

PRIVATE INVESTIGATORS LICENSING BOARD

MINUTES

SEPTEMBER 22, 2010

MEMBERS PRESENT:

DAVID SPENCER: BOARD CHAIRMAN

JIM NADEAU: BOARD MEMBER

ROBERT UITHOVEN: BOARD MEMBER

MARK ZANE: BOARD MEMBER (LAS VEGAS)

MEMBERS ABSENT:

RICHARD PUTNAM: BOARD MEMBER

OTHERS:

MECHELE RAY: EXECUTIVE DIRECTOR

TAMMY WHATLEY: INVESTIGATOR

THORAN TOWLER: ACTING BOARD COUNSEL

SARAH BRADLEY: ACTING BOARD COUNSEL

JOE DUPUIS: INVESTIGATOR

COLIN MURPHY: COMPLIANCE AUDITOR

STEVE JUPP: INVESTIGATOR

NICK ROBLE: INVESTIGATOR

MIKE BERINGHELE: INVESTIGATOR

BRANDI KING: ASSISTANT

Chairman Spencer opened the meeting. Executive Director Ray performed the roll call.

APPROVAL OF MINUTES:

Board Member Nadeau moved to approve the minutes for the June 16, 2010 and June 17, 2010 meetings. Board Member Uithoven seconded the motion, which passed.

FINANCIAL REPORT:

Executive Director Ray provided a financial report for the Board. Executive Director Ray stated that the report was current as of September 3, 2010. The realized funding on that date was \$314,454.26. She explained that at the close of the FY10 \$2,477 was carried over to FY11 and that in prior years there had been a larger balance carried forward but because of the new location in Las Vegas and the Registered Employee Program a lot of funds were expended to that. Board Member Nadeau asked if

we were on target and what the percentages of funds had been spent to date. Director Ray said that she did not have the information but would bring it to the next meeting. She told Member Nadeau that she anticipated that the monies spent in operating were more than she had hoped but that the processing of the registration applicant fingerprints were paid from that category so it would be more than 50%.

#### SWEARING IN:

Board Counsel Towler swore in those present in Carson City and Las Vegas who were to testify or comment during the meeting.

#### STAFF REPORT:

Executive Director Ray provided the Board Members with the quarterly report. The Board did not feel it necessary to read the report into the record.

#### PUBLIC COMMENT:

Chairman Spencer explained there would be public comment before and at the end of the meetings. He said the reason for adding it to the beginning of the meeting was for anyone who wished to comment on an item on the agenda, or just to comment, but did not want to wait until the agenda item was called or wait until the conclusion of Board business to comment.

Buddy Morton asked to speak during this portion of public comment. He told the Board that he had been a certified firearm instructor since 2000 and that he was never informed of any of the meetings that had taken place regarding the changes in NAC regarding firearm Instructors. He asked the Board to consider a few things with regard to the changes. He said he was concerned about what may work in Las Vegas will not work in northern Nevada. He explained that the range is in the desert and that the 5 hours of range time is not conducive to northern Nevada weather and that a portion of the 5 hours could be taught in the classroom. He also expressed that 8 hours of class time was too long. He told the Board that kneeling while re-loading is a safety issue and if it is being taught the students will be exposed should they ever use that in the field. He also thought that the draw section was out of date. Mr. Morton extended an open invitation to the Board Members or staff to attend his class. He commented on some of the questions on the exam and told the Board that we should also mandate additional training in empty hand defense, handcuffing techniques, pepper spray and impact weapons with a refresher class once per year. Board Member Spencer thanked Mr. Morton for his comments and Director Ray told Mr. Morton that if there were future discussions he would be contacted via e-mail. Investigator Whatley read into the record an e-mail from Dennis West who had received a lot of positive feedback from the approved standardized curriculum.

## CONSENT AGENDA:

Chairman Spencer explained for the benefit of the audience that the consent portion of the agenda was for those individuals who had a change in licensing status and have appeared in front of the Board previously or for corporate officer applications that were not required to be in attendance at a Board meeting. He explained that the Board Members had the option to remove any of the items from consent should they wish to discuss the item further.

