

PRIVATE INVESTIGATORS LICENSING BOARD

MINUTES

June 8, 2011

MEMBERS PRESENT:

DAVID SPENCER: BOARD CHAIRMAN

JIM NADEAU: BOARD MEMBER

MARK ZANE: BOARD MEMBER (LAS VEGAS)

RICHARD PUTNAM: BOARD MEMBER

ROBERT UITHOVEN: BOARD MEMBER

OTHERS:

MECHELE RAY: EXECUTIVE DIRECTOR

TAMMY WHATLEY: INVESTIGATOR

SARAH BRADLEY: ACTING BOARD COUNSEL

JOE DUPUIS: INVESTIGATOR

MIKE BERINGHELE: INVESTIGATOR

KIMBERLY CHRISTENSEN: ASSISTANT

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

APPROVAL OF MINUTES:

Executive Director Ray told the Board that the minutes from March 9, 2011 were not finalized and as soon as they were, a copy would be forwarded to them. Board Member Putman moved to have the minutes carried over to the September 2011 board meeting. Chairman Spencer seconded the motion which passed unanimously.

FINANCIAL REPORT:

Executive Director Ray provided a financial report for the Board as of June 3, 2011 one of which was a spreadsheet that contained the percentages of monies spent in each category. She explained that she was watching the budget closely and was working with the budget analyst. Some monies will need to be moved from the personal category into operating account. She told the Board that she was able to prepare the fiscal budget for 2012.

#### SWEARING IN:

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

#### 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. Public member in Las Vegas spoke on the Assembly Bill 156 related to process service. He stated that the bill passed. Assembly Bill 156 related to proper documentation and affidavit of service. He told the board that subsection 6 stated that every affidavit should have the address, phone and license number of the person who served the documents. After he spoke with some court employees, he told the board that if that information is not there, then the courts are not to accept the proof. His concern was how would the board and the courts identify, cite and punish these persons whom are making money and have not paid taxes, insurance, etc. Chairman Spencer told him to bring the matter to the Boards attention and to the staff in the Las Vegas Office or to Executive Director Ray's attention. He stated that the court told him that it was the Board's responsibility to enforce it and to cite those that are unlicensed. He felt that the Board should be citing those that disregard Chapter 648 of the NRS and NAC. Board Member Nadeau asked that the issues be put as an agenda item for the next meeting.

#### STAFF REPORT:

Executive Director Ray provided the Board Members with the quarterly statistic report for this quarter. She read the report for the benefit of the Board.

#### CONSENT AGENDA:

Board Member Nadeau requested that item #7 be pulled for further discussion.

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 applicants who 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. \*\* Unified Investigations & Sciences, Inc., License #888 from Delaware is requesting Corporate Officer status for Steven Powell. This is subject to all statutory and regulatory requirements.

9. \*\* Vegas Legal Support Services, Inc., License #988 and 988A from Las Vegas, Nevada is requesting Corporate Officer status for Stephanie Sibley. This is subject to all statutory and regulatory requirements.

10. \*\* Charlie Boring is requesting to change his qualifying agent status from Securiguard, Inc., License #1468 to Nevada Strategic Protective Services, LLC. Members to be approved are Patricia Marvil, Roger Bruley, Raymond Randall and Juliet Protas. This is subject to all statutory and regulatory requirements.

11. \*\* William Brissette from Kingman, Arizona License #1480 is requesting to change his qualifying agent status to an individual private patrolman. This is subject to all statutory and regulatory requirements.

12. \*\* John Joyce from Irvine, California, License #1388 and 1388A is requesting to change his qualifying agent status to an individual Private Investigator and Private Patrolman. This is subject to all statutory and regulatory requirements.

13. \*\* Intelius Screening Solutions, LLC. License #1616 is requesting a corporate name change to Talentwise Solutions, LLC dba Intelius Screening Solutions. Randall Powers is requesting to be approved as the qualifying agent. Members have been previously approved.

Chairman Spencer asked for motion. Board Member Putman moved to approve items 8-13 subject to all statutory and regulatory requirements. Board Member Uithoven seconded the motion and it carried unanimously.

7. \*\* GlobalOptions Services, Inc., License #1187 from Orlando, Florida is requesting Corporate Officer status for Geoffrey Gorman. This is subject to all statutory and regulatory requirements.

Board Member Nadeau was concerned about the financial situation since there had been several IRS judgments and liens for Mr. Gorman. He asked what the board should be considering when approving an individual as a corporate officer for a corporation. Board Member Putnam commented that the IRS liens were in excess of 1.5 million dollars and that Mr. Gorman was in the process of negotiation with the IRS and that it would be inappropriate to approve the change. Executive Director Ray told the Board Mr. Gorman was not present but could be reached by telephone for any questions. Board Member Zane moved to deny the application of Mr. Gorman and Board Member Uithoven seconded the motion which passed unanimously for the denial of the corporate officer request for Mr. Gorman.

