internal Affairs executive summary that Mr. Long directed another Las Vegas Metropolitan Police Department officer at a bar to go out to his vehicle, retrieve a firearm that had been locked in the trunk, and take it back to Mr. Long inside the bar. Board Member Uithoven asked if all officers were off-duty. Investigator DuPuis understood that all officers at the bar were off-duty. His waiver only allowed him to access information directly related to Mr. Long. He was only allowed to see the executive summary. A number of the other officers at the scene were also disciplined. Board Member Uithoven asked whose weapon was retrieved from the trunk of the car. Mr. Long said it was not his weapon but belonged to another officer. Mr. Long said if he said "disarmed", he meant that the other officer went and got the gun; therefore, Mr. Long disarmed him. Investigator DuPuis said that was the point of contention. Mr. Long indicated during the interview process that he disarmed a less experienced fellow officer. The IA summary stated that Mr. Long did not disarm him, but directed the other officer to go retrieve a gun that belonged to that officer and bring it back to Mr. Long. Mr. Long said the word "instructed" was strong language to use and made it seem as though he ordered the officer to go get the gun. Board Member Uithoven said Mr.



Long stated that it was agreed that he was in charge and would take control of the situation. Mr. Long said it was decided if a situation occurred, he would be in charge. He said "disarm" was not the correct term. Board Member Crate asked about the 5,600 hours of certified experience. Mr. Long stated he was told that his police experience and casino experience was valid. He said casino policy was not to disclose the duties. He again said he was asking for a second chance from the Board. He had made amends and suffered the consequences. Board Member Uithoven asked if Mr. Long didn't recall the Henderson investigation involving sexual assault. Mr. Long said he had no knowledge of the investigation until the investigator brought it to his attention. He said the investigator didn't believe he didn't know about the matter. He asked the woman about the report. He spoke to an attorney and the Good Samaritan rule did not apply to the situation. He dated a lady for a period of time and then ended the relationship because she was arrested for prostitution. He severed ties with her. He followed the advice of his attorney. Board Member Uithoven asked if Mr. Long knew the person who filed the incident report. He did know her. Board Member Putnam asked if he was made aware a report had been filed because of the Board investigator. Mr. Long said not really. The woman made allegations after he stopped seeing her. He did not take the allegations seriously. He actually thought the investigator was not being serious about the incident, though he was aware that it was indeed a very serious matter. Board Member Putnam pressed Mr. Long to say whether or not he was aware of the report because of the investigator. Mr. Long said he was not. Board Member Uithoven asked if Henderson Police Department had contacted him, but he again said he was never contacted by them. Investigator DuPuis explained that Henderson Police Department completed a procedure report but did not pursue the case at the request of the victim. To the best of Investigator DuPuis's knowledge, Henderson Police Department did not contact Mr. Long. There were some indications that Mr. Long had conversations in the form of text messages with the alleged victim 2-3 months after the alleged incident occurred. Mr. Long also had made a statement that he planned to contact an attorney regarding the matter. Board Member Uithoven asked if Mr. Long had contacted Henderson Police Department about the incident report, but he had not done so. Mr. Long asked if it made sense for a person to file an incident report regarding such a heinous crime and then drop it. He thought it seemed suspicious. Board Member Putnam asked if Mr. Long had ever worked sex crimes. Mr. Long had not. Board Member Putnam said it was not unusual for a victim of a sexual assault to withdraw a complaint for any number of reasons. Mr. Long knew they often didn't file complaints at all because of embarrassment and shame. Chairman Spencer asked if Mr. Long was aware that he did not have the required number of hours of experience for the license. Mr. Long said he did have enough hours, but it was the policy of the casino to not release that information. He had a statement that he added indicating his duties there. Chairman Spencer noted he was roughly 5,000 hours short of the requirement. Investigator DuPuis said Las Vegas Metropolitan Police Department sent a letter to him and would not substantiate his experience as it correlated to the job description. Chairman Spencer said Mr. Long still did not have the required amount of time. Mr. Long spoke of his experience at Green Valley. Chairman

