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TRANSCRIPT OF A MEETING
OF THE
STATE OF NEVADA
PRIVATE INVESTIGATOR'S LICENSING BOARD

Thursday, December 1, 2016
9:00 a.m.

Northern Nevada Location:
Office of the Attorney General
100 North Carson Street
Mock Court Room
Carson City, Nevada

Southern Nevada Location (Videoconferenced):
Grant Sawyer State Office Building
555 East Washington Avenue
Attorney General Conference Room, Suite 4500
Las Vegas, Nevada

REPORTED BY: SHANNON L. TAYLOR, CCR, CSR, RMR
Certified Court, Shorthand and Registered Merit Reporter
Nevada CCR #322, California CSR #8753, Idaho CSR #485
(775) 887-0472

A P P E A R A N C E S

Board Members Present:

Mark Zane, Chairman (absent)
Jim Colbert (Carson City)
Raymond Flynn, Acting Chairman (Las Vegas)
Charlotte Collins (Las Vegas)
Jim Nadeau (Carson City)

Also: Kevin Ingram (Las Vegas)
Executive Director

Brett Kandt (Las Vegas)
Chief Deputy Attorney General
Board Counsel

Lori Irizarry (Las Vegas)
Chief of Operations

Gisela Corral (Las Vegas)
Licensing Specialist

Shelly Donald (Las Vegas)
Investigator

James Batchelor (Las Vegas)
Investigator

Vincent Saladino (Las Vegas)
Investigator

Jason Woodruff (Carson City)
Investigator

Mary Klemme (Carson City)
Investigative Assistant

Jacquelyn Cox (Carson City)
Administrative Assistant

(continued...)

1 Other Participants:

2 John Theel (Las Vegas)
3 Joshua Martinez (Las Vegas)
4 James M. Harden, Jr. (Las Vegas)
5 Suzanne Belluschi (Las Vegas)
6 Randall Powers (Las Vegas)
7 Myra D. Cole (Las Vegas)
8 Wendy E. Curtis (Las Vegas)
9 Majid Daneshforouz (Las Vegas)
10 Jasmine Walken (phonetic spelling) (Las Vegas)
11 Albert J. Reshaw IV (Las Vegas)
12 Andre R. Valdez (Las Vegas)
13 Matthew S. Moonin (Las Vegas)
14 Rudolph Lara (Las Vegas)
15 David A. Marvin (Las Vegas)
16 Mitchell J. McAlister (Las Vegas)
17 Jeffrey W. Rush (Las Vegas)
18 Gary B. Shepherd (Las Vegas)
19 Susan Wedin (Las Vegas)
20 Shane S. Owings (Las Vegas)
21 Daniel S. Clark (Las Vegas)
22 Sandy J. Griffin Jr. (Las Vegas)
23 Matthew C. Greenwell (Las Vegas)
24 Timothy C. Furnas (Las Vegas)
25 John P. Keane (Las Vegas)
Charles Q. Allaway (Las Vegas)
Clifton L. Jones, Jr. (Las Vegas)
Kerry White (Las Vegas)
Michael D. Vishnesky (Las Vegas)
Chrishondala Roberts (Las Vegas)
Michelle Moaton (Las Vegas)
Lorenzo Garaycoa (Las Vegas)
Lanier Fisher (Las Vegas)
Lori Fields (Las Vegas)
David Ewing (Las Vegas)
Florence Kendall (Las Vegas)
Lucien Micah Love (Las Vegas)
Mary Rains (Las Vegas)
Jeffrey Lowe (Las Vegas)
Rodney Longberger (phonetic spelling)
(Las Vegas)
Lindsay Musicant (Las Vegas)
Mark Mosqueda (Las Vegas)
Daniel Conti (Las Vegas)
Debra Johnston (Las Vegas)

25 (continued...)

1 Other Participants (continued):

- 2 William Carpenter (Las Vegas)
- 3 Randall Graves (Las Vegas)
- 4 Quincy Mathieu (Las Vegas)
- 5 Matthew Richardson (Las Vegas)
- 6 Michael Bryner (Las Vegas)
- 7 Donald Williams (Las Vegas)
- 8 Shawn Kane (Las Vegas)

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7.	Garda CL West, Inc., license number 1494, is seeking Corporate Officer approval for Vincent Modarelli. This is subject to all statutory and regulatory requirements. "for possible action"	23
8.	Global Intelligence Network, license number 883, is seeking Corporate Officer approval for Thomas E. Lorentzen and Suzanne M. Herring. This is subject to all statutory and regulatory requirements. "for possible action"	23
9.	CPS Security (USA), Inc., dba CPS Security Solutions, license number 741, is requesting a Corporate Name Change to Commercial	

- 1 Protective Services, Inc. Christopher Coffey
 2 will remain the qualifying agent. Corporate
 3 Officer to be approved is William Babcock.
 4 This is subject to all statutory and
 5 regulatory requirements. 23
 6 "for possible action"
10. 7 ABI Document Support Services, Inc., license
 8 number 1579, is requesting a Corporate Name
 9 Change to ABI Document Support Services, LLC.
 10 David A. Benge will remain the qualifying
 11 agent. This is subject to all statutory and
 12 regulatory requirements. 23
 13 "for possible action"
11. 14 Sterling Operations, Inc., license number
 15 2056B, is requesting a Corporate Name Change
 16 to Janus Global Operations, LLC. William C.
 17 Cage will remain the qualifying agent. This
 18 is subject to all statutory and regulatory
 19 requirements. "for possible action" 23
12. 20 James M. Harden, Jr. is requesting a change in
 21 licensing status. Mr. Harden is requesting
 22 that his individual license, license number
 23 2016BX, be kept in abeyance so that he may
 24 become the qualifying agent for Vander
 25 Protective Services, LLC, license number
 1847B. In addition, Vander Protective
 Services, LLC is applying for a new corporate
 Private Investigator license. If approved,
 James M. Harden, license number 2016AX, is
 requesting that his individual license be kept
 in abeyance so that he may become the
 qualifying agent. This is subject to all
 statutory and regulatory requirements. 24
 "for possible action"
13. 20 Alfredo A. Francisco is requesting a change in
 21 licensing status. Mr. Francisco is requesting
 22 that his individual license, license number
 23 1308, be kept in abeyance so that he may
 24 become the qualifying agent for American
 25 Protection Group, Inc. (APG), license number
 2075B. This is subject to all statutory and
 regulatory requirements. 23
 "for possible action"

- 1 14. Randall M. Powers is requesting a change in
 2 licensing status. Mr. Powers is requesting to
 3 transfer his qualifying agent status from
 4 Talentwise, Inc., license number 1616, to
 5 Sterling Infosystems, Inc., license number
 6 1360. Corporate Officers to be approved are
 7 Steven L. Barnett, Clare Hart, and Daniel P.
 8 O'Brien. This is subject to all statutory and
 9 regulatory requirements.
 10 "for possible action" 44
- 11 15. Acadia Protective Services, LLC is applying
 12 for a new corporate Private Patrolman license.
 13 If approved, Jeffrey S. LaRe, license number
 14 1966BX, is requesting that his individual
 15 license be kept in abeyance so that he may
 16 become the qualifying agent. Members to be
 17 approved are John D. Clark, Sr. and Myra D.
 18 Cole. This is subject to all statutory and
 19 regulatory requirements.
 20 "for possible action" 46
- 21 16. Perfect Cadence Consulting, LLC is applying
 22 for a new corporate Private Patrolman license.
 23 If approved, Christopher Curtis, license number
 24 1820B, is requesting that his individual
 25 license be placed in abeyance so that he may
 become the qualifying agent. Member to be
 approved is Wendy E. Curtis. This is subject
 to all statutory and regulatory requirements.
 "for possible action" 49
- 17 17. Rayken LLC is applying for a new corporate
 18 Polygraph Examiner license. If approved,
 19 Chad W. Russell, license number 1836E, is
 20 requesting that his individual license be
 21 placed in abeyance so that he may become the
 22 qualifying agent. Member to be approved is
 23 Wendy E. Curtis. This is subject to all
 24 statutory and regulatory requirements. 52
 25 "for possible action" 109
- 22 18. Majid Daneshforouz is requesting a change in
 23 licensing status. Mr. Daneshforouz is
 24 requesting to transfer his qualifying agent
 25 and corporate officer status from America's
 Best Security Services, Inc., license number
 1173, to a new Nevada domestic Private
 Investigator and Private Patrolman

- 1 corporation, Atlas Security Group. This is
 2 subject to all statutory and regulatory
 requirements. "for possible action" 53
- 3 19. Albert J. Reshaw IV is applying for an
 4 individual Private Investigator license. This
 is subject to all statutory and regulatory
 5 requirements. "for possible action" 62
- 6 20. Dyas K9 Solutions, LLC, Dyas K9 is applying
 for a new corporate Canine Handler license.
 7 Andre R. Valdez is applying for an individual
 Canine Handler License. If approved, he is
 8 requesting that his individual license be
 placed in abeyance so that he may become the
 9 qualifying agent. Member to be approved is
 Andre R. Valdez. This is subject to all
 10 statutory and regulatory requirements.
 "for possible action" 67
- 11 21. Denali Consulting Services, LLC is applying
 for a new corporate Private Investigator
 12 license. Matthew S. Moonin is applying for
 an individual Private Investigator license.
 13 If approved, he is requesting that his
 individual license be placed into abeyance so
 14 that he may become the qualifying agent.
 Member to be approved is Matthew S. Moonin.
 15 This is subject to all statutory and regulatory
 requirements. "for possible action" 70
- 16 22. Rudolph Lara is applying for an individual
 17 Private Investigator license. This is subject
 to all statutory and regulatory requirements.
 18 "for possible action" 72
- 19 23. Centerra Services International, Inc. is
 applying for a new corporate Private Patrolman
 20 license. David A. Marvin is applying for an
 individual Private Patrolman license. If
 21 approved, he is requesting that his individual
 license be placed into abeyance so that he may
 22 become the qualifying agent. Corporate
 Officers to be approved are Richard K. Allen,
 23 David I. Beckett, Paul P. Donahue and
 Deborah F. Ricci. This is subject to all
 24 statutory and regulatory requirements.
 "for possible action" 75
- 25