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

Preventive Measures Security Firm, LLC, requested qualifying agent status for William Johnson. Mr. Johnson told the Board he had been with the Miami Police Department for twenty four years and performed internal affairs investigations. He said he also worked in the public information office, and was a training officer. He retired with the title of Commander. Board Member Nadeau moved to approve qualifying agent status for William Johnson for Preventive Measures Security and to place his individual Private Patrolman license into abeyance, subject to all statutory and regulatory requirements. Board Member Putnam seconded the motion which carried.

Signal 88 Franchise Group, Inc., dba Signal 88 Security requested qualifying agent status for Timothy Conahan. Mr. Conahan told the Board he retired from the Omaha Police Department after twenty-six years. He worked various positions during that time. When he retired in 2007 he took a job as the security director for a corporation in Omaha. They had offices all over the world. In January he took a position with Signal 88 Franchise Group Inc. The company was originally started in Omaha in 1998 by a law enforcement officer. The company concentrated on Home Owner Associations, apartment complexes and corporations. They used a lot of technology. Vehicles had laptops; gps is used by all officers, reports on filed on-line. Board Member Nadeau asked Mr. Conahan about being the qualified agent and living in Omaha and stated that the qualified agent had the ultimate responsibility of the activity. Mr. Conahan told the Board that was correct. Board Member Nadeau verified that the company was not going to be a franchisee. Mr. Conahan also told the Board he would be in Las Vegas at least once a month. Board Member Zane asked Mr. Conahan about the license number on advertisements. Mr. Conahan told the Board that mistake had been taken care of. Board Member Nadeau moved to grant qualifying agent approval for Mr. Timothy Conahan for Signal 88 Franchise Group Inc. dba as Signal 88 Security and to place his individual Private Patrolman license into abeyance, subject to all statutory and regulatory requirements. Board Putnam seconded the motion, which carried. Executive Director Ray asked Mr. Conahan if he would be available for the next day's agenda as there would be more discussion. Mr. Conahan told the Board he would attend the next day meeting.

Investigative Specialists Inc., dba ISI, from Las Vegas, Nevada, License #385 and 385A requested qualifying agent status for Osmond Joe McMahan in the category of Private Investigator only. Mr. McMahan was not present. Chairman Spencer moved to continue until September 2011. Board Member Uithoven seconded the motion which carried.

## PRIVATE INVESTIGATOR:

Accusearch, Inc. applied for a corporate Private Investigator license. Amanda Ferber requested that the board grant her an individual Private Investigator license to be placed into abeyance so that she may become the qualifying agent for Accusearch, Inc. Members to be approved were Barry Neel and Maria Neel. Ms. Ferber told the Board she had worked as a Private Investigator in Phoenix for five years. The company would hire one to two people and Ms. Ferber would be the supervisor. In Phoenix, Ms. Ferber explained that she would go to the court house, pull files, review them and report the findings back to the client. Board Member Putnam made the motion to approve a corporate Private Investigator license to Accusearch Inc. and that Amanda Ferber be granted an individual Private Investigator license to be placed into abeyance so that she may become the qualifying agent for Accusearch, Inc and that Board Members Barry Neel and Maria Neel be approved subject to all statutory and regulatory requirements. Board Member Uithoven seconded the motion which carried.

Lisa Povill applied for an individual Private Investigator license. Ms. Povill told the Board she had eighteen years surveillance experience. Currently she was a consultant that maintained and updated databases for casinos that included casino cheaters, video feeds and background information. Board Member Zane asked about her bankruptcy. Ms. Povill told the Board she had been in a car accident and had six months of not working, medical bills and the economy. Board Member Putnam moved to approve that Lisa Povill be granted an individual Private Investigators license subject to all statutory and regulatory requirements. Board Member Uithoven seconded which carried.

HireRight Solutions, Inc. applied for a corporate Private Investigator license. Taron Snyder requested that the board grant her an individual Private Investigator license to be placed into abeyance so that she may become the qualifying agent for HireRight Solutions, Inc. Corporate Officers/Directors to be approved were Michael Cherkasky, Ronald Collins, David Fontaine, Mark Mayo, Keith Simmons and Michael Petruzzo. Ms. Snyder told the Board she had been with HireRight Solutions Inc for six and a half years and that the company was formerly known as USIS Commercial Services. She told the Board she was the Verification Supervisor. The department verified previous education, work experience, and references for their clients. Board Member Nadeau moved to approve that HireRight Solutions Inc be granted a corporate Private Investigator license and Taron Snyder be granted a Private Investigator license to be placed into abeyance to become the qualified agent for HighRight Solutions Inc and Corporate Officers/Directors Michael Cherkasky, Ronald Collins, David Fontaine, Mark Mayo, Keith Simmons and Michael Petruzzo be approved subject to all statutory and regulatory requirements. Board Member Putnam seconded the motion which carried. Chairman Spencer asked Ms. Snyder if she lived in Nevada and Ms. Snyder told the Board she

would be here when needed. Ms. Snyder explained that there currently was not an office in Nevada and that they would hire licensees who reside in Nevada to perform any work in Nevada.