Spencer asked how the amount of 5,666 hours was obtained for experience. Investigator DuPuis said that was hours excluding Las Vegas Metropolitan Police Department and the casino experience. Green Valley Security was the only one to attest to the hours. Executive Director Ray said 5,666 hours were verified. Investigator DuPuis agreed. Chairman Spencer said the Green Valley experience accounted for about 2 ½ years. Investigator DuPuis said if the Board accepted the Las Vegas Metropolitan Police Department hours, the total rose to over 10,000 hours. Chairman Spencer read the job description. Investigator Whatley asked the Board to consider if any administrative leave hours or light duty hours were included in the total number of hours, which might decrease the total. For the sake of argument, Chairman Spencer said the total may be within the limits. Board Member Putnam moved to deny Charles Long an individual Private Patrolman license, based on NRS 648.100(3)(a), as he "committed any act which if committed by a licensee would be grounds for the suspension or revocation of a license under this chapter"; the situation in the bar and the firearm would fall into that category; (b) "committed any act constituting dishonesty or fraud or demonstrated truthfulness or lack of integrity", to which Mr. Long checked "Yes" and indicated the situation that led to his termination from Las Vegas Metropolitan Police Department. Board Member Crate seconded the motion, which passed. Mr. Long thanked the Board for its time.

#### **ADMINISTRATIVE BUSINESS:**

Robert Irwin (the Gun Store) sought Board approval for his training program for Security Firearm Instructors as an option to the requirements set forth in NAC 648.345. Executive Director Ray said in March of 2007 Mr. Irwin came before the Board to ask it to approve his 40-hour course for Certified Firearm Instructors to take his course. Past practices held that any CFI who applied for certification for licensees or employees were required to take a 40-hour NRA course for security or police officer training. Investigator Botello enrolled in Mr. Irwin's class in March 2008 and was to attend the NRA in October 2008. Another investigator with the Attorney General's Office attended the March 3-11, 2008 class. He recently attended the NRA course in April. He provided a letter for the Board with his evaluation of the two courses. He recommended that the Board approve Mr. Irwin's course as another option for certified firearm applicants to take. She read part of the recommendation for the record. Executive Director Ray explained this was the course certified firearm applicants must take prior to obtaining certification from the Board. Board Member Putnam moved to approve Robert Irwin's training program and Chairman Spencer seconded the motion, which passed. Board Member Crate asked about a syllabus. Executive Director Ray said it was distributed March 2007. She had the original, but changes had been made.