- 1 24. Salient Consulting Group, Inc., dba Salient
 2 Operations Group, is applying for a new
 3 corporate Private Patrolman license.
 4 Mitchell J. McAlister is applying for an
 5 individual Private Patrolman license. If
 6 approved, he is requesting that his individual
 7 license be placed into abeyance so that he may
 8 become the qualifying agent. Corporate
 9 Officer to be approved is Mitchell J.
 10 McAlister. This is subject to all statutory
 11 and regulatory requirements.
 12 "for possible action" 77
- 13 25. Shepherd Security Services Incorporated is
 14 applying for a new corporate Private Patrolman
 15 license. Jeffrey W. Rush is applying for an
 16 individual Private Patrolman license. If
 17 approved, he is requesting that his individual
 18 license be placed into abeyance so that he may
 19 become the qualifying agent. Corporate
 20 Officers to be approved are Gary B. Shepherd
 21 and Susan Wedin. This is subject to all
 22 statutory and regulatory requirements.
 23 "for possible action" 77
- 24 26. Savannah Consulting Group, LLC is applying
 25 for a new corporate Private Patrolman license.
 Shane S. Owings is applying for an individual
 Private Patrolman license. If approved, he is
 requesting that his individual license be
 placed into abeyance so that he may become the
 qualifying agent. Member to be approved is
 Shane S. Owings. This is subject to all
 statutory and regulatory requirements.
 "for possible action" 82
27. Kane Consulting Group, Inc. is applying for
 a new corporate Private Patrolman license.
 Daniel S. Clark is applying for an individual
 Private Patrolman license. If approved, he
 is requesting that his individual license be
 placed into abeyance so that he may become
 the qualifying agent. This is subject to all
 statutory and regulatory requirements.
 "for possible action" 85
28. Griffin Security Solutions, LLC is applying
 for a new corporate Private Patrolman license.
 Sandy J. Griffin Jr. is applying for an

- 1 individual Private Patrolman license. If
 2 approved, he is requesting that his individual
 3 license be placed into abeyance so that he may
 4 become the qualifying agent. Member to be
 approved is Sandy J. Griffin Jr. This is
 subject to all statutory and regulatory
 requirements. "for possible action" 87
- 5 29. Sentinel Armored, LLC is applying for a new
 6 corporate Private Patrolman license.
 7 Matthew C. Greenwell is applying for an
 8 individual Private Patrolman license. If
 9 approved, he is requesting that his individual
 license be placed into abeyance so that he may
 become the qualifying agent. Member to be
 approved is Matthew C. Greenwell. This is
 subject to all statutory and regulatory
 requirements. "for possible action" 90
- 10 30. Agent One Protective Services, L.L.C. is
 11 applying for a new corporate Private Patrolman
 12 license. Timothy C. Furnas is applying for an
 13 individual Private Patrolman license. If
 14 approved, he is requesting that his individual
 license be placed into abeyance so that he may
 become the qualifying agent. This is subject
 to all statutory and regulatory requirements.
 "for possible action" 92
- 15 31. John P. Keane is applying for an individual
 16 Private Patrolman license. If approved is
 17 requesting that his individual license be
 18 placed in abeyance so that he may become the
 19 qualifying agent for Securitas Security
 Services USA, Inc., license number 1100.
 This is subject to all statutory and
 regulatory requirements.
 "for possible action" 95
- 20 32. Charles Q. Allaway, dba Watchguard Security
 21 Services, is applying for an individual
 22 Private Patrolman license. This is subject
 23 to all statutory and regulatory requirements.
 "for possible action" 100
- 24 33. Clifton L. Jones Jr. is applying for an
 25 individual Repossessor license. If approved,
 he is requesting that his individual license
 be placed into abeyance so that he may become

- 1 the qualifying agent for Kennedy Auto Recovery
 2 Solutions, LLC, license number 2053D. This
 3 is subject to all statutory and regulatory
 requirements. "for possible action" 102
34. Kerry White is applying for an individual
 4 Polygraph Examiner certification until such
 5 time that she retires from law enforcement.
 6 This is similar to an abeyance license for
 other categories. If approved, she will
 7 notify Board staff once she retires at which
 time she may activate her license. This is
 8 subject to all statutory and regulatory
 requirements. "for possible action" 103
35. Executive Security & Protection, Inc. is
 9 applying for a new corporate Private
 Investigator and Private Patrolman license.
 10 Michael D. Vishnesky is applying for an
 individual Private Investigator and Private
 11 Patrolman license. If approved, he is
 requesting that his individual license be
 12 placed in abeyance so that he may become the
 qualifying agent. This is subject to all
 13 statutory and regulatory requirements.
 "for possible action" 106
36. Lorenzo Garaycoa applied for registration and
 14 was denied. Mr. Garaycoa is appealing the
 15 decision to the Board pursuant to NRS 648.
 "for possible action" 133
37. Chrishondala Roberts applied for registration
 16 and was denied. Ms. Roberts is appealing the
 17 decision to the Board pursuant to NRS 648.
 "for possible action" 112
38. Lanier Fisher applied for registration and
 18 was denied. Mr. Fisher is appealing the
 19 decision to the Board pursuant to NRS 648.
 "for possible action" 137
39. Lori Fields applied for registration and
 20 was denied. Ms. Fields is appealing the
 21 decision to the Board pursuant to NRS 648.
 "for possible action" 142
40. Jorel Strother applied for registration and
 22 was denied. Mr. Strother is appealing the
 23
 24
 25

1	decision to the Board pursuant to NRS 648. "for possible action"	111
2		
3	41. Michelle Moaton applied for registration and was denied. Ms. Moaton is appealing the decision to the Board pursuant to NRS 648. "for possible action"	123
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5	42. David Ewing applied for registration and was denied. Mr. Ewing is appealing the decision to the Board pursuant to NRS 648. "for possible action"	154
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8	43. Florence Kendall applied for registration and was denied. Ms. Kendall is appealing the decision to the Board pursuant to NRS 648. "for possible action"	159
9		
10	44. Edward Hickman applied for registration and was denied. Mr. Hickman is appealing the decision to the Board pursuant to NRS 648. "for possible action"	164 251
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12		
13	45. Lucien Micah Love applied for registration and was denied. Mr. Love is appealing the decision to the Board pursuant to NRS 648. "for possible action"	165
14		
15	46. Raymond Ernest Torres applied for registration and was denied. Mr. Torres is appealing the decision to the Board pursuant to NRS 648. "for possible action"	111
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17		
18	47. Mary Rains applied for registration and was denied. Ms. Rains is appealing the decision to the Board pursuant to NRS 648. "for possible action"	176
19		
20	48. Joanna Calhoun applied for registration and was denied. Ms. Calhoun is appealing the decision to the Board pursuant to NRS 648. "for possible action"	180 251
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22		
23	49. Danny Elliott applied for registration and was denied. Mr. Elliott is appealing the decision to the Board pursuant to NRS 648. "for possible action"	180 251
24		
25		

1	50.	Jeffrey Lowe applied for registration and was denied. Mr. Lowe is appealing the decision to the Board pursuant to NRS 648.	
2		"for possible action"	181
3	51.	Lindsay Musicant applied for registration and was denied. Ms. Musicant is appealing the decision to the Board pursuant to NRS 648.	
4		"for possible action"	192
5	52.	Wesley Jones applied for registration and was denied. Mr. Jones is appealing the decision to the Board pursuant to NRS 648.	
6		"for possible action"	111
7	53.	Juan Frias applied for registration and was denied. Mr. Frias is appealing the decision to the Board pursuant to NRS 648.	
8		"for possible action"	196
9			252
10	54.	Mark Mosqueda applied for registration and was denied. Mr. Mosqueda is appealing the decision to the Board pursuant to NRS 648.	
11		"for possible action"	197
12	55.	Daniel Conti applied for registration and was denied. Mr. Conti is appealing the decision to the Board pursuant to NRS 648.	
13		"for possible action"	208
14	56.	Debra Johnston applied for registration and was denied. Ms. Johnston is appealing the decision to the Board pursuant to NRS 648.	
15		"for possible action"	212
16	57.	William Carpenter applied for registration and was denied. Mr. Carpenter is appealing the decision to the Board pursuant to NRS 648.	
17		"for possible action"	217
18	58.	Randall Graves applied for registration and was denied. Mr. Graves is appealing the decision to the Board pursuant to NRS 648.	
19		"for possible action"	220
20	59.	Tijuan Robertson applied for registration and was denied. Mr. Robertson is appealing the decision to the Board pursuant to NRS 648.	
21		"for possible action"	226
22			252
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1		
2	60.	Quincy Mathieu applied for registration and
3		was denied. Mr. Mathieu is appealing the
4		decision to the Board pursuant to NRS 648.
5		"for possible action" 226
6	61.	Matthew Richardson applied for registration and
7		was denied. Mr. Richardson is appealing the
8		decision to the Board pursuant to NRS 648.
9		"for possible action" 229
10	62.	Michael Bryner applied for registration and
11		was denied. Mr. Bryner is appealing the
12		decision to the Board pursuant to NRS 648.
13		"for possible action" 233
14	63.	Donald Williams applied for registration and
15		was denied. Mr. Williams is appealing the
16		decision to the Board pursuant to NRS 648.
17		"for possible action" 238
18	64.	Shawn Kane applied for registration and
19		was denied. Mr. Kane is appealing the
20		decision to the Board pursuant to NRS 648.
21		"for possible action" 241
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23		"for possible action" 253
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1 CARSON CITY, NEVADA, THURSDAY, DECEMBER 1, 2016,

2 9:00 A.M.

3 -oOo-

4 ACTING CHAIRMAN FLYNN: All right. Good
5 morning. This is a meeting of the Nevada Private
6 Investigator's Licensing Board.

7 My name is Ray Flynn. I will be acting as the
8 Chair today as our Chairman, Mark Zane, is under the
9 weather.

10 We're broadcasting live in the north. And
11 we've got a full house down here. I don't know how many
12 folks you've got up there.

13 BOARD MEMBER COLBERT: None.

14 ACTING CHAIRMAN FLYNN: Okay. When we run out
15 of seats, we'll send some your way.

16 BOARD MEMBER COLBERT: All right.

17 ACTING CHAIRMAN FLYNN: All right. Let's do a
18 roll call of the Board minutes.

19 MR. INGRAM: Yes, sir.

20 ACTING CHAIRMAN FLYNN: And make sure we have a
21 quorum.

22 MR. INGRAM: Okay. Board Member Colbert?

23 BOARD MEMBER COLBERT: Here.

24 MR. INGRAM: Board Member Flynn?

25 ACTING CHAIRMAN FLYNN: Here.

1 MR. INGRAM: Board Members Collins?

2 BOARD MEMBER COLLINS: Here.

3 MR. INGRAM: Board Member Nadeau?

4 BOARD MEMBER NADEAU: Here.

5 MR. INGRAM: And, again, for the record,
6 Chairman Zane will not be present today.

7 ACTING CHAIRMAN FLYNN: Okay. Let me read
8 about public comment.

9 Members of the general public may comment on
10 matters appearing on the agenda and may bring matters
11 not appearing on the agenda to the attention of the
12 Board. The Board may discuss the matters not appearing
13 on the agenda, but may act on the matters at this
14 meeting. If the Board desires, the matter may be placed
15 on a future agenda for action. Public comments may be
16 limited to five minutes per person at the discretion of
17 the Chairman, but will not be restricted according to
18 the viewpoint.