Robert Mladinich applied for an individual Private Investigator license. Mr. Mladinich told the Board he worked for New York City Police Department from 1983 to 2003. Thirteen of those years were as a detective. In 2007 he started his own investigation business in New York which focused on criminal defense and landlord tenants. Board Member Nadeau asked about the author of the CSEQ's, Mr. Creelman. Mr. Mladinich told the Board that in his position as a private investigator he had worked with Mr. Creelman from the New York Attorney General's Office in some Medicaid Fraud cases and that they had a personal relationship. Board Member Nadeau asked if Mr. Mladinich worked for Mr. Creelman at the New York Police Department. Mr. Mladinich replied that he had not worked for Mr. Creelman. However they were involved in cases together. It was a personal and professional relationship. Investigator Dupius stated that it was confirmed with the New York Police Department Personnel office. Board Member Putnam moved that Mr. Mladinich be granted an individual Private Investigator license subject to all statutory and regulatory requirements. Board Member Uithoven seconded the motion which passed.

#### PRIVATE PATROLMAN:

E.T. Security, Inc. applied for a corporate Private Patrolman license. Eddie Tucker requested that the board grant him an individual Private Patrolman license to be placed into abeyance so that he may become the qualifying agent for E.T. Security, Inc. Corporate officer to be approved was Eddie Tucker. Executive Director Ray told the Board that Mr. Tucker was not present today however he was on the agenda for tomorrow and could the item be continued to the next day. Board Member Nadeau moved to continue this item to the next day's agenda. Chairman Spencer seconded the motion which passed.

Total Protection Services Carolinas, LLC applied for a corporate Private Patrolman license. Brent Cooper was requesting that the board grant him an individual Private Patrolman license to be placed into abeyance so that he may become the qualifying agent for Total Protection Services Carolinas, LLC. Member to be approved was Phrantceena Halres. Mr. Cooper told the Board he had twenty two plus years in private security and held different ranks from officer, supervisor and to management with a private patrol company. He told the Board he was licensed in fourteen other states as either the qualified agent or the licensee. Board Member Putnam asked if Mr. Cooper would have the adequate time for the supervision and responsibility necessary within Nevada. Mr. Cooper told the Board that they do not have any current security contracts in Nevada. The other States where he holds a license were being managed by his employees. Board Putnam asked him about the debts to the IRS. Mr. Cooper stated that he was making payments and that he was current. Board Member Nadeau moved that Total Protection Services Carolinas LLC be granted a corporate Private Patrolman license and that Mr. Brent Cooper be granted an individual

Private Patrolman license to be placed into abeyance so that he may become the qualifying agent for Total Protection Services Carolinas LLC and approved Phrantceena Halres as the sole member, subject to all statutory and regulatory requirements. Board Member Uithoven seconded the motion which passed.

James Hill from Las Vegas, Nevada applied for an individual Private Patrolman license. Mr. Hill told the Board he had eighteen thousand hours of security guard experience in Las Vegas. He had worked as a post commander to an officer. He was currently working for three hotel properties and thought owning his own business would be good for the family. Board Member Putnam asked Mr. Hill about the non disclosure of arrests. Board Member Putnam asked about specific dates of arrests and the charges. Mr. Hill stated that the 2003 arrest was in California and that he and his wife had gotten into a fight and he called the police. Mr. Hill said he had not understood the form. Board Member Putnam explained the wording. He then asked Mr. Hill about the circumstances of the citation in 2010. Mr. Hill told the Board that he was doing work for Mr. Crutchfield repossessing a car and there was an altercation. Mr. Hill stated that at that time he was armed and the weapon was concealed. He said he pulled out his weapon and immediately called 911. Board Member Putnam then asked Mr. Hill about the twelve failures to appear for traffic. Mr. Hill told the Board that he had financial difficulties and had not paid the fines when they were due. He ended up on a payment schedule. Board Member Nadeau read the wording on the arrest history form and pointed out that it is specific on each question with regards to misdemeanor, gross misdemeanor and felony arrests. Board Member Uithoven asked if the failures to appear were listed on the application or were they found during the background check. Chairman Spencer went on to explain that Mr. Hill stated he did not have the money to pay the traffic tickets so they then went into warrants. Board Member Nadeau pointed out that the application did not state failures to appear for traffic needed to be listed. Board Member Putnam and Board Member Uithoven had an issue with regards to the respect of the law and Mr. Hill not showing up for the court dates. Board Member Zane asked Mr. Hill for more explanation with the situation on the home owner's repossessed vehicle. Mr. Hill told the Board that he was repossessing a car and he was talking with the owner, showing the paperwork and the owner then tried to take the plates off the car. An argument broke out and Mr. Hill felt his life was in danger. He drew his weapon. Board Member Zane asked who Mr. Hill was employed by. Mr. Hill stated Walter Crutchfield, Paradise Repo. Board Member Zane asked Mr. Hill how it had fallen upon him to repossess the car. Mr. Hill told the Board that he had known Mr. Crutchfield for seven years, they had offices in the same building and that they were friends. Mr. Hill would do miscellaneous jobs for Mr. Crutchfield. Mr. Hill stated that he hired Quality Towing to tow the car and notified police since the residence was near a school. Board Member Zane asked about Mr. Hill being a paid employee with taxes taken out. Mr. Hill replied no, it was a friendship issue. Board Member Zane asked Mr. Hill why he had not disclosed the citation. Mr. Hill said that he had not thought about it; however he had filed a complaint against the homeowner which had been thrown out. Board Member Uithoven asked if Mr. Hill still had a concealed weapon permit and Mr. Hill