Howard Services requested a continuance pursuant to NAC 648.520 from the Board to operate with Tom Mills as the qualifying agent. His application was to be submitted for consideration at the next regularly scheduled meeting. Acting qualifying agent status for another individual was pulled prior to the meeting. Executive Director Ray said Frank Petrasich had submitted an application to be qualifying agent for Howard Services, but had since withdrawn it. Mr. Mills was in the process of completing an application to become the new qualifying agent. She placed the item on the agenda because the time limit was going to be exceeded with the withdrawal of Mr. Petrasich. His application should have been approved at today's meeting. She wanted Howard Services to be on notice that they needed to act in a reasonable amount of time. Board Member Crate asked if Executive Director Ray was comfortable with Mr. Mills to become the qualifying agent. She said he had been involved in mystery shopping for quite some time. She had not seen his application yet. Mike Kirkman, Nevada Society of Professional Investigators, was troubled that exceptions were continually made to the statutes, particularly NRS 648.510(1) and (2). He read the statute that the entity had 120 days to obtain a qualified person. If that did not happen, operations must cease. He read the next paragraph which stated the corporation needed to affiliate with another qualified person. He said the company was not meeting the statutory requirements. They should not be allowed to continue and were guilty of unlicensed activity. They had no licensed qualifying agent and had exceeded the time the regulation dictated to meet the requirement. He opposed granting the exception. Chairman Spencer said it was a rehash of what the Board had already discussed. Executive Director Ray said she received a letter in March with an application from Frank Petrasich to replace Howard Levinson as qualifying agent, effective July 1, 2009. Mr. Petrasich withdrew his application in the meantime. Mr. Levinson had not officially left the company. Mike Kirkman said he did not believe that was correct. Peter Maheu asked if Executive Director Ray was aware that Mr. Levinson had sold his business to Mr. Mills. She said the letter stated a buy-out was planned, but had not officially occurred yet. Mr. Maheu asked if she was aware of what percentage Mr. Levinson currently owned, but Executive Director Ray said she was not. Mr. Maheu said he was aware of the percentage. He said Mr. Levinson had not been in Nevada for the past year and owned 5% of the company. Mr. Maheu said Mr. Petrasich stated that there would be no qualifying agent in place. Mr. Kirkman was concerned that people were routinely cited for unlicensed activity and brought before the Board. He said now the Board was considering violating that same rule in allowing Howard Services to continue operating. He thought it was an unfair application of the law and he objected. Chairman Spencer asked Executive Director Ray if she had any knowledge of Mr. Levinson and if he had submitted a letter stating he had left the company. Executive Director Ray said he had not done so. Executive Director Ray said when the application for Mr. Mills was received, his background would be done. He was currently a corporate officer. He was approved when the company received its license. Mr. Maheu did not have a problem with Mr. Levinson becoming a licensee. He did object that Mr. Levinson had not been active in the corporation for some time. He agreed with Mr. Kirkman that the practice was allowed to continue. He said the Board was moving backwards instead of forward. Board Member Crate

said past practices under NAC 648.520(2) stated a company must be affiliated with another qualified person, but did not necessarily mean that the person must be a licensee. He noted Mr. Mills appeared to be qualified. Mr. Kirkman agreed with Board Member Crate, but took the statement a step further. He said he didn't feel the Board could speculate whether or not a person was qualified until that person went through the process to be verified. Board Member Uithoven said speculation had been made that a person was out of the country for a year. Mr. Kirkman disagreed. He said speculation did not rest well. Board Member Uithoven questioned if the 5% ownership issue was consequential under law. Executive Director Ray said it was not. He asked if the absenteeism was consequential under law. Executive Director Ray said it must be verified. Chairman Spencer said there was a misunderstanding of the term "qualified". He said Executive Director Ray could make a decision that, if a person withdrew an application, she could determine if a new person was reasonably going to qualify. Mr. Kirkman agreed to a point. He again said the statute allowed for 120 days to find a qualified person. If that person was deemed not qualified by the Board, the time could be extended. A qualified person should be at the helm. Mr. Maheu said a number of his employees work for both his company and Howard Services. He said the Board was unaware of what either company did. Mr. Maheu did not know why Mr. Petrasich withdrew his application. He said Mr. Petrasich and Mr. Mills had a huge falling out in the past. He again said Mr. Levinson was not in charge of the company. Chairman Spencer asked if an investigation should be made to learn if the company was operating as it should. Mr. Maheu said the company was sold two years ago. Chairman Spencer said an investigation would take place and the company would be allowed to continue operations. Board Member Crate asked how long the company had operated without a qualifying agent. Chairman Spencer said, according to the March 19, 2009 letter, they still had a qualifying agent. Executive Director Ray again stated that the matter appeared on the agenda to keep the company on track for putting a new qualifying agent in place in a timely manner. Howard Levinson would remain as qualifying agent until July 1, 2009. She said the matter could have been handled internally. Board Member Crate noted that NAC 520 conflicted with the normal change or activation of an abeyance license for a qualifying agent. If Howard Levinson did not technically cease as qualifying agent until July 1, 2009, the company actually had 120 days from that point to propose an acting qualifying agent. Executive Director Ray referenced that change of status applications were created to keep track of changes made within corporations. Chairman Spencer took issue with the earlier statement by Mr. Kirkman that the Board was "going downhill" with its actions. He said the Board did not know about the issue with Howard Levinson until today. Mr. Maheu apologized and said Chairman Spencer was absolutely right. He was very frustrated when he tried to act within statutory limits, but others didn't seem to follow those same rules. Investigator Murphy had modified his audit process to force the participation of the qualifying agents. Chairman Spencer asked Mr. Maheu to call the Board if he had any issues to discuss. Chairman Spencer said it was unfair for participants to complain about a topic of which the Board had no knowledge. Mr. Kirkman revisited Item #10. He had raised an objection to allowing a company to have an acting qualifying