19 In addition to public comment taken at the
20 beginning and the end of the meeting, public comment may
21 be accepted after each agenda item prior to the Board
22 taking action. However, prior to the commencement and
23 conclusion of a contested case or a quasi-judicial
24 proceeding that may affect the due process rights of an
25 individual, the Board will not consider public comment,

1 pursuant to NRS 233B.126.

2 Is there any public comment this morning before
3 we get started?

4 Okay. I see none in the south.

5 BOARD MEMBER NADEAU: None.

6 ACTING CHAIRMAN FLYNN: Just for the record,
7 any in the north?

8 BOARD MEMBER NADEAU: None.

9 BOARD MEMBER COLBERT: Mr. Chair?

10 ACTING CHAIRMAN FLYNN: Yes.

11 BOARD MEMBER COLBERT: Could we also have you
12 identify our legal counsel there for our reporter up
13 here.

14 ACTING CHAIRMAN FLYNN: Sure.

15 MR. KANDT: Certainly. For the record, Brett
16 Kandt, Chief Deputy Attorney General. I'm appearing
17 today, just today. You only have me today. We're
18 undergoing some staff changes in the office, and I'll
19 have a new -- one of my attorneys assigned to represent
20 this Board permanently before your -- before the new
21 year starts.

22 ACTING CHAIRMAN FLYNN: And thank you.

23 MR. KANDT: Thank you.

24 BOARD MEMBER COLBERT: Thank you.

25 ACTING CHAIRMAN FLYNN: Okay. Item number

1 three, review of the current financial report.

2 MR. INGRAM: The financial report has been
3 provided to Board members. If you have any questions,
4 I'd be happy to ask and answer any questions at this
5 time.

6 ACTING CHAIRMAN FLYNN: I see no question. Do
7 we have to take a motion for acceptance, or?

8 MR. INGRAM: No.

9 ACTING CHAIRMAN FLYNN: Okay. Item number
10 four, review and approve transcripts from September 1st
11 and September 7th, 2016 Board meetings, and for possible
12 action.

13 BOARD MEMBER NADEAU: Move for approval.

14 BOARD MEMBER COLBERT: Second.

15 ACTING CHAIRMAN FLYNN: We have a motion. We
16 have a second. All in favor?

17 (Board members said "aye.")

18 ACTING CHAIRMAN FLYNN: Any opposed?

19 Okay. Accepted.

20 Item number five. At this point, anybody
21 wishing to testify, either here or up north, we need you
22 to stand and be sworn in.

23 MR. INGRAM: Anyone that's going to be speaking
24 today.

25 MR. KANDT: All right. Before I swear you in,

1 I would also ask, so that we have a clear record of this
2 proceeding, also have sign-in, of all of you who intend
3 to be sworn in, as applicants or witnesses, have you
4 signed in today?

5 Thank you. And if you'd raise your right hand,
6 repeat after me that you swear to tell the truth, the
7 whole truth, and nothing but the truth, under the
8 penalty of perjury.

9 (Applicants and potential witnesses present
10 were sworn.)

11 MR. KANDT: Thank you.

12 ACTING CHAIRMAN FLYNN: Okay. Item number six,
13 request for exemption, John Theel, qualifying agent for
14 Special Operations Associates, Inc., license number 525,
15 is asking the Board to grant an exemption as outlined in
16 NAC 648.338. Mr. Theel is requesting that the Board
17 allow them to utilize five active out-of-state peace
18 officers to work as supervisors in Nevada during the
19 Consumer Electronics Show, CES. This event will take
20 place January 2nd, 2017 through January 11, 2017, and
21 will be held in various locations throughout Las Vegas.
22 All five officers have registered work cards that are
23 only activated for this event each year. This is
24 subject to all statutory and regulatory requirements.
25 For possible action.

1 Please come forward, identify yourself.

2 MR. THEEL: Good morning. John Theel with SOA
3 Security.

4 ACTING CHAIRMAN FLYNN: Good morning, John.

5 MR. THEEL: As most of you, or some you -- I
6 understand there's new Board members. I've been coming
7 here before the Board for the last 20 years, once a
8 year, for this request.

9 Back in the old days, we were up to 60, 70
10 peace officers. And I've got it dwindled down to five.
11 These five officers work for me in other states, where
12 they're on my payroll already. Obviously, I can't bring
13 them here without the Board's permission. That's why
14 I'm here, to get that permission.

15 The Consumer Electronics Show is the largest
16 convention in the United States. It'll be here in
17 January, 160 to 175 thousand people. I'll have
18 approximately 600 guards employed during that time. And
19 these people are just here to supplement the supervision
20 of those guards.

21 All of these people are active in the PILB
22 system already. They have their cards.
23 Administratively, they shut their cards off other than
24 time period, if it's approved. Otherwise, I don't use
25 them here in Nevada the rest of the year. But they all

1 have current cards, and they're currently registered
2 with the Board.

3 ACTING CHAIRMAN FLYNN: Thank you.

4 Any questions or comments from the Board?

5 BOARD MEMBER NADEAU: Mr. Chair, would you
6 accept a motion?

7 ACTING CHAIRMAN FLYNN: I have a comment. But,
8 yes, I'll accept a motion. Then we can have discussion.

9 BOARD MEMBER NADEAU: Mr. Chair, I would move
10 that Mr. John Theel, qualifying agent for Special
11 Operations Associates, Incorporation, license number
12 525, be granted an exemption as outlined in NAC 648.338,
13 requesting five active out-of-state police officers to
14 work as supervisors in Nevada during the CES show during
15 the period of January 2nd through January 11th, 2017,
16 subject to all statutory and regulatory requirements.

17 ACTING CHAIRMAN FLYNN: I have a motion.

18 BOARD MEMBER COLBERT: Second.

19 ACTING CHAIRMAN FLYNN: And we have a second.

20 The only thing that I wanted to bring up, and
21 I've done this before, is to ensure that these five
22 out-of-state officers have permission, documented
23 permission from their employers.

24 MR. THEEL: Okay.

25 ACTING CHAIRMAN FLYNN: And provide that to

1 staff.

2 MR. THEEL: Okay.

3 BOARD MEMBER NADEAU: I'll accept that,
4 Mr. Chairman, I'll accept that as an amendment to the
5 motion.

6 ACTING CHAIRMAN FLYNN: Okay. We have an
7 amendment. Any further discussion?

8 BOARD MEMBER NADEAU: Do you second?

9 BOARD MEMBER COLBERT: Yeah.

10 ACTING CHAIRMAN FLYNN: All in favor, say
11 "aye."

12 (Board members said "aye.")

13 ACTING CHAIRMAN FLYNN: Any opposed?

14 The motion carried.

15 MR. THEEL: Thank you very much. Happy
16 holidays, everyone.

17 BOARD MEMBER NADEAU: Mr. Chair?

18 ACTING CHAIRMAN FLYNN: Yes.

19 BOARD MEMBER NADEAU: Would you accept a block
20 vote motion?

21 ACTING CHAIRMAN FLYNN: One second.

22 Is there any public comment on the last item we
23 have before the Board?

24 Okay. I see none.

25 Go ahead with your block.

1 BOARD MEMBER NADEAU: Mr. Chairman, I'd move
2 that items, agenda items number seven, Garda CL West,
3 Incorporated; item number eight, Global Intelligence
4 Network; item number nine, CPS Security, Incorporated;
5 item number 10, ABI Document Support Services,
6 Incorporated; item number 11, Sterling Operations,
7 Incorporated; and item number 13, Alfredo Francisco, all
8 be approved, subject to all statutory and regulatory
9 requirements.

10 ACTING CHAIRMAN FLYNN: Okay. We have a
11 motion. Do we have a second?

12 BOARD MEMBER COLBERT: Second.

13 ACTING CHAIRMAN FLYNN: We have a second. Any
14 discussion on these?

15 Is there any public comment in reference to the
16 block vote that we're ready to have?

17 MR. MARTINEZ: I have a comment, but it's not
18 in regards to these cases. Will I be able to speak at a
19 certain time?

20 ACTING CHAIRMAN FLYNN: If it's in reference to
21 any of these items that are on the block vote, I'll
22 allow you to speak now.

23 MR. MARTINEZ: Now?

24 MR. INGRAM: Mr. Martinez, you came in a little
25 bit late for the initial public comment. If you'd like

1 to stay till the end, there will be public comment at
2 that time as well for open items.

3 MR. MARTINEZ: That's what I was asking.

4 ACTING CHAIRMAN FLYNN: Absolutely.

5 Absolutely.

6 MR. MARTINEZ: Thank you.

7 ACTING CHAIRMAN FLYNN: Okay. I misunderstood.

8 All right. We have a motion. We have a

9 second. Take a vote. All in favor?

10 (Board members said "aye.")

11 ACTING CHAIRMAN FLYNN: Any opposed?

12 Okay. The motion carried.

13 Okay. Item number 12, change of licensing

14 status, qualifying agent, existing corporation.

15 James M. Harden, Jr. is requesting a change in licensing

16 status. Mr. Harden is requesting that his individual

17 license, number 2016BX, be kept in abeyance so that he

18 may become the qualifying agent for Vander Protective

19 Services, LLC, license number 1847B. In addition,

20 Vander Protective Services, LLC is applying for a new

21 corporate private investigator license. If approved,

22 James M. Harden, license number 2016AX, is requesting

23 that his license be kept in abeyance so that he may

24 become the qualifying agent. This is subject to all

25 statutory and regulatory requirements. For possible

1 action.

2 Is Mr. Harden here, or a representative?

3 Please come forward.

4 Good morning, sir. Have a seat, get
5 comfortable. Were you here for the swearing in, sir?

6 MR. HARDEN: No, sir.

7 ACTING CHAIRMAN FLYNN: We're going to have to
8 swear you in.

9 MR. HARDEN: That's fine.

10 ACTING CHAIRMAN FLYNN: All right. Please
11 stand. We're doing the exercise.

12 MR. KANDT: Mr. Harden, I'm going to go ahead
13 and swear you in. Okay?

14 MR. HARDEN: That's fine.

15 MR. KANDT: So, under penalty of perjury, do
16 you swear to tell the truth, the whole truth, and
17 nothing but the truth?

18 MR. HARDEN: I do.

19 MR. KANDT: Thank you.

20 MR. INGRAM: And, for the record, did you also
21 sign in?

22 MR. HARDEN: Yes, I did, sir.

23 MR. INGRAM: Wonderful. Thank you.

24 ACTING CHAIRMAN FLYNN: Have a seat.

25 MR. HARDEN: Okay.

1 ACTING CHAIRMAN FLYNN: I'm kidding. No,
2 stand.

3 (There was laughter.)