responded yes. Mr. Cameron, a licensee told the board that he felt Mr. Hill used poor judgment. Board Member Zane moved to deny an individual Private Patrolman License to Mr. Hill based on the failure to disclose criminal history. Board Member Putnam seconded the motion. Vote was 3-2 in favor of the motion to deny.

Elite Tactical Security Solutions, LLC applied for a corporate Private Patrolman license. Frederick Smith was requesting that the board grant him an individual Private Patrolman license to be placed into abeyance so that he may become the qualifying agent for Elite Tactical Security Solutions, LLC. Members to be approved were Richard Diaz and Maribah Diaz. Mr. Smith told the Board that he had spent quite some time in law enforcement including security since leaving the Navy. He had twenty years with North Las Vegas Police Department and worked as a patrolman, he was a sergeant, had worked in the training bureau, traffic division and helped develop the State of Nevada licensing training for motorcycles. Mr. Smith left the North Las Vegas Police Department in 1982 and worked as Director of Security for Wet 'n' Wild. Board Member Nadeau asked Mr. Smith about his financial issues. Mr. Smith told the Board that his wife had several medical issues and he was working to get the medical bills taken care of. Board Member Putnam moved to approve a corporate Private Patrolman license and that Fredrick Smith be granted an individual Private Patrolman license to be placed into abeyance in order for Mr. Smith to become the qualifying agent for Elite Tactical Security Solutions LLC and that officers Richard Diaz and Maribah Diaz be approved subject to all statutory and regulatory requirements. Board Member Nadeau seconded the motion which carried unanimously.

#### PROCESS SERVER:

Gregory Wilde applied for an individual Process Server license. Mr. Wilde told the Board that he had been a licensed attorney in Nevada for twenty years and was very familiar with NRS 648 and the Rules of Civil Procedure. Mr. Wilde told the Board that he had an ownership interest in a previously licensed process server company by the name of Five Star Process Serving. Board Member Putnam moved to approve Mr. Gregory Wilde an individual Process Server license subject to all statutory and regulatory requirements. Board Member Uithoven seconded the motion and it carried unanimously.

#### REPOSSESSOR:

Del Mar Recovery Solutions, Inc. requested a corporate Repossessor license. Jim Snead was requesting that he be approved as the qualifying agent. Corporate officer to be approved was Richard Landeis. Mr. Snead told the Board that he had been a licensee in Nevada for about fifteen years with no complaints and had thirty two years total experience. Board Member Zane asked about his financials. Mr. Snead said that he had several real estate holdings and uninsured revenue financed through Silver State Bank and that had created a domino effect. Board Member Zane moved to approve Del Mar Recovery Solutions, Inc. a



corporate Repossessor license, approved Mr. Jim Snead as the qualifying agent, and Richard Landeis as the corporate officer subject to all statutory and regulatory requirements. Board Member Nadeau seconded the motion which passed unanimously.

#### OLD BUSINESS:

Item number 27, Eastern Private Detectives Inc. and Mr. Scott Churchill were taken out of order.

Sin City Recovery & Towing, LLC requested a corporate Repossessor license. Roger Barnes was requesting an individual Repossessor license to be placed into abeyance so that he may become the qualifying agent for Sin City Recovery & Towing, LLC. Members to be approved were Roger Barnes and Jennifer Barnes. Mr. Barnes told the Board he had been a repossessor in the State of Arizona for over six years and he was currently trying to open a business in Nevada. Mr. Barnes needed five more months of experience for Nevada. Mr. Barnes told the Board he had now obtained that experience. Board Member Putnam asked Investigator Dupuis if the new information provided qualified Mr. Barnes. Investigator Dupuis stated that the CSEQ provided by Mr. Jacob Crouch had been verified. Investigator Dupuis told the board that there had been another issue with financial records. He said that one of the issues were the financial records, W2's or 1099's were not provided to prove the hours of experience from the recovery company he had been working for. Mr. Barnes responded that that was the way the company ran the business. Board Member Nadeau asked how taxes were filed without the W2's or 1099's. Mr. Barnes stated that hours are submitted and he paid according to that. Mr. Barnes told the board he had submitted his tax returns. Board Member Zane asked about the qualifications and if Mr. Barnes had ever done repossessing work in Nevada. Mr. Barnes told the board that he had a few years ago when he was employed in Arizona. He said that his name was on a price sheet from Sin City Recovery as the contact person and that he had been reported to the Board and he paid a fine. Mr. Barnes told the Board he had not done any other recovery work, however, there was another company that used the same name but that his fictitious name was Sin City Recovery & Towing LLC and that there was no affiliation. Board Member Zane expressed his concern over the CSEQ provided by Ms. Rose Mary Vino. He asked where they had worked together. Mr. Barnes said that they had been co-workers in Arizona prior to 2010, there was no client relationship. Board Member Zane questioned the work done with JB Bryden in Arizona. Mr. Barnes told the Board that they delivered cars from one state to another and the company was a brother sister in Arizona and Nevada. Mr. Barnes was part of the management team but not in charge. Mr. Barnes told the Board he did not know what type of licenses Quick Recovery held in Arizona however he was now aware of how many licenses are needed. Board Member Zane had questions related to Mr. Barnes name being found with Nevada Law Enforcement agencies regarding reported vehicles being repossessed. Board Member Nadeau moved to approve Sin City Recovery LLC for a corporate Repossessor license and Mr.