8. \*\* Martin-Ross & Associates, LLC, License #1245 from Reno, Nevada is requesting Member status for Jason Patterson. This is subject to all statutory and regulatory requirements.
9. \*\* ADP Screening and Selection Services, Inc., License #1265 from Fort Collins, Colorado is requesting Corporate officer status for Robert Barnett. This is subject to all statutory and regulatory requirements.
10. \*\* S.E.B. Services of New York, Inc., License #1510 is requesting a corporate name change to Safe Environment Business Solutions, Inc. Robert DiNozzi is requesting to be approved as the qualifying agent and sole Corporate officer. This is subject to all statutory and regulatory requirements.
11. \*\* William Orillio from San Diego, California, License #1192 is requesting a change in licensing status. Viewpoint Consumer Reporting, LLC is requesting a corporate Private Investigator, license. William Orillio is requesting qualifying agent status and if approved requests his individual licenses be placed into abeyance. Members to be approved are Rene and Jeffrey Wustman. This is subject to all statutory and regulatory requirements.
12. \*\* ChoicePoint Workplace Solutions, Inc., License #1377 is requesting a corporate name change to LexisNexis Screening Solutions, Inc. Deborah Dean is requesting to be approved as the qualifying agent. This is subject to all statutory and regulatory requirements.
13. \*\* ChoicePoint Services Inc., License # 1168 is requesting a corporate name change to LexisNexis Risk solutions, Inc. Robert Muth is requesting to be approved as the qualifying agent. This is subject to all statutory and regulatory requirements.
14. \*\* National Data Retrieval, LLC. License # 1409 is requesting a corporate name change to LexisNexis Risk Data Retrieval Services, LLC Fred Morris is requesting to be approved as the qualifying agent. This is subject to all statutory and regulatory requirements.
15. \*\* Tag Messenger Management, Inc., License #1544 is requesting a corporate name change to Tag Messenger, Inc. David Rolf is requesting to be approved as the qualifying agent. This is subject to all statutory and regulatory requirements.
16. \*\* Day and Zimmerman is requesting Corporate officer status for John DiMarco. This is subject to all statutory and regulatory requirements.
17. \*\* The Wackenhut Corporation dba G4S Wackenhut, License #1563 from Palm Beach Gardens, Florida is requesting a corporate name change to G4S Secure Solutions (USA) Inc. Thomas Harper is requesting to be approved as the qualifying agent. This is subject to all statutory and regulatory requirements.

18. \*\* Russell Weston, License #815 from Reno, Nevada is requesting a change in licensing status. RGW Private Security Services, Inc. dba Russell G. Weston's Security Firm is requesting a corporate Private Patrolman license. Russell Weston is requesting to be the qualifying agent and if approved, requests that his individual license be placed into abeyance. Corporate officer and Director to be approved is Russell Weston. This is subject to all statutory and regulatory requirements.

Chairman Spencer asked the Board Members if they wanted to pull any of the items from the consent portion of the agenda. Board Member Nadeau asked to pull Item 7, Templar Security and Protective Services, Frank Dicerbo. Board Member Nadeau moved to approved items 8 – 18 subject to all statutory and regulatory requirements. Board Member Uithoven seconded the motion and it carried unanimously.

Templar Security and Protective Services, Inc., requested Corporate officer status for Frank Dicerbo. Board Member Nadeau asked Mr. Dicerbo about the arrest and judgment that were reported in his background report. Mr. Dicerbo told Board Member Nadeau that he did not have any knowledge of the civil judgment until Investigator Dupuis brought it to his attention. He explained that the arrest occurred when he was going through a difficult time due to a divorce and it was something about making noise. He and his wife have since reconciled and remarried. He said he is still trying to determine how and where the judgment occurred or have a hearing to pursue it. Board Member Uithoven moved to approve corporate officer status for Frank Dicerbo for Templar Security and Protective Services Inc., subject to all statutory and regulatory requirements. Board Member Zane seconded the motion which carried unanimously.

#### PRESENTLY LICENSED CORPORATIONS REQUESTING NEW QUALIFYING AGENT OR OTHER CHANGES IN LICENSE STATUS NOT ON CONSENT:

Century Security Management of Las Vegas, License #1315 licensed in the category of Private Patrolman, is requesting qualifying agent status for Michael Callaghan. Mr. Callaghan told the Board he had been with DEA for 8 years and prior to that had retired from the Chicago Police Department. He has been with Century Security for two years and recently moved to Las Vegas. He told the Board he is a resident of Nevada. Board Member Nadeau ask for clarification that he had been with Century Security for 2 years and not 23 years. Mr. Callaghan confirmed that it was 2 years. Board Member Uithoven moved to grant Michael Callaghan qualifying agent status for Security Management of Las Vegas and an individual Private Patrolman license to place into abeyance subject to all statutory and regulatory requirements. Board Member Uithoven seconded the motion, which carried unanimously.