4 ACTING CHAIRMAN FLYNN: All right. Mr. Harden,
5 give us why you're here.

6 MR. HARDEN: I'm here to change my status to
7 represent Vander, from the company, with a private
8 investigator license and a patrol service license.

9 ACTING CHAIRMAN FLYNN: Any comments from the
10 Board?

11 BOARD MEMBER NADEAU: Mr. Chair?

12 ACTING CHAIRMAN FLYNN: Yes, sir.

13 BOARD MEMBER NADEAU: I was confused on this.
14 Vander Protective Services is already licensed, correct?

15 MR. INGRAM: Correct.

16 ACTING CHAIRMAN FLYNN: Okay.

17 BOARD MEMBER NADEAU: Okay. Because it talked
18 in the narrative here, saying Vander Protective Services
19 is applying for a new corporate private investigator
20 license. And I was trying to --

21 MR. INGRAM: That's correct.

22 BOARD MEMBER NADEAU: And so if they already
23 have a license, why are they applying for a new one?

24 MR. INGRAM: Their corporate license right now,
25 Mr. Nadeau, is for private patrol.

1 BOARD MEMBER NADEAU: Okay.

2 MR. INGRAM: And they have not had a private
3 investigator license before. Mr. Harden has a license
4 in both categories. So Vander is requesting to add to
5 their corporate license private investigations as well.
6 And that's why it's, the narrative is the way it is.

7 BOARD MEMBER NADEAU: And then my other
8 question was, in the investigator notes it looks like
9 Vander Protective Services has had kind of a rocky past.
10 Could we get an explanation on that?

11 MR. INGRAM: Yes, sir. Vander Protection
12 has -- the last two individuals that were approved for
13 qualifying agent terminated their employment due to
14 failure to pay from the owner of Vander.

15 Because of that, I reached out to Vander and
16 said, you know, explained to her that -- and it was
17 actually Ms. Suzanne Belluschi -- I'm sorry -- that she
18 needed to get some things cleaned up there with her
19 previous qualifying agents. And I wanted to give her an
20 opportunity to do that without, you know, taking any
21 kind of action, or the Board taking any kind of action.

22 So I just spoke with her. She was very
23 pleasant. She gave me deadlines that she would make
24 sure she would get the other two qualifying agents paid
25 by. She did pay her previous qualifying agent,

1 Mr. Thompson, in full, within a two-week period of time.

2 However, there is one qualifying agent prior to
3 Mr. Thompson, who is still -- still has not received any
4 payment. He is owed \$10,000. And when I spoke to
5 Ms. Belluschi recently, she had informed me that she had
6 paid a lump sum to Mr. Randall Powers, who was the
7 previous qualifying agent, that she had paid him a lump
8 sum of \$3,000 and that she and Mr. Powers had set up a
9 payment plan. I contacted Mr. Powers to confirm that.
10 Mr. Powers informed me that, no, he had not received any
11 money, and nor had they set up any kind of a payment
12 plan.

13 So I just wanted to bring that to the Board's
14 attention. This is not a disciplinary action in any
15 form or fashion. I just wanted the Board to understand
16 the background of Vander Security and their failure to
17 pay their last two qualifying agents.

18 Thank you.

19 BOARD MEMBER NADEAU: I guess, with that, armed
20 with that information, why would we approve her for
21 another, a different license if she's struggling with
22 the one she has? I mean, I guess, that's a rhetorical
23 question. But that, you know, that brings that question
24 in my mind, why would we approve, you know, another
25 business.

1 And I'm assuming, Mr. Harden, you're familiar
2 with this background, and you're comfortable taking on
3 these responsibilities?

4 MR. HARDEN: Yes, sir. I was doing, you know,
5 due diligence, with Mr. Ingram and the conversation with
6 Ms. Belluschi in reference to her past experiences. And
7 in light of the past, which, you know, again, we're
8 building business as we're growing, you know, certain
9 decisions we make may or may not be the wisest. But as
10 we progress, which is what I determined with working
11 with Ms. Belluschi over the last few months, and the
12 conversations, that, you know, she's, you know,
13 progressing through. And I haven't had an issue with
14 mentioning the other qualifying agents I've had to this
15 point.

16 I understand your concern, sir, because of,
17 again, you look at the past. But moving forward, one of
18 the other reasons that I want to be qualifying agent,
19 because I was representing a company that wasn't in the
20 state. I live here. I wanted to put my license and
21 work in a business scale and growing in Las Vegas. So
22 that was probably why I appealed it.

23 And, again, I can't -- you know, I wasn't
24 working with the other qualifying agents. I've only
25 shared that since I've been working with her, and the

1 conversation, and come aboard, we've had great
2 relationship. She's been forthright with all the
3 information. And, I believe, we can grow through, you
4 know, her past experience and those things become a
5 learning experience, as opposed to, as Mr. Ingram said,
6 it's not a disciplinary. It's a growth, for me.

7 So I have haven't had any issues, sir. And I
8 don't mind working for, with a company that's, you know,
9 got some legs under it at this point maybe.

10 BOARD MEMBER NADEAU: Thank you.

11 ACTING CHAIRMAN FLYNN: Any other questions?

12 BOARD MEMBER NADEAU: No. Thank you,
13 Mr. Chair.

14 ACTING CHAIRMAN FLYNN: Okay. Is there anybody
15 in the room that's got some questions reference this
16 item?

17 Okay. I'll entertain a motion.

18 BOARD MEMBER NADEAU: Mr. Chair?

19 ACTING CHAIRMAN FLYNN: Yes.

20 BOARD MEMBER NADEAU: I'll attempt a motion.
21 I'd move that James M. --

22 ACTING CHAIRMAN FLYNN: Go ahead and attempt.

23 BOARD MEMBER NADEAU: -- that James M. Harden,
24 Jr. be granted a change in licensing status and that his
25 individual license, number 2016BX, be kept in abeyance

1 so that he may become the qualifying agent for Vander
2 Protective Services, LLC, license number 1847B, subject
3 to all statutory and regulatory requirements.

4 ACTING CHAIRMAN FLYNN: Take a second.

5 BOARD MEMBER COLBERT: Second.

6 ACTING CHAIRMAN FLYNN: All in favor?

7 BOARD MEMBER NADEAU: Mr. Chair, may I explain
8 my motion?

9 ACTING CHAIRMAN FLYNN: Oh, my apologies. Of
10 course.

11 BOARD MEMBER NADEAU: I'm very uncomfortable,
12 given the history of this business, to grant them
13 additional licensure. So that's why I did not include
14 them being granted a corporate private investigator's
15 license.

16 ACTING CHAIRMAN FLYNN: Well, I'd like to add
17 and put on the record that I want you to pass this on to
18 her, that if there's a third time --

19 MR. INGRAM: She is present.

20 ACTING CHAIRMAN FLYNN: She is present? Where
21 is she?

22 MS. BELLUSCHI: Right here.

23 ACTING CHAIRMAN FLYNN: How come you did not
24 want to comment, ma'am? I asked if anybody had anything
25 to comment about this. Why don't you come forward,

1 please.

2 BOARD MEMBER COLBERT: Mr. Chair, we can't hear
3 what's going on.

4 ACTING CHAIRMAN FLYNN: She's here. I don't
5 know why she didn't come up before, but she's going to
6 come up now.

7 Were you here to be sworn in, ma'am?

8 MS. BELLUSCHI: Yes, I was.

9 ACTING CHAIRMAN FLYNN: Okay. Please have a
10 seat.

11 BOARD MEMBER NADEAU: Mr. Chair?

12 ACTING CHAIRMAN FLYNN: And identify yourself
13 for the record.

14 BOARD MEMBER NADEAU: Mr. Chair? I'll withdraw
15 the --

16 ACTING CHAIRMAN FLYNN: Yes.

17 BOARD MEMBER NADEAU: -- motion pending her
18 testimony.

19 ACTING CHAIRMAN FLYNN: Yes.

20 For the record, please state your name and your
21 position.

22 MS. BELLUSCHI: Suzanne Belluschi, CEO with
23 Vander Protective Services.

24 ACTING CHAIRMAN FLYNN: Okay. Please comment
25 on what we're talking about here.

1 MS. BELLUSCHI: So in the very beginning of our
2 company, we hired a consultant for \$26,000 to help us
3 get all of our licenses and make sure everything was on
4 the up-and-up. And we found out that he wasn't even
5 licensed. So that went out the door.

6 Then we hired Randall Powers. And we ended up
7 still using the consultant a little bit on jobs and
8 contracts and all kinds of stuff, because he did have
9 knowledge of that. And we ended up with a very, very
10 bad contract that we got stiffed \$23,000 on, which I'm
11 in a lawsuit with, pending, but it's almost done. So
12 it's drained the company.

13 And our executive protection company is doing
14 well. But if we added the private investigation, we
15 have a lot of inquiries and a lot of stuff that we do
16 with the private investigation. So we're hoping to be
17 able to pay the rest of the monies off to Randall. And
18 we have made payments to Randall Powers. So we're still
19 friends. I'm sitting next to him.

20 ACTING CHAIRMAN FLYNN: Randall Powers is here?

21 MS. BELLUSCHI: Yes, I'm sitting next to him.

22 ACTING CHAIRMAN FLYNN: He didn't want to
23 speak, either? Okay. Be prepared, we'll be bringing
24 you up.

25 MS. BELLUSCHI: We started making, we started

1 out making our good payments in good faith. And then,
2 with the lawsuit, it kind of drained us a little bit.
3 But we're almost done with it, and then we'll be able to
4 pay Randall off. Plus, with the additional funds of the
5 private investigation, we'll be able to pay him off.
6 And I paid him complete, so.

7 The first gentleman, he was not a good QA.

8 ACTING CHAIRMAN FLYNN: He was not a good what?

9 MS. BELLUSCHI: Nothing. The first gentleman,
10 or the second gentleman did not work out. He wanted me
11 to put him as an employee, he and his wife as an
12 employee on my company, and I refused. So we got in a
13 bitter battle with that.

14 And then James came to me. And, you know, we
15 have good ideas. We've set up, you know, we're trying
16 to set up a very good private investigation. Which I
17 already acquired the software, over \$3,000 of software
18 to start the company.

19 So that's all I have to say.

20 ACTING CHAIRMAN FLYNN: Okay. What state are
21 you based in?

22 MS. BELLUSCHI: Here in Nevada.

23 ACTING CHAIRMAN FLYNN: Okay. And you know now
24 that any consultant for security needs to be licensed
25 with the Private Investigator's Licensing Board?