Roger Barnes be granted an individual Repossessor license to be placed into abeyance so he could become the Qualifying Agent of Sin City Recovery LLC and that Roger Barnes and Jennifer Barnes be approved as members, subject to all statutory and regulatory requirements. Board Member Putnam seconded the motion. There was Board discussion after the motion. Board Member Nadeau asked if all the qualifications and issues had been taken care of. Chairman Spencer stated that it appeared so. Board Member Nadeau stated that Mr. Barnes had met the qualifications as best he could and that any information with regard to prior unlicensed activity, he felt, that a significant period of time had passed and Mr. Barnes had taken care of those issues. He thought that Mr. Barnes should be approved. Board Member Zane abstained from the matter. He felt he was biased and was not comfortable making a decision on the matter. Board Member Nadeau asked if Board Member Zane had information that the board should have known about that would change the vote. Board Member Zane stated he had nothing to testify to at the present time. All four remaining Board Members voted in favor of the motion.

Tatone Investigations LLC requested the Board to reconsider his application from the previous meeting. Tatone Investigations LLC was applying for a corporate Private Patrolman License. Donald Tatone was asking that if approved he be allowed to place his individual Private Patrolman license into abeyance so that he could become the qualifying agent for Tatone Investigations LLC. Member to be approved was Donald Tatone. Mr. Tatone was sworn in. Mr. Tatone told the Board that he was back due to some confusion with regard to his hours of experience. Mr. Tatone stated he had provided the previously requested documents. Investigator Dupuis told the Board that he had received the CSEQ's from Blue Chip and the American Casino and that based upon the information provided, Mr. Tatone did have the additional hours for each license. Board Member Nadeau moved that Tatone Investigations LLC be granted a corporate Private Patrolman License, an individual Private Patrolman license to be placed into abeyance for Mr. Tatone, qualifying agent and member approval for Mr. Tatone, subject to all statutory and regulatory requirements. Board Member Uithoven seconded the motion which passed unanimously.

Board discussion and possible action to determine if Correction Corporation of America or any private prison facility or company, located in Nevada should be required to obtain a private patrolman license in the State of Nevada or are they pre-empted from state licensure. Mr. Tom Bojanowski told the Board that CCA did not want to take a stand on the pre-emption and that they would abide by the licensing requirements. CCA did believe however that there was an exemption in NRS 648.018 (12) regarding residential confinement and would like the Board's opinion. Mr. Bojanowski also told the Board that private prisons are regulated by the Nevada Board of Prison Commissioners. There was Board discussion about the NRS definition of "Residential Confinement". Board Counsel Bradley told the Board she would prefer to do more research. Mr. Bojanowski referred Board Counsel to AB 385 from the 2009 legislative session and 209.166 and perhaps chapter 212. Chairman Spencer made a motion to take under advisement and

have Board counsel advise the Board at the next meeting. Executive Director Ray brought to the Board's attention that the individual guards have the registration cards as part of their contractual requirements and that CCA complied with all State laws in Nevada. Mr. Bojanowski told the Board that they would come back for the September meeting so that Board Counsel could research and render an opinion. Chairman Spencer agreed. Board Member Zane seconded the motion for discussion. Motion passed unanimously. Board Member Zane stated that the company had declined to take a position, therefore, the Board would need to take a position. Board Members unanimously voted to move CCA to the September 2011 agenda.