agent. Board Member Crate said there was too much emphasis given to the titles. He said 120 days were allowed for companies to name a person to apply as a new qualifying agent. The acting qualifying agent is designated and does not imply that a person is necessarily qualified to be licensed. The company must name a "go-to" person in the absence of the actual qualifying agent as a point of contact in the interim. Executive Director Ray said the letter outlines that the acting qualifying agent should be someone who is qualified to apply to become the actual qualifying agent. Board Member Crate said an interim needed to be named. Executive Director Ray said most of the time the acting qualifying agent became the qualifying agent. Mr. Maheu said the historical portion of the statute was written to provide that if a husband died, his widow could become the acting qualifying agent so the widow could sell the business. The statute has been expanded over the years. Board Member Crate noted that 120 days were needed to affiliate with a person, but another 90 days may be needed to approve the application. Executive Director Ray said that was correct because the Board met quarterly. Mr. Maheu said the Mr. Petrasich was in negotiations 6-8 months ago to be the qualifying agent for Howard Services. Mr. Kirkman again discussed Item 10. He said the investigative side was allowed to operate without a licensed Private Investigator. Executive Director Ray said the corporation was already licensed as a Private Investigator. Mr. Galante could not submit an application in time because Executive Director Ray thought he had both licenses. It was not until they updated his records for the Board that it was discovered that he did not have a Private Investigator license. Mr. Galante thought he also had a Private Investigator license. She believed he possibly renewed two abeyance Private Investigator licenses in the past. There was no reference to a Private Investigator license or a Private Investigator license exam in his background. He was allowed to return in September for Private Investigator license approval. Mr. Kirkman argued that Mr. Galante was not a licensed Private Investigator. Executive Director Ray said he was the acting qualifying agent.

An update on work shops conducted May 28, 2009 and June 4, 2009 was presented by Executive Director Ray. No one attended the May 28 workshop. One private transportation company attended the June 4<sup>th</sup> meeting, along with Board Member Crate and Steven Baker. There was some conversation after the workshop regarding forming a sub-committee to review and consider possible changes to NAC 648.345 through NAC 648.355, the firearm regulations. The recommended changes would be presented to the Board.

Howard Services was revisited for a vote. Chairman Spencer said Howard Services would be allowed to proceed and an audit would take place to determine its status. If it was determined there was a problem with the qualifying agent, then action would be taken. Board Member Putnam moved to proceed as Chairman Spencer indicated. The motion carried.

The review and discussion of a proposed training program by Martin-Ross was moved to tomorrow's meeting (June, 18, 2009).

An update regarding the 2009 legislative session was also tabled until tomorrow's meeting.

A discussion of possible changes in language for NAC 648 regarding work cards was tabled until the next day. Discussion to form a sub-committee to consider changes to the current security officer exam was also tabled for the next day's meeting. Discussion to amend 4 management directives was tabled until June 18, 2009.

Chairman Spencer moved to table Items 38, 39, 40, 42, 43, and 44 until the next day. Board Member Putnam seconded the motion, which carried.

Item 38 was quickly discussed and Chairman Spencer moved to approve the formation of the sub-committee to review changes to NAC 648.345-NAC 648.355 and to make recommendations for the Board at its next meeting. Investigator Whatley would be on the sub-committee. Steve Baker and Board Member Crate also wished to be on the sub-committee. Chairman Spencer moved to approve the formation of the sub-committee. Board Member Crate seconded the motion, which carried.

Board Member Putnam moved to adjourn, and Chairman Spencer seconded the motion, which passed.