1 MS. BELLUSCHI: Well, he was working, I guess,
2 through Rock Security or something. And he had us all
3 over the place. He even told me I had to go get a
4 license with Rock Security before I could start my own
5 license.

6 So we had no idea. We had not a clue what we
7 were doing. So.

8 ACTING CHAIRMAN FLYNN: That's what made you --

9 MS. BELLUSCHI: Well, we did our due diligence.
10 I mean we did try to do the right thing.

11 ACTING CHAIRMAN FLYNN: And I say this not only
12 for the record, but for the audience here and up north
13 and for any licensee or potential licensee, that's what
14 the Private Investigator's Licensing Board is for, when
15 you have those questions, to contact us, so you're not
16 led astray.

17 MS. BELLUSCHI: Right. I didn't know you
18 existed, so.

19 ACTING CHAIRMAN FLYNN: Oh, we exist.

20 MS. BELLUSCHI: Yeah, I found that out.

21 ACTING CHAIRMAN FLYNN: Even at --

22 MS. BELLUSCHI: Randall was very good as far as
23 educating me and everything about the Board and the
24 rules. And James as well. So.

25 ACTING CHAIRMAN FLYNN: Okay. Any other

1 questions of the witness?

2 BOARD MEMBER NADEAU: None.

3 ACTING CHAIRMAN FLYNN: Okay. Thank you for
4 coming forward, ma'am.

5 MS. BELLUSCHI: Thank you.

6 ACTING CHAIRMAN FLYNN: Sir, your turn. Were
7 you here to be sworn in, sir?

8 MR. POWERS: I was, yes.

9 ACTING CHAIRMAN FLYNN: Please come forward,
10 have a seat up here.

11 MR. POWERS: Good morning.

12 ACTING CHAIRMAN FLYNN: Good morning. When
13 you're comfortable, please identify yourself and your
14 position for the record.

15 MR. POWERS: Sure. I'm Randall Powers. I'm a
16 private patrolman licensee and, also, a private
17 investigator licensee.

18 ACTING CHAIRMAN FLYNN: Okay. Would you please
19 speak to what we're talking about this morning.

20 MR. POWERS: The last time I spoke with Kevin,
21 he was basically wanting to know about any payment made
22 in 2016, my relationship with Vander Protective in
23 the -- I believe, well, August 31st of 2015. And I
24 prepared a letter, submitted it to the Board, to Kevin's
25 attention, and told him that the primary reason was for

1 lack of payment. And Vander was indebted to me at that
2 time for \$12,000.

3 And I did certainly, I expressed to the Board,
4 through Kevin, that Vander had had some, some bad
5 contracts, had some poor financial settings or outcomes.
6 And, but I decided not to continue, obviously, once we
7 got to that \$12,000 point.

8 So he and I, Kevin and I spoke sometime in
9 2016, probably in August or September, perhaps even a
10 month before, and he was asking me whether or not other
11 payments had been made. And payment was made in the
12 amount of \$2,000 back in 2015. So I received \$2,000
13 after I had resigned as the qualifying agent.

14 In 2016, I had some contact with Suzanne in
15 January of 2016, and she said she was going to attempt
16 to make some payments and to expect regular payments.
17 And we never entered into any sort of agreement. And I
18 did not receive any future payments.

19 So the amount of \$10,000, as was testified to,
20 it still stands to that.

21 ACTING CHAIRMAN FLYNN: Any questions?

22 BOARD MEMBER NADEAU: No.

23 ACTING CHAIRMAN FLYNN: Any comments from
24 staff?

25 Okay. Thank you, sir.

1 MR. POWERS: Thank you.

2 ACTING CHAIRMAN FLYNN: Mr. Harden, do you want
3 to add?

4 MR. HARDEN: Yes, sir, if I could, please.

5 ACTING CHAIRMAN FLYNN: Yes.

6 MR. HARDEN: You know, based on the statement
7 that you just heard and my decision to be a part of it,
8 again, being licensed here in the state and wanting to,
9 again, you know, pour into a business that grows from
10 Las Vegas, you know, I had some, or a lot of
11 conversations with Ms. Belluschi, and to the point of
12 beginning the business, all the challenges you get
13 into, and those decisions you make, and the outskirts of
14 where she was, to where she is, and bringing my
15 knowledge and experience aboard, help, kind of walk and
16 help her with better decisions, and, hopefully,
17 increasing decisions, I see it as a positive. And I
18 understand, in light of her past, somebody looks really
19 like they got a bit more challenges.

20 I just want to encourage the Board, and for the
21 record, to say that my attempt to scale, build and grow
22 something that's going to be positive and helpful to our
23 community here is my heart's desire. And, I think,
24 Vander has a tremendous opportunity to grow and learn,
25 as she stated. And, I think, I can do that with her.

1 ACTING CHAIRMAN FLYNN: Could you expand on the
2 \$3,000 in software.

3 MR. HARDEN: You know, it was my encouragement.
4 As we get into our investigations, there were -- there's
5 going to be software necessary to do some of the
6 investigation, you know, skip-trace and whatever. So
7 some of that search for software to, you know, do what
8 investigators do is what I was encouraging, we may need
9 software to do some of the investigations that are
10 necessary. Nothing, I mean I don't -- I didn't buy
11 anything. I just encouraged her to look for, you know,
12 the software that we will need to use for the business.

13 MR. INGRAM: I have a question.

14 ACTING CHAIRMAN FLYNN: Yes.

15 MR. INGRAM: It seems a little odd to me that
16 someone who doesn't have a private investigator license
17 yet would invest \$3,000 in software instead of paying
18 off a debt that she owes to a previous employee.

19 MR. HARDEN: And I -- and I would agree with
20 you as well.

21 (Cell phone ringing.) I think, that's my
22 phone, and I do apologize.

23 And I agree with you, Mr. Ingram. And, again,
24 I'm not privy to her financial, so I don't know that
25 depth of the business. But, again, my suggestion to her

1 was that we would need it. And so it wasn't a time
2 factor. But, again, I would imagine she was just
3 preparing to get ready to do the business so that she
4 could earn, to pay whatever, you know, she had
5 previously indebted.

6 So it's not -- you're not going to make any
7 money if you don't spend money. So. In our
8 conversations, it appeared that that's what she was
9 preparing to do. And I was. Again, I knew about the
10 debt. But if you're going to start on the other side of
11 the business and grow it so you can take care of that,
12 you need the necessary tools to do that.

13 MR. INGRAM: Thank you.

14 ACTING CHAIRMAN FLYNN: Okay. Well, just my
15 comment, you're well aware of our concerns.

16 MR. HARDEN: Yes, sir.

17 ACTING CHAIRMAN FLYNN: You're well aware of
18 the history, and you still want to come forward. But
19 please understand, you know, our job is not only to
20 protect the industry, but at the right times, for the
21 right reasons, we're also protecting employees.

22 MR. HARDEN: Yes, sir. And if I could -- I'm
23 sorry, you know, to prolong this. But I want you to
24 understand that I appreciate this, because on one end,
25 Ms. Belluschi has the -- you know, there's the

1 accountability level. And don't misunderstand me. I'm
2 expecting our contract to be upheld. And there will be
3 accountability to -- you know, to the Board, as far as
4 if I see anything go awry. But I just see this as a
5 reset button and a positive forward progression, as
6 opposed to reliving a past debt that you never get out
7 of the hold of.

8 So I'm holding her accountable as well. And I
9 do have my own personal decisions. So that's where our
10 relationship is building and the business is starting at
11 this point. So I do, I do recognize that, sir.

12 ACTING CHAIRMAN FLYNN: Okay. Any other
13 questions?

14 All right. I'll entertain a motion.

15 I'll call a second time. I will entertain a
16 motion.

17 BOARD MEMBER NADEAU: Mr. Chair?

18 ACTING CHAIRMAN FLYNN: Sir.

19 BOARD MEMBER NADEAU: I'll stand with my
20 previous motion.

21 ACTING CHAIRMAN FLYNN: Okay. We have a motion
22 on the table for approval. Do we have a second?

23 BOARD MEMBER COLBERT: Second.

24 BOARD MEMBER NADEAU: And understand, this does
25 not include Vander Protective new corporate private

1 investigator license. Does not, does not include that
2 piece of that, my motion does not include that.

3 ACTING CHAIRMAN FLYNN: Okay. Could you state
4 what your motion is.

5 BOARD MEMBER NADEAU: My motion is that
6 James M. Harden, Jr. be granted his change in licensing
7 status and that his individual license, number 2016BX,
8 be kept in abeyance so that he may become the qualifying
9 agent for Vander Protective Services, LLC, license
10 number 1847B, subject to -- oh, and that his -- his
11 license, Mr. Harden's license be placed in abeyance so
12 that he may become the qualifying agent, subject to all
13 statutory and regulatory requirements.

14 ACTING CHAIRMAN FLYNN: Do you understand what
15 he's saying?

16 MR. HARDEN: No, sir.

17 ACTING CHAIRMAN FLYNN: Do you want to expand
18 what he doesn't get?

19 BOARD MEMBER NADEAU: My motion does -- if this
20 motion passes, and I don't know that it will, but my
21 motion does not include licensure for private
22 investigation.

23 MR. HARDEN: Just private patrol?

24 ACTING CHAIRMAN FLYNN: Just private patrol.

25 BOARD MEMBER NADEAU: The existing.

1 ACTING CHAIRMAN FLYNN: Are you aware of that
2 now?

3 BOARD MEMBER NADEAU: The existing license.

4 MR. HARDEN: Okay.

5 MR. KANDT: So I'll just clarify, that will
6 require a separate action from the Board at a later
7 time.

8 MR. HARDEN: Okay.

9 MR. INGRAM: Additionally, for clarification,
10 if this motion was to pass, we would need to have you
11 and Ms. Belluschi submit a new contract of employment
12 that reflects the motion that is considered right now.
13 Okay?

14 MR. HARDEN: Yes, sir.

15 ACTING CHAIRMAN FLYNN: Okay. Are we all
16 clear?

17 MR. HARDEN: (Nodded head affirmatively.)

18 ACTING CHAIRMAN FLYNN: All right. Do I have a
19 second?

20 BOARD MEMBER COLBERT: Second.

21 ACTING CHAIRMAN FLYNN: All in favor?

22 (Board members said "aye.")

23 ACTING CHAIRMAN FLYNN: Any opposed?

24 The motion carried. Thank you, sir.

25 MR. HARDEN: Thank you, sir.

1 ACTING CHAIRMAN FLYNN: Okay. Item number 14,
2 change of licensing status, qualifying agent, and
3 transfer existing corporation. Randall M. Powers is
4 requesting to transfer his qualifying agent status from
5 Talentwise, Incorporated, license number 1616, to
6 Sterling Infosystems, Inc., license number 1360.
7 Corporate officers to be approved are Steven L. Barnett,
8 Clare Hart, and Daniel P. O'Brien. This is subject to
9 all statutory and regulatory requirements. For possible
10 action.