#### ADMINISTRATIVE BUSINESS:

John Theel, qualifying agent for SOA, License #525 and 525a asked the Board to grant an exemption as outlined in NAC 648.338. The exemption request was for the Consumer Electronic Show that would be held at the Las Vegas Convention Center, Sands Convention Center, Venetian Hotel and the Hilton Convention Center. Mr. Theel anticipated the need to bring six (6) off duty law enforcement officers from out of state. The dates of the request are approximately January 6 through January 13, 2012. Chairman Spencer told Mr. Theel that with the economy being what it was the licensee needed to use people from Nevada. Mr. Theel told the Board that he was asking for six out of state law enforcement personal who have worked for SOA for ten years through out the United States. Mr. Theel stated that he provided six hundred local guards for the JCK show and was short ten armed guards. He did advertise and he paid well for those positions. He told the Board that he asked for these people because they have worked for the company in the past and in other states and are familiar with the company. Board Member Putnam and Uithoven stated that they needed to be careful and to stay within the scope of the Board. Board Member Zane told the Board that he felt the intent of the regulation was to prohibit someone who has a greater amount of authority or particular benefits to the licensees. He was concerned about law enforcement personal having access to NCIC information. Board Member Putnam stated that he felt the issue was a conflict of interest and there this must be approved by the public agency that the person worked for. Board Member Putnam moved that John Theel qualifying agent for SOA, License #525 and #525A be granted the exemption and be allowed to bring in six out of state law enforcement officers from January 6 through January 13 subject to all statutory and regulatory requirements. Board Member Uithoven seconded the motion. Board Member Nadeau told the Board that he had concerns with the armed status out of state law enforcement officers and firearms being brought in. Mr. Theel told the board that when the officers are working for him, they are not armed. Mr. Jay Purves from CSC commented that the Board should be consistent. There was discussion on the withdrawal of the exemption requested from the other companies who had not received Board approval or who had been previously denied. Board Member Nadeau stated that there are options out there and that the exception is not the rule. Board Member Putnam stated the local sworn officers in the state of Nevada cannot be hired for the shows. Motion passed unanimously for approval.

Discussion and possible direction from the Board regarding unlicensed activity in the private patrolman industry.

Unlicensed executive protection details within the gaming establishments and the reporting of information; Nevada businesses utilizing the services of unlicensed security companies and the reporting of information; and conducting spot checks.

Executive Director Ray told the Board that this was a request of Mr. James Cameron, License #1576. Mr. Cameron told the board that he worked with high end clientele and that there are problems with clients who come to Las Vegas and bring in their own security. These people are not licensed, they are armed and some casino's are aware of this and have allowed it. He felt that there needed to be education. There was discussion about the role of the Gaming Commission. Board Member Putnam read NRS 648.210 and 648.205 which stated that anyone who violates 648 the first offense is a misdemeanor and the second offense is gross misdemeanor. The local law enforcement agencies could issue a citation for the violation. Executive Director Ray told the Board that she did have a contact person in the Gaming Control Board that she would be contacting them, however our office did not regulate the gaming industry. Every complaint that Mr. Cameron had filed with our office had been investigated and action would be taken. Executive Director Ray stated that there was a licensee who would be conducting training and perhaps the PILB could also provide some information with that program. She also suggested that when a complaint was made with the PILB to also send a copy to the Gaming Control Board. Mr. Jay Purves, License # 1621 told the Board that the entertainment business would hire all security and that these were proprietors to them and felt that if they were unable to do this the entertainers would not come to Nevada. Mr. Cameron told the Board that background screening was not being performed on some of the security personnel that were being brought here and that there was a responsibility to protect the citizens. He felt there was a lot of unlicensed activity. A licensee should be in charge when the venue is here. Board Member Nadeau stated that staff was doing the best that could be done and to stay in contact with the Gaming Board.

Report from Investigator Whatley.

Workshop regarding Certified Firearms Instructors. Investigator Whatley told the Board three staff members and approximately eleven Certified Firearm Instructors were present for the workshop conducted on April 21, 2011. There currently are fifty eight Certified Firearms Instructors statewide. Most of them wanted to continue with the sub-committee meetings to improve upon the standardized curriculum and the NAC. She also told the Board that most wanted to do away with the Verification of Employment Form and to have a more permanent plastic five year card. Investigator Whatley stated that since the meeting it had been suggested to change the NAC to remove the four hour refresher course to keep continuity within the Certified Firearms Instructor Program and to ensure everyone received adequate training every five years.

JCK 2012. Investigator Whatley reported to the Board that PILB staff, one intern, and one volunteer had participated in the compliance checks. Eleven companies had been checked and an excess of four hundred work cards, firearm cards and ccw cards had been checked and verified. She also reported that of the employees checked three had been sent home for expired firearm cards; one had expired in 2008, one in 2009 and one had expired within the month. One person was authorized to work unarmed for the last two hours of their shift. There were two guards without any identification and staff had to obtain verification of his identification by contacting the employer. One guard was in provisional status, had his provisional registration on his person but did not have a photo ID. Approximately ten guards had work cards but did not have them on their person. She reported that a lot of time had been spent on verifying credentials. Investigator Whatley reported that no citations had been issued during the show, however, due to a phone call after the show a citation would be forthcoming for unlicensed activity.

Discussion and possible action to resume sub-committee meetings or workshops with Certified Firearms Instructors to continue working on the standardization of training and other changes as they are discussed and to provide a report to the Board at each meeting with suggestions and/or recommendations. Executive Director Ray told the Board that as a result of Investigator Whatley's report there seemed to be an interest with continued movement on amendments to the firearms regulations and standardized curriculum. Executive Director Ray told the Board she would like approval to continue with the sub-committee meetings. Board Member Nadeau motioned to approve the sub-committee meetings. Board Member Putnam seconded the motion which passed unanimously.