Corporate Security Inc., requested qualifying agent status for Charles Karagienakos. Mr. Karagienakos told the board he had 26 years experience with the gaming industries doing fraud and embezzlement investigations. Board Member Uithoven moved to grant qualifying agent approval for Charles Karagienakos for Corporate Security Inc. and to place his individual Private Investigator license into

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

#### PRIVATE INVESTIGATOR:

One Source Technology, LLC dba Asurint. applied for a corporate Private Investigator license with Connie Clore as the qualifying agent. Ms. Clore told the Board she had 16 years investigative experience doing public screening and civil and public investigations. Board Member Zane asked Ms. Clore about her residency. Ms. Clore responded that she resides in Ohio. Board Member Nadeau moved to grant One Source Technology, LLC dba Asurint a corporate Private Investigator license, to grant Connie Clore an individual Private Investigator license to be placed into abeyance so that she may become the qualifying agent for One Source Technology, LLC dba Asurint, and approve Troy Bankert and Gregory Gay as corporate officers, subject to all statutory and regulatory requirements. Board Member Uithoven seconded the motion, which carried.

Metro Private Investigations, Inc. applied for a corporate Private Investigator license with John Kennedy III as the qualifying agent. Mr. Kennedy told the Board he had been a field investigator and worked his way up through the ranks to supervisor and then training supervisor with Metro Private Investigations. Board Member Zane asked if they planned on having a physical office in Nevada. Mr. Kennedy explained that he would like to get the license before moving to Nevada. Board Member Zane asked about the "sour grapes investigation". Mr. Kennedy told the Board that it was a workers' compensation investigation and the insurance company thought it more cost effective to settle than to litigate the case. Board Member Uithoven moved to approve a corporate Private Investigator license for Metro Private Investigations, Inc., qualifying agent status for John Kennedy III an individual Private Investigator license to be placed into abeyance for Mr. Kennedy and corporate officer and director approval for Elisabeth Wilson, subject to all statutory and regulatory requirements. Board Member Nadeau asked for clarification with reference to Elisabeth Wilson's name listed on the application and if it was her legal name. Mr. Kennedy explained that "Elisabeth" was her official name. Board Member Nadeau seconded the motion which carried unanimously.

Case Forensics Corporation applied for a corporate Private Investigator license with Amy Damron as the qualifying agent. Ms. Damron told the Board that she was a nationally certified fire and explosion expert and that she had fourteen years of experience with her primary function determining cause and origin of fires. Board Member Nadeau moved to approve a corporate Private Investigator license for Case Forensics Corporation, qualifying agent status for Amy Damron, an individual Private Investigator license to be placed into abeyance for Ms. Damron and corporate officer approval for Kevin Lewis and

Alan Topinka, subject to all statutory and regulatory requirements. Board Member Spencer seconded the motion which carried unanimously.

CTS Research, Inc. applied for a corporate Private Investigators license with Sean Crowley as qualifying agent. Mr. Crowley told the Board he had been with NYPD for 22 years rising through the ranks for the last 10 years. Board Member Uithoven moved to approve a corporate Private Investigator license for CTS Research, Inc., qualifying agent and corporate officer status for Sean Crowley, and an individual Private Investigator license for Mr. Crowley to be placed in abeyance subject to all statutory and regulatory requirements. Board Member Zane seconded the motion which carried unanimously.

Jerry Blair applied for an individual Private Investigator license. Mr. Blair told the Board that he was retired from Douglas County Sheriff's Office where he did patrol and investigation work; working in the jail, running backgrounds on new arrests and on trustees to ensure a good crew. Board Member Nadeau moved to approve an individual Private Investigator license for Jerry Blair subject to all statutory and regulatory requirements. Board Member Spencer seconded the motion which carried unanimously.