11 Mr. Powers, you're back.

12 MR. POWERS: I'm back.

13 ACTING CHAIRMAN FLYNN: Okay. All right.

14 MR. POWERS: Really nothing further to add
15 other than what's really already generated on the
16 agenda. This company I've been associated with since
17 2010, that is Talentwise, Inc., actually, Talentwise,
18 Inc., dba Talentwise Nevada. And we have been acquired
19 by another firm, which is also a licensee here in
20 Nevada, and that is Sterling Infosystems.

21 So I'm simply trying to merge the companies and
22 to retain the Sterling Infosystem license that they
23 presently have, that's presently active. And Talentwise
24 has released my requirement to be employed by them or
25 with them. They've relinquished their license. And I

1 simply am wanting to take over the license on behalf of
2 Sterling Infosystems.

3 ACTING CHAIRMAN FLYNN: What is their main
4 business, Sterling Infosystems?

5 MR. POWERS: Background checks.

6 ACTING CHAIRMAN FLYNN: Any other questions
7 from the Board?

8 I'll entertain a motion.

9 BOARD MEMBER COLBERT: Mr. Chair, I recommend
10 we approve Randall M. Powers in requesting his change in
11 licensing status, and that Mr. Powers transfer his
12 qualifying agent status from Talentwise, Incorporated,
13 license number 1616, to Sterling Infosystems,
14 Incorporated, license number 1360. Corporate officers
15 to be approved are Steven L. Barnett, Clare Hart, and
16 Daniel P. O'Brien. This is subject to all statutory and
17 regulatory requirements.

18 ACTING CHAIRMAN FLYNN: Okay. We have a
19 motion. Is there a second?

20 BOARD MEMBER COLLINS: Second.

21 ACTING CHAIRMAN FLYNN: We have a second. Any
22 other further discussion?

23 All in favor?

24 (Board members said "aye.")

25 ACTING CHAIRMAN FLYNN: Any opposed?

1 (There was a brief discussion off the record.)

2 ACTING CHAIRMAN FLYNN: I'm new at this. I'm
3 sorry. Is there any public comment?

4 Okay. Seeing none, motion carried.

5 MR. INGRAM: Thanks.

6 ACTING CHAIRMAN FLYNN: The agenda item is
7 approved. Thank you, sir.

8 MR. POWERS: Thank you, Board members. Thank
9 you, Mr. Executive Director.

10 ACTING CHAIRMAN FLYNN: Okay. Item number 15,
11 change of licensing status, qualifying agent, new corp.
12 Acadia Protective Services, LLC is applying for a new
13 corporate private patrolman license. If approved,
14 Jeffrey L. LaRe, license number 1966BX, is requesting
15 that his individual license be kept in abeyance so that
16 he may become the qualifying agent. Members to be
17 approved are John D. Clark, Sr. and Myra D. Cole. This
18 is subject to all statutory and regulatory requirements.
19 For possible action.

20 Good morning.

21 MS. COLE: Good morning. My name is Myra Dawn
22 Cole.

23 ACTING CHAIRMAN FLYNN: Okay.

24 MS. COLE: I'm the managing member of Acadia
25 Protective Services.

1 ACTING CHAIRMAN FLYNN: Okay.

2 MS. COLE: So I came here --

3 MR. KANDT: Oh, have you been sworn already?
4 I'm sorry.

5 MS. COLE: Yes, sir.

6 MR. KANDT: I just want to confirm for the
7 record. Thank you.

8 MS. COLE: Yes, I have.

9 MR. KANDT: Sorry to interrupt.

10 MS. COLE: No worries.

11 Acadia Protective Services is a joint venture
12 between the Whitestone Group owned by John D. Clark,
13 who's also the president and CEO, and Kerberos
14 International, which is a company I run and own. The
15 sole purpose of the joint venture is to provide security
16 services for U.S. federal agencies.

17 We actually won a contract for the Department
18 of Energy under Acadia. The way Acadia works is it's
19 called an unpopulated joint venture. So Acadia itself
20 does not do any of the work. It subcontracts the work
21 to the Whitestone Group and to Kerberos. The contract
22 we won had several states involved. The Whitestone
23 Group is licensed in Nevada and took the Nevada portion
24 of the contract.

25 We found out, after we started that, that

1 Acadia itself also needed to be licensed. So we're very
2 sorry we didn't realize that. But we have been working
3 very, very diligently to rectify that as quickly as
4 possible.

5 So we are applying for the license for Acadia
6 Protective Services.

7 ACTING CHAIRMAN FLYNN: Okay. And keeping in
8 the spirit of our Chairman, we pronounce our state
9 "Nev-VAD-ah."

10 MR. COLE: Thank you. The Texas part of me is
11 coming out. I apologize for that.

12 ACTING CHAIRMAN FLYNN: It's okay. I just
13 wanted to, if our Chairman is watching online.

14 MR. INGRAM: Mr. Chair?

15 ACTING CHAIRMAN FLYNN: Yes.

16 MR. INGRAM: For the record, I've been
17 knee-deep in this endeavor, to the point where I was
18 working with the federal government, with Acadia, with
19 Whitestone. We had several meetings to come to a
20 resolution of this situation. And I just wanted to put
21 that on the record, that the federal government was also
22 unaware, and we worked jointly to get to where we are
23 today.

24 ACTING CHAIRMAN FLYNN: Okay. I appreciate
25 that.

1 Any questions from the Board?

2 I'll entertain a motion.

3 BOARD MEMBER NADEAU: Mr. Chair?

4 ACTING CHAIRMAN FLYNN: Yes.

5 BOARD MEMBER NADEAU: I would move that Acadia
6 Protective Services, LLC be granted a new corporate
7 private patrol license, Jeffrey S. LaRe, license number
8 1966BX, be granted his individual license, be kept in
9 abeyance so that he may become the qualifying agent for
10 Acadia. Members to be approved are John D. Clark, Sr.
11 and Myra D. Cole. Subject to all statutory and
12 regulatory requirements.

13 BOARD MEMBER COLBERT: Second.

14 ACTING CHAIRMAN FLYNN: We have a motion. We
15 have a second. Any comment from the public?

16 MR. INGRAM: Okay. Yeah.

17 ACTING CHAIRMAN FLYNN: Okay. Seeing none,
18 I'll call the vote. All in favor?

19 (Board members said "aye.")

20 ACTING CHAIRMAN FLYNN: Any opposed?

21 Motion approved. Thank you, ma'am.

22 MS. COLE: Thank you, sir. Thanks.

23 ACTING CHAIRMAN FLYNN: Item number 16, Perfect
24 Cadence Consulting, LLC is applying for a new corporate
25 private patrolman license. If approved, Christopher

1 Curtis, license number 1820B, is requesting that his
2 individual license be placed in abeyance so that he may
3 become the qualifying agent. Member to be approved is
4 Wendy E. Curtis. This is subject to all statutory and
5 regulatory requirements. For possible action.

6 Good morning.

7 MS. CURTIS: Good morning. I was not sworn in.

8 ACTING CHAIRMAN FLYNN: Okay. Please stand.

9 MR. KANDT: Ms. Curtis, could you please stand,
10 identify yourself for the record.

11 MS. CURTIS: Wendy Curtis.

12 MR. KANDT: All right. Could you raise your
13 right hand. Under penalty of perjury, do you swear to
14 the tell the truth, the whole truth, and nothing but the
15 truth?

16 MS. CURTIS: Yes.

17 MR. KANDT: Thank you.

18 ACTING CHAIRMAN FLYNN: Good morning to you.

19 MS. CURTIS: Good morning.

20 ACTING CHAIRMAN FLYNN: The floor is yours.

21 MS. CURTIS: So my husband is a licensed
22 patrolman. And when he went to renew his license, we
23 realized that our insurance is under my company, and so
24 that I had to get licensed.

25 ACTING CHAIRMAN FLYNN: Okay.

1 MS. CURTIS: And that's just to tie up the
2 loose ends.

3 ACTING CHAIRMAN FLYNN: It's all right. I
4 don't mind short and sweet.

5 Any questions from the Board?

6 BOARD MEMBER COLBERT: No.

7 BOARD MEMBER NADEAU: No, none.

8 ACTING CHAIRMAN FLYNN: Okay. Any public
9 comment?

10 Take a motion.

11 BOARD MEMBER COLBERT: Mr. Chair, I'd move
12 that --

13 BOARD MEMBER COLLINS: Chairman, I --

14 ACTING CHAIRMAN FLYNN: We have a motion down
15 here.

16 BOARD MEMBER COLBERT: Okay. Go ahead.

17 BOARD MEMBER COLLINS: Okay. I move that
18 Perfect Cadance Consulting is granted a license, the LLC
19 is granted a new corporate private patrolman's license,
20 and Christopher Curtis, license number 1820B, is granted
21 that his individual license be placed in abeyance so
22 that he may become the qualifying agent. Member to be
23 approved is Wendy E. Curtis. This is subject to all
24 statutory and regulatory requirements.

25 ACTING CHAIRMAN FLYNN: Okay. We have a

1 motion. Do we have a second?

2 BOARD MEMBER COLBERT: Second.

3 ACTING CHAIRMAN FLYNN: We have a second. Any
4 discussion?

5 All in favor?

6 (Board members said "aye.")

7 ACTING CHAIRMAN FLYNN: Any opposed?

8 The motion carried. Thank you.

9 MS. CURTIS: Thank you.

10 ACTING CHAIRMAN FLYNN: Item number 17, Rayken
11 LLC is applying for a new corporate polygraph examiner
12 license. If approved, Chad W. Russell, license number
13 1836E, is requesting that his individual license be
14 placed in abeyance so that he may become the qualifying
15 agent. This is subject to all statutory and regulatory
16 requirements. For possible action.

17 Mr. Russell, are you here?

18 Up north?

19 BOARD MEMBER COLBERT: No.

20 BOARD MEMBER NADEAU: No.

21 ACTING CHAIRMAN FLYNN: Any public comment?

22 Okay. I'll take a motion.

23 BOARD MEMBER NADEAU: Mr. Chair, could we go
24 ahead and just push this back on our agenda in case
25 Mr. Russell shows?

1 ACTING CHAIRMAN FLYNN: Sure. We will trail
2 item 17 to later on in the agenda.

3 MR. INGRAM: Just for the record, on our change
4 of licensing status, unless there are specific items
5 that the Board had questions for, generally the Board
6 would go ahead and make a decision on this without them
7 being present. Many times, this would have been
8 included in the block vote.