Discussion, comments and approval of staff's proposed criteria for registration application denials and the registered applicant's appeal process. Executive Director Ray told the Board that she had done some research and had found good information on the Arizona Public Safety website for their criteria on denials. She told the Board that she would do a mockup and present it at a future meeting.

Discussion, comments and possible direction from the Board to staff regarding the presentation from Prototech/SORT. Executive Director Ray told the Board that Board Member Uithoven had requested more dialog. The previous presentation was very good and informative. Executive Director Ray stated that she had met with Russell Rowe and she felt it was a good program. She reviewed the program, costs and compatibility. She stated that there was no mandatory training in the regulations. Executive Director Ray told the Board that further research was needed. Board Member Uithoven stated that he felt there was some concern from the public with the cost of this program and questioned whether it was something they are able to do. Board Member Uithoven liked the program however he wanted more information and the opinion of the Board. Executive Director Ray told the Board she thought there were options with the pricing. CEO from Prototech told the Board that they would make recommendations and manage the model, however, the model would belong to the Board and there would be shared revenue opportunities.

Mr. Jay Purves told the Board that he did use the SORT program and there are others available. The CEO from Protatech told the Board it would be a joint venture and would be done in phases. Mr. Purves told the Board that he spoke with the owner of Protatech and the Governors Counsel who said that the program would fall under the Security and Safety exception, therefore, it would not be restricted by the Governor's hold on new regulations. Board Member Nadeau expressed concerns that the PILB does not require training except for the security guard exam. He understood that the program would be of value to the employer for their employees. However he questioned why it require the Board's involvement. Executive Director Ray told the Board it would be an option for the security guard to take the additional courses to better perhaps market themselves with a potential employer. The discussion continued about mandating the program for required training like California had versus the Governors rule on regarding new regulations. The CEO told the Board that it would be consistent training, security guards would train at their own pace and the training would be specific to Nevada. The costs for most schools were eight to nine hundred dollars. They would propose somewhere around two hundred for forty hours of training. Chairman Spencer suggested a sample group. Board Member Putnam stated that for the security guard companies to get involved would be a marketing tool for them. The CEO told the Board that there would not be motivation for the security companies because they were looking for the most inexpensive way to train the guards. Board Member Nadeau stated that he was not opposed to take this training to the next level. Chairman Spencer asked if they would be able to sponsor a test group. Board Member Zane suggested holding a workshop to get the licensees involved. Board Member Uithoven agreed with doing the workshop and to bring back to the Board in December. Board Member Nadeau stated to hold the workshop on the minimum training then to open up to other vendors who could provide this type of program.

Eastern Private Detectives, Inc., applied for a corporate Private Investigator and Private Patrolman license. Scott Churchill was requesting that the board grant him an individual Private Investigator and Private Patrolman license to be placed into abeyance so that he may become the qualifying agent for Eastern Private Detectives, Inc. Corporate Officer to be approved was Scott Churchill. Parties were sworn in. Michael Malloy, Attorney practicing in Reno, Nevada told the Board that he was representing Mr. Churchill and that this was a re-consideration of Mr. Churchill's application from the December 2010 agenda. Mr. Malloy told the Board that Mr. Churchill was licensed in four states, NJ, NY, VT & PA as a Private Investigator since 1993. Mr. Malloy stated that the mistakes arose from the application he had completed in New York and the second mistake was from New Jersey with regard to the application to carry a weapon. Copies of New Jersey applications were supplied to the board and Mr. Malloy reviewed those applications with the Board. Mr. Malloy told the Board that the address put on the application for the New York application was inappropriate so the application had been denied for carrying a hand gun. Mr. Churchill had renewed in New Jersey