Private Patrolman:

Preventive Measures Security Firm LLC applied for a corporate Private Patrolman license with Albert Richard, Jr. as qualifying agent. This item was continued from the June meeting. Board Member Nadeau asked Investigator Dupuis if there was any new information regarding this applicant. Investigator Dupuis said the only 2 issues were the business plan requested by the Board from the previous meeting and the records on the conviction which had been purged so there was no new information. Board Members Spencer and Nadeau complimented the applicant on the business plan provided to the Board. Board Member Zane moved to approve a corporate Private Patrolman license for Preventive Measures Security Firm LLC, qualifying agent status for Albert Richard Jr., an individual Private Patrolman license for Mr. Richard to be placed into abeyance and member approval for Albert Richard, Percy Wilson, Stancy Williams, and Elijah Muhammad, subject to all statutory and regulatory requirements. Board Member Nadeau seconded the motion which carried unanimously.

EP Security Services, Inc. applied for a corporate Private Patrolman license with Eric Pope as qualifying agent. This item was continued from the June meeting. Mr. Pope told the Board that Mr. Coffey was trying to get to the meeting but was stuck in California. Investigator Dupuis told the Board that the information finally provided by Mr. Pope addressed his immediate concerns. Board Member Zane moved to approve a corporate Private Patrolman License for EP Security Services, Inc., qualifying agent status for Eric Pope, an individual Private Patrolman license to be placed in abeyance

for Mr. Pope and corporate officer status for Eric Pope and Christopher Coffey, subject to all statutory and regulatory requirements. Board Member Uithoven seconded the motion which carried unanimously.

Contemporary Services Corporation applied for a corporate Private Patrolman license with Jack Purves as the qualifying agent. Mr. Purves told the Board he retired from the Air Force. After retirement he assisted with working/supervising large crowds with security forces for heads of state visits, air shows, and the Olympics in Atlanta. He told the Board he has worked for CSC for the past 10 years as the branch manager for the Auburn and Atlanta offices since 2002 and 2003 and in 2005 was promoted to the southeastern regional manager which added the responsibility to manage, oversee, and grow the region. In 2010 was promoted to vice president of CSC Nevada and will do the same in Reno, Tahoe, and Vegas. Board Member Nadeau moved to approve a corporate Private Patrolman License for Contemporary Services Corporation, qualifying agent for Jack Purves, an individual Private Patrolman license for Mr. Purves and corporate officer approval for James Service, James Granger, Damon Zumwalt, Keith Granirer and Coy Zumwalt Jr, subject to all statutory and regulatory requirements. Board Member Uithoven seconded the motion which carried unanimously.

Rock Security, LLC was removed from the agenda for consideration.

Preeminent Protective Services, Inc. dba Elysium Security Alliance LLC applied for a corporate Private Patrolman license with Lurline Bell as the qualifying agent. Ms. Bell told the Board that she was a private detective in Washington D.C. and that she was also licensed in Maryland and Virginia. She said that she is the CEO for Preeminent and that the company provides guard services for the Washington Convention center. She said she has both clients in the private and federal sectors. Board Member Spencer asked Ms. Bell how long she had been involved with Preeminent Security, she responded since October 2001. Board Member Zane moved to approve a corporate Private Patrolman license for Preeminent Protective Services, Inc., dba Elysium Security Alliance LLC, qualifying agent and corporate officer status for Lurline Bell and an individual Private Patrolman license for Lurline Bell to be placed into abeyance. Board Member Nadeau seconded the motion and it carried unanimously.

Global Eagle Security LLC applied for a corporate Private Patrolman license with Eugene Grinde as the qualifying agent. Mr. Grinde told the board he had 10 years experience providing security for the school district for football games and events. He said he was employed for the last 6 years with Desert Eagle Security where he has been promoted from security officer to chief of security. He told the Board he takes care of his guards. Board Member Nadeau moved to approve a corporate Private Patrolman license for Global Eagle Security LLC, an individual Private Patrolman license for Eugene Grinde to be

placed into abeyance and member approval for Kendra Bergman and Cecilia Mata. Board Member Uithoven seconded the motion and it carried unanimously.

Martin Glasser applied for an individual Private Investigator and Private Patrolman license. Mr. Glasser told the Board he had 33 years in law enforcement and that 27 of them were with the military performing many assignments. He retired from the Army as a colonel and moved to Las Vegas to work for WSI. Mr. Glasser asked that if approved his licenses be placed into abeyance. Board Member Zane moved to approve an individual Private Investigator and a Private Patrolman license for Martin Glasser and place those licenses into abeyance. Board Member Uithoven seconded the motion which carried unanimously.