9 That's just for the record.

10 BOARD MEMBER NADEAU: Okay.

11 ACTING CHAIRMAN FLYNN: Well, I don't see any
12 harm in trailing it in case he does show up.

13 All right. We'll proceed. These are items
14 carried over from the September Board meeting. Item 18.
15 And I apologize, sir, if I pronounce your name wrong.
16 Majid Daneshforouz is requesting a change in licensing
17 status. Mr. Daneshforouz.

18 MR. DANESHFOROUZ: "Dah-nesh-for-ooz."

19 ACTING CHAIRMAN FLYNN: "Dah-nesh-for-ooz." My
20 apologies, sir.

21 Is requesting to transfer his qualifying agent
22 corporate officer status from America's Best Security
23 Services, Inc., license number 1173, to a new Nevada
24 domestic private investigator and private patrolman
25 corporation, Atlas Security Group. This is subject to

1 all statutory and regulatory requirements. For possible
2 action.

3 Sir.

4 MR. KANDT: Sir, have you been sworn in yet?

5 MR. DANESHFOROUZ: No.

6 MR. KANDT: Okay. Could you please identify
7 yourself for the record.

8 MR. DANESHFOROUZ: Majid Daneshforouz.

9 MR. KANDT: Thank you. If you would raise your
10 right hand. Okay. Under penalty of perjury, do you
11 swear to tell the truth, the whole truth, and nothing
12 but the truth?

13 MR. DANESHFOROUZ: Yes, I do.

14 MR. KANDT: Thank you.

15 And why don't we swear you in as well, ma'am.
16 Could you please identify yourself for the record.

17 MS. WALKEN: Jasmine Walken (phonetic
18 spelling).

19 MR. KANDT: Thank you. And, once again, under
20 penalty of perjury, do you swear to tell the truth, the
21 whole truth, and nothing but the truth?

22 MS. WALKEN: Yes.

23 MR. KANDT: Thank you.

24 MR. INGRAM: And have you both signed in as
25 well?

1 MR. DANESHFOROUZ: Yes.

2 MR. INGRAM: Okay. Thank you.

3 ACTING CHAIRMAN FLYNN: Okay. Sir or ma'am,
4 whoever wants to go first.

5 MR. DANESHFOROUZ: Introduce myself again, or?

6 ACTING CHAIRMAN FLYNN: Just tell us why you're
7 here. It's your time.

8 MR. DANESHFOROUZ: We're changing our company
9 name, and due to some problem we had with IRS. And our
10 attorneys are negotiating with them. So they advise us
11 to close the America's Best and start a new company.
12 And, also, I'm getting into the cyber security, too.

13 So that's the reason we'd like to do that.

14 ACTING CHAIRMAN FLYNN: Okay. Ma'am? Nothing
15 to add? Okay.

16 Any questions from the Board?

17 ACTING CHAIRMAN FLYNN: Okay. I'll entertain a
18 motion.

19 BOARD MEMBER NADEAU: Just bear with me a
20 moment, if you would, Mr. Chair.

21 ACTING CHAIRMAN FLYNN: Oh, no problem.

22 Before we take a motion, is there any public
23 comment on this item?

24 Okay. All right. I'll go back to a motion.

25 That I don't know, but, yeah, I'll direct this

1 to staff. As the applicant stated, he is making this
2 request at the suggestion or direction of the Internal
3 Revenue Service. Has anybody in staff been in touch
4 with them, or any concerns or comments?

5 MR. INGRAM: It's the investigator up north.

6 ACTING CHAIRMAN FLYNN: Go ahead, Investigator
7 Woodruff.

8 MR. WOODRUFF: Thank you, Mr. Chairman. I
9 contacted, at the request of the Board in the September
10 meeting that we get more information from
11 Mr. Daneshforouz regarding what he owes, and as his
12 attorney, or a firm out of Colorado is suggesting that
13 they do this with their current IRS debt load, I have
14 contacted the one that is taking care of the case, and
15 he has provided information that we provided to the
16 Board. You should have copies of those things that they
17 provided.

18 MR. INGRAM: Now, those haven't been provided
19 yet and until it's requested.

20 So the items he's talking about, sir, were sent
21 to us within the last couple of days. And I can provide
22 those copies to you if you'd like to review those.

23 ACTING CHAIRMAN FLYNN: I guess, the question
24 the Board has is does the staff have concerns, or are
25 you satisfied with the information provided thus far?

1 MR. WOODRUFF: Thus far, he has complied with
2 everything that you had requested and that we requested.

3 ACTING CHAIRMAN FLYNN: Okay. Thank you.

4 BOARD MEMBER NADEAU: If I could inquire, what
5 are the additional documents that you have? May we have
6 a moment to review these?

7 MR. INGRAM: We have copies for the north.

8 BOARD MEMBER NADEAU: May we have a moment to
9 review them?

10 ACTING CHAIRMAN FLYNN: Yes, you can take a
11 moment to review.

12 MR. INGRAM: So what the Board is looking at is
13 the installment payment agreement that was approved
14 through IRS and Mr. Daneshforouz's legal counsel.

15 (The Board reviewed the documents.)

16 BOARD MEMBER NADEAU: Sir, could you just
17 refresh my memory on how these debts were accumulated.
18 How were these debts accumulated?

19 MR. DANESHFOROUZ: Due to our clients'
20 bankruptcies and that they didn't pay us. And when we
21 explained that to IRS, they understand. And most of
22 these debts, they are interest and penalty, and interest
23 on the interest, and interest on the penalties. Which
24 we've been promised that approximately 90 percent of
25 that's going to be removed.

1 ACTING CHAIRMAN FLYNN: You understand the
2 concern that we have, I mean this is a substantial
3 amount of money.

4 MR. DANESHFOROUZ: Sure.

5 ACTING CHAIRMAN FLYNN: And not only if you
6 fall behind, but you failed to pay your employees or any
7 subcontractors.

8 MR. DANESHFOROUZ: We always pay our employees.
9 And at the moment, they're going to put the lien on my
10 personal asset, which they check, and there is enough
11 real estate and things like that, so. And --

12 BOARD MEMBER NADEAU: Mr. Chair?

13 ACTING CHAIRMAN FLYNN: Yes.

14 BOARD MEMBER NADEAU: I'll ask this of counsel.
15 Can we, if we were to make -- if there was to be a
16 motion for approval, could that motion include a
17 six-month financial review on the status of the other
18 corporation and the payment he'll get?

19 MR. KANDT: Yes. For the record, Brett Kandt,
20 Board counsel. Yes, and the Board's done that in the
21 past. And then that can be a provision in any potential
22 action you may take.

23 BOARD MEMBER NADEAU: Then, Mr. Chair, I'd be
24 prepared to make a motion.

25 ACTING CHAIRMAN FLYNN: Please do.

1 BOARD MEMBER NADEAU: And I apologize, sir, in
2 advance, because I know I'm going to butcher your name.
3 So I'm going to try anyway.

4 I move that Majid Daneshforouz be granted a
5 change in licensing status, that his transfer of his
6 qualifying agent and corporate officer status be from
7 America's Best Security Services, Incorporated, license
8 number 1173, to a new Nevada domestic private
9 investigator and private patrol corporation, Atlas
10 Security Group, and that he provide the Board a
11 six-month and annual financial review of the status of
12 the existing debt.

13 Does that work for you; Kevin, does that work
14 for you?

15 MR. INGRAM: Right. My clarification would be,
16 when you said an annual, do you mean a six-month and a
17 12-month, or are you talking about annual ongoing?

18 BOARD MEMBER NADEAU: A six-month and 12-month.

19 MR. INGRAM: Okay. Thank you.

20 BOARD MEMBER NADEAU: And this is subject to
21 all statutory and regulatory requirements.

22 Thank you, Mr. Chair.

23 ACTING CHAIRMAN FLYNN: Sir, do you understand
24 the motion?

25 MR. DANESHFOROUZ: Yes.

1 ACTING CHAIRMAN FLYNN: Okay. We have a
2 motion. I'll take a second.

3 BOARD MEMBER COLBERT: Second.

4 ACTING CHAIRMAN FLYNN: And we've already
5 called for public comment.

6 Okay. I have a motion and a second. All in
7 favor?

8 (Board members said "aye.")

9 ACTING CHAIR FLYNN: Any opposed?

10 The motion carried. Thank you, sir.

11 MR. DANESHFOROUZ: Thank you.

12 ACTING CHAIRMAN FLYNN: Thank you, ma'am.

13 Just ask the audience down here as well up
14 north to please check your cell phones, make sure
15 they're on silent. We've already had two go off. If I
16 another one, I'm going to ask you to leave the room.

17 BOARD MEMBER NADEAU: I can't leave the room.

18 ACTING CHAIRMAN FLYNN: Also, anybody in the
19 room that's hoping to come forward any time today,
20 please make sure you sign in at the sign-in sheet.

21 And I know we're getting crowded. I see four
22 seats on this side. Please move over there if you want,
23 have a seat. We'll probably be here most of the day. I
24 see five seats on their side over here. We'll take a
25 moment, let you get settled. I'd like to get people as

1 comfortable as possible.

2 MR. INGRAM: If we can get everybody in for a
3 minute, I can make an announcement.

4 If we could have everybody step in real quick.

5 ACTING CHAIRMAN FLYNN: Those in the hallway,
6 we're going to make an announcement, if you can come in,
7 so you can hear the announcement.

8 Just for up north, if you can't see, we are
9 standing room only max, we're out in the hallway.

10 MR. INGRAM: Just come on in real quick so I
11 can make an announcement.

12 Those of you that are here for work card
13 appeals, we're going to be at lease another 45 minutes
14 with our regular Board agenda. So those of you that are
15 here for appeals, if you want to come back in 45
16 minutes. There's a cafeteria downstairs on the first
17 floor. And as our normal agenda starts to leave,
18 there'll be more seating. So I would say be back no
19 later than 10:45 if you're here for an appeal. Okay.

20 ACTING CHAIRMAN FLYNN: And I will ensure, in
21 case we go forward and get done a little early, that we
22 won't call you before 10:45. You have my assurance on
23 that.

24 MR. INGRAM: Thank you.

25 ACTING CHAIRMAN FLYNN: We're just waiting for

1 the room to clear out a little bit.

2 (There was a short period off the record.)

3 ACTING CHAIRMAN FLYNN: Okay. Item number 19,
4 Albert J. Reshaw IV is applying for an individual
5 private investigator license. This is subject to all
6 statutory and regulatory requirements. For possible
7 action.

8 MR. RESHAW: Good morning.

9 ACTING CHAIRMAN FLYNN: Have you already been
10 sworn in?

11 MR. RESHAW: Yes, sir.

12 ACTING CHAIRMAN FLYNN: Okay. Please state
13 your name for the record and tell us why you're here and
14 tell us about your background.