every two years until 2008 when he had been denied due to the answer on question 19. Mr. Malloy told the Board that the New Jersey forms did not state any other state. Mr. Churchill answered the question truthfully for the state of New Jersey. Board Member Putnam noted that the New Jersey decision had been upheld twice and filed with the Superior Court. Mr. Malloy explained to the Board the difference of the courts in New Jersey. Mr. Churchill addressed the Boards concern with the courts and explained that he had never been asked about the New York address. Mr. Churchill told the Board that Mr. DeLorenzo approached Mr. Churchill regarding the denied application. Board Member Putnam pointed out that question 19 also asked where, when and why. Mr. Churchill told the Board that he felt he had answered the question truthfully. Mr. DeLorenzo told the Board how the process worked and that Mr. Churchill had moved into a different township and would have been policed by a different department. Testimony continued with Mr. Churchill reading from previous transcripts from the courts. Board Member Nadeau asked Mr. Churchill if his status had changed in New York. Mr. Churchill told the Board that he had not reapplied. He was now in the process of reapplying with the assistance of an attorney. Mr. Churchill addressed the email that had been sent to the New York Licensing office and based on the questions that were asked he was allowed to use the apartment address. Mr. Malloy told the Board that Mr. DeLorenzo was the individual responsible for approving or denying these applications. Mr. DeLorenzo was retired from the New Jersey State Police and it was his responsibility to approve or deny applications for permits to purchase and permits to carry a firearm. Mr. DeLorenzo explained the procedure for the Board's benefit. Mr. DeLorenzo told the Board that his interpretation of question 19 was for New Jersey. Mr. DeLorenzo told the Board that currently there was an ongoing internal affairs investigation with persons previously involved with the New Jersey State Police. Mr. Churchill testified to previous situations that had taken place while he had been a volunteer EMT. Board Member Nadeau asked if there was a different process for a permit to purchase versus a permit to carry. Mr. DeLorenzo told the Board there was a different process. Board Member Zane asked Investigator Dupuis if the testimony affected the investigation. Investigator Dupuis told the Board that he did not know if it had an impact; it was basically the Boards interpretation. Board Member Putnam stated that there had been a cruelty to animals charge and an investigation into the purchase of cars and gas. Mr. Churchill told the Board that nothing had come of the allegations, they were not true and he had a report. There had been no civil or criminal investigation. Board Member Uithoven stated that the report should be provided to the State Legislature and an investigation should be conducted concerning this type of publication. Board Member Putnam motioned to grant Eastern Private Detectives Inc a corporate Private Investigator and Private Patrolman license, Scott Churchill be granted an individual Private Investigator and Private Patrolman license to be placed into abeyance, qualifying agent and corporate officer approval for Scott Churchill for Eastern Private Detectives,

Inc., subject to all statutory and regulatory requirements. Board Member Uithoven seconded the motion. The vote passed 4 to 1 with Board Member Nadeau opposed.

Discussion, comments and possible direction from the Board to staff regarding the existing registration work card and the lack of identifiers, specifically “process server”, appearing on their registration work card. Executive Director Ray told the Board that there had been some issues with process servers being denied access through the gated community because their registration card did not say “process server”. When the PILB took over the registration process in January 2010, the registration work card would be universal for any industry regulated by NRS 648. She told the Board that the old registration work cards from Metro had process server, private patrolman, unarmed or armed. She asked the Board if that would be something for the Board to consider or if the licensee’s would need to provide some type of identification card. Board had discussion. Chairman Spencer stated that his company provides the identification card to the employees. Board Member Zane asked if the format would be easy to change. It was suggested that perhaps once the applicant had been employed they would have the titles added on their registration work card for a reasonable fee. Executive Director would research the existing computer system and come back to the Board in September.

Discussion and possible direction from the Board to staff regarding whether or not licensed private investigators that conduct fire investigations or that employ fire investigators who are currently employed with fire departments fall under NRS 169.125 and if they are considered to have peace officer powers. Executive Director Ray told the Board this would require more research from her or perhaps legal counsel. She was concerned that licensees or licensees whom employ individuals who are fire investigators for county departments were considered to have peace officer powers and thought that might be in conflict with 648. There was discussion as to whether or not these individuals would be allowed to apply for exceptions if defined by 169.125 section 266.310. Executive Director Ray told the Board that our office was getting more and more employees who are in the PERS retirement and would require them to submit their job descriptions and a letter from their supervisor that there was not a conflict of interest. Staff is encountering situations regarding people who have been employed with a licensee for a number of years that fall into this category. Chairman Spencer stated that it was peace officers status not powers. Executive Director stated then letters would need to be sent and the licensees put on notice.

Discussion and possible direction from the Board related to the licensing of franchises in the State of Nevada. Executive Director Ray told the Board that this item should be moved to tomorrow’s agenda. Board Member Nadeau moved to continue to Thursday’s agenda. Board Member Uithoven seconded the motion. The motion passed unanimously.



Board Comment: Board Member Putnam told staff that they made it easy for the Board to make decisions and staff was always great. Executive Director Ray said that there was a great presence of our investigators at the different shows in Las Vegas and that Northern Nevada had several things this summer.

Future Agenda Items: Executive Director Ray told the Board she would like to bring up the Forensic Accounting Computer, process server exam, licensee ID cards, registered employees contributing to PERS. She also addressed Board Member Nadeau's suggestion with regards to the fingerprinting costs. Executive Director Ray told the Board that an agreement had been drafted and sent to all the electronic fingerprinting agencies. They were required to initial, sign and return the agreement to the PILB. The agencies were not to process any electronic fingerprints until they received a payment report from our office. This should eliminate the PILB from being charged the processing fee without the individuals having paid their fees. Fingerprinting agencies that are not willing to comply will no longer be on our approved processing list. Executive Director Ray told the Board that our office had a DPS audit and she was impressed with the results. There had been no issues just a few suggestions. Board Member Zane asked when the Governor's moratorium would be lifted. Board Counsel thought it was the end of this year.

There was no public comment

Meeting adjourned