Repossessor:

Sin City Recovery & Towing LLC requested a corporate Repossessor license with Roger Barnes as the qualifying agent. This item was continued from the June meeting. Board Member Spencer asked Mr. Barnes to provide his experience to the Board. Mr. Barnes told the Board he had been doing repossession work in Arizona for several years. Board Member Spencer asked if there was a citation issued. Mr. Barnes admitted that he had faxed a price sheet to Curtis Acree. He said he paid the citation in full. Board Member Zane had questions regarding the personal service from the last meeting from Jennifer Florio. He asked Mr. Barnes what action he had taken. Mr. Barnes explained that he was looking for someone named David Coombes; David Coombes who was using the name Sin City Recovery. His counsel advised him because he was not named in the suit that he did not need to respond to the complaint. Board Member Zane asked him the name of his attorney. Mr. Barnes said that it was a company from California and he did not have the name. Board Member Zane was concerned that Mr. Barnes did not reply to the complaint and file a response. Mr. Barnes explained again that because he was not listed in the law suit he was not required to respond. Board Member Zane said that because he was legally served and did not respond that a default judgment could be issued against him. Investigator Whatley provided the Board Members with a copy of a document that had a name other than Roger Barnes which showed that it may not have been a legal service of process. Board Member Zane then asked Mr. Barnes about the certificates in support of experience and qualifications. He asked what the relationship was between the author of the CSEQ and Mr. Barnes. Mr. Barnes responded to Board Member Zane that it was an employee-employer relationship and that there was no family relationship. Board Member Nadeau asked Investigator Dupuis if there was tangible means to verify Mr. Barnes hours. Investigator Dupuis said no, that all he had were the CSEQ'S. Board Member Nadeau commented that he was concerned about the unlicensed activity and uncomfortable approving a license without tangible means to verify the experience. Mr. Barnes asked the Board if they thought Mr. Crouch could supply anything else, business records that would show he



had the 5 years experience. The Board said they are looking for verification of sufficient hours that equates to 10,000 hours of repossession experience. Mr. Barnes asked if the Board could grant a license. Board Member Nadeau explained that if Mr. Barnes wanted to ask for a continuance to the next regularly scheduled meeting he could do so, but did not see how he would be granted a license without the verification the Board was looking for. Mr. Barnes requested a continuance to the December meeting in order to provide the Board with additional proof of hours. Board Member Nadeau moved to approve the request. Board Member Spencer seconded the motion. The motion carried. Board Member Zane was opposed.

James Baron dba Diamond Investigations requested an individual Private Investigator license. Mr. Baron told the Board he retired in 1999 from the Air Force from Fairbanks, Alaska and relocated to Las Vegas. He got a job in law enforcement in Las Vegas. When terminated from law enforcement he went to work for Glen Lerner and Associates. Board Member Nadeau commented on discrepancies between the information provided by him and the information provided from the law enforcement agencies. Investigator Roble addressed the Board to discuss the most recent background investigation and report. He explained to the Board there was nothing new in a derogatory sense. He said that when he interviewed Mr. Baron about his current employer he found no discrepancies from then until now. Board Member Spencer asked investigator Roble if he felt that Mr. Baron had the required amount of hours. Investigator Roble stated that Investigator Dupuis's report substantiated sufficient hours of experience. Board Member Zane moved to approve an individual Private Investigator license for James Baron dba Diamond Investigations for purposes of discussion. Board Member Spencer seconded the motion. Board Member Zane commented to Mr. Baron that in the event a license was granted that he may not want to parse responses to questions when running a business. He added that when operating with a license; operate in the fundamentals and intent of the license. Mr. Baron gave his word that if he has any questions he would contact the PILB staff for clarification. The motion carried unanimously.

Administrative Business:

Executive Director Ray provided the Board with an update on the scheduling of the workshop that had been discussed at the previous meeting. She said there was not sufficient time to put one together between the June and September meeting, but that a workshop was scheduled for November 22, 2010.

Board Member Spencer moved to continue items 35-37 to the next regularly scheduled meeting.

There was no public comment.

The meeting was adjourned.