15 MR. RESHAW: Albert Joseph Reshaw IV here to
16 obtain a Nevada private investigator's license.

17 My background, I did 30, 28 years in law
18 enforcement in California, retired in 2005. In
19 conjunction with that, I'm also a military reservist.
20 And after I retired in 2005, I pretty much went back on
21 active duty. I was released because I'm too old to be
22 in the military anymore, recently, and learned that my
23 private investigator's license in California is not
24 transferable. So I applied.

25 I still have my top secret government security

1 clearances that are still active, so I want to do some
2 consulting and potentially some investigations that
3 require security clearances, as an option.

4 I appreciate the Board pushing this back from
5 September. When I was retired in April, I've had a
6 challenging time finding employment, and I was offered a
7 job in South Carolina. And it was my first week, so I
8 wasn't going to take that off. So now that I've been
9 there three months, I flew in last night to be here
10 today.

11 So that's a short version of my background,
12 sir.

13 ACTING CHAIRMAN FLYNN: Well, first off, thank
14 you for your service to our country.

15 MR. RESHAW: You're very welcome.

16 ACTING CHAIRMAN FLYNN: Very appreciated.

17 MR. RESHAW: You're very welcome.

18 ACTING CHAIRMAN FLYNN: Any questions from the
19 Board?

20 BOARD MEMBER NADEAU: Mr. Chair?

21 ACTING CHAIRMAN FLYNN: Any public comment? Go
22 ahead.

23 BOARD MEMBER NADEAU: Just, you know, in the
24 investigation, it referred to a lot of financial stuff.
25 Any reason for that?

1 MR. RESHAW: Yes, sir. The bankruptcy back in
2 1992 was due to my military service. At the time, I was
3 a police lieutenant making about \$5,000 bucks a month.
4 When I was recalled for Desert Shield and Desert Storm,
5 my income dropped to a thousand a month. So all is my
6 wife could do was keep the lights on and pay the
7 utilities and food for the four kids.

8 BOARD MEMBER NADEAU: Yeah, actually, you know,
9 we don't need to go back that far. But I just noticed
10 some recent stuff in 2013 and 2012. And I was just kind
11 of curious about those kinds of things.

12 MR. RESHAW: I'm still fighting with the credit
13 bureaus. I'm Albert Joseph Reshaw IV. My son, Albert
14 Joseph Reshaw V, lives at my house in Minden, Nevada.
15 When he got unemployed and went through a nasty divorce,
16 he's been living with me. And the credit bureau doesn't
17 seem to check the birthdays. And some of his stuff is
18 on my credit.

19 I have current credit. I can show you the
20 credit cards with the -- there's no limits. Well, let
21 me. The American Express card, the platinum one, really
22 doesn't have a spending limit. I can spend as much as I
23 want, because I pay it off. The other card I have -- I
24 only carry two with me -- it's got about a \$22,000
25 limit.

1 So it's that bleedover of Albert Jr. You raise
2 the kids as best you can, and then things happen. So.

3 BOARD MEMBER NADEAU: Okay.

4 MR. RESHAW: No, when they look at the
5 birthday, they see the difference in the year.

6 BOARD MEMBER NADEAU: I get it. Thank you.

7 Thank you, Mr. Chair.

8 MR. RESHAW: Yes, sir.

9 ACTING CHAIRMAN FLYNN: Okay. Any other
10 questions?

11 Any public comment?

12 MR. MARTINEZ: I have one question.

13 ACTING CHAIRMAN FLYNN: Reference this item?

14 MR. MARTINEZ: Yes.

15 ACTING CHAIRMAN FLYNN: Please come forward.

16 MR. MARTINEZ: I have a quick question.

17 ACTING CHAIRMAN FLYNN: Identify yourself.

18 MR. MARTINEZ: I'm Josh Martinez.

19 I just had a question. You're Board counsel?

20 MR. KANDT: I am. But I will tell you, sir,

21 public comment is for you to offer comment to the

22 Board --

23 MR. MARTINEZ: Oh, but I just need to --

24 MR. KANDT: -- that's not testified to. And

25 I'm not going to, I'm not going to provide any legal

1 advice at --

2 MR. MARTINEZ: Oh, no, I'm not asking for
3 advice. I'm just asking for your name.

4 MR. KANDT: At this Board meeting. Brett
5 Kandt.

6 MR. MARTINEZ: Brett Kandt. And do you have a
7 board number, or are you just counsel?

8 MR. KANDT: 5384.

9 MR. MARTINEZ: 5384. Thank you.

10 ACTING CHAIR FLYNN: And that was related to
11 this item?

12 MR. MARTINEZ: Yes.

13 ACTING CHAIRMAN FLYNN: Okay. All right. I'll
14 entertain a motion.

15 BOARD MEMBER COLBERT: Mr. Chair, I approve
16 that Albert J. Reshaw IV be approved for his individual
17 private investigator's license. And this is subject to
18 all statutory and regulatory requirements.

19 ACTING CHAIRMAN FLYNN: We have a motion.

20 BOARD MEMBER COLLINS: Second.

21 ACTING CHAIRMAN FLYNN: We have a second. Any
22 discussion?

23 All in favor?

24 (Board members said "aye.")

25 ACTING CHAIRMAN FLYNN: Any opposed?

1 Motion carried. Congratulations, sir.

2 MR. RESHAW: Thank you, sir.

3 ACTING CHAIRMAN FLYNN: Do you want to take a
4 quick break?

5 MR. INGRAM: Maybe check with the stenographer
6 up north.

7 ACTING CHAIRMAN FLYNN: For the stenographer up
8 north, we've been going a little over an hour, would you
9 like to take a break?

10 THE REPORTER: I appreciate the offer, but I'm
11 able to go forward if you all want to.

12 ACTING CHAIRMAN FLYNN: Okay. We'll go
13 forward. Item number 20, Dyas K9 Solutions, LLC, doing
14 business as Dyas K9, is applying for a new corporate
15 canine handler license. Andre R. Valdez is applying for
16 an individual canine handler license. If approved, he
17 is requesting that his individual license be placed in
18 abeyance so that he may become the qualifying agent.
19 Member to be approved is Andre R. Valdez. This is
20 subject to all statutory and regulatory requirements.
21 For possible action.

22 MR. VALDEZ: Good morning.

23 ACTING CHAIRMAN FLYNN: Good morning, sir.
24 Have you been sworn in?

25 MR. VALDEZ: I have.

1 ACTING CHAIRMAN FLYNN: Okay.

2 MR. VALDEZ: My name's Andre Valdez. My
3 background is I was in the Marine Corps. for 10 years,
4 three tours in Iraq. And now I'm a disabled vet,
5 business owner and looking to do protection work with
6 canines here in the state of Nevada.

7 ACTING CHAIRMAN FLYNN: Okay. And, again,
8 thank you for your service.

9 MR. VALDEZ: Thank you.

10 ACTING CHAIRMAN FLYNN: Any questions from the
11 Board?

12 Any public comment on this item?

13 I'll entertain a motion.

14 BOARD MEMBER NADEAU: I'm trying to find why
15 was this delayed last -- pardon me, Mr. Chair. Why was
16 this delayed last time? Was it, it had to do with
17 testing?

18 MR. VALDEZ: Yes. Yes, sir. My -- the dog I
19 brought to the test the first time didn't pass the exam.

20 BOARD MEMBER NADEAU: Right.

21 MR. VALDEZ: So I had to retake the exam. And
22 I passed this time.

23 BOARD MEMBER NADEAU: So that's what I wanted
24 to check with the investigator, to make sure that it had
25 been.

1 MR. BATCHELOR: Yes, he passed last night.

2 BOARD MEMBER NADEAU: Okay.

3 ACTING CHAIRMAN FLYNN: State your name.

4 MR. BATCHELOR: It's Investigator James
5 Batchelor. We tested him last night, Metro, and he did
6 pass the exam.

7 BOARD MEMBER NADEAU: Thank you. Thank you,
8 Investigator Batchelor.

9 Mr. Chair, I would move that Albert J. --
10 excuse me, that Dyas K9 Solutions, LLC, doing business
11 as Dyas K9, be granted a new corporate canine handler
12 license, Andre R. Valdez be granted an individual canine
13 handler license, and that his license be placed in
14 abeyance so that he may become the qualifying agent,
15 with member to be approved is Andre R. Valdez, subject
16 to all statutory and regulatory requirements.

17 BOARD MEMBER COLBERT: Second.

18 ACTING CHAIRMAN FLYNN: I have a motion. I
19 have a second. Any further discussion?

20 I'll take a vote. All in favor, state "aye."

21 (Board members said "aye.")

22 ACTING CHAIRMAN FLYNN: Any opposed?

23 The motion's approved. Congratulations.

24 MR. VALDEZ: Thank you, Board. Thank you,
25 James. I appreciate all your help.

1 ACTING CHAIRMAN FLYNN: I'm just curious, how
2 late was the test?

3 MR. BATCHELOR: It was 7:30, and it lasted till
4 about 8:30.

5 ACTING CHAIRMAN FLYNN: Okay. It was cold.

6 All right. Moving on to private investigator.
7 Item number 21, Denali Consulting, LLC is applying for a
8 new corporate private investigator license. Matthew S.
9 Moonin is applying for an individual private
10 investigator license. If approved, he is requesting
11 that his individual license be placed in abeyance so
12 that he may become the qualifying agent. Member to be
13 approved is Matthew S. Moonin. This is subject to all
14 statutory and regulatory requirements. For possible
15 action.

16 Have you been sworn in, sir?

17 MR. MOONIN: Yes, I have, sir.

18 ACTING CHAIRMAN FLYNN: Your name for the
19 record, and tell us why you're here.

20 MR. MOONIN: It's Matthew Moonin. I'm applying
21 for a private investigator's license and the corporate
22 license for Denali Consulting Services.

23 ACTING CHAIRMAN FLYNN: Any questions from the
24 Board?

25 BOARD MEMBER NADEAU: I have none.

1 ACTING CHAIRMAN FLYNN: Any public comment on
2 this item?

3 I'll take a motion.

4 BOARD MEMBER COLBERT: Mr. Chair, I'd move that
5 Denali Consulting Services, LLC be approved for a new
6 corporate private investigator's license and that
7 Matthew S. Moonin, applying for his individual private
8 license, and if approved, that his license be placed
9 into abeyance so that he may become the qualifying
10 agent. And member to be approved are Matthew S. Moonin.
11 And this is subject to all statutory and regulatory
12 requirements.

13 ACTING CHAIRMAN FLYNN: I have a motion. Do I
14 have a second?

15 BOARD MEMBER COLLINS: Second.

16 ACTING CHAIRMAN FLYNN: I have a second. Any
17 further discussion?

18 Okay. I'll call for a vote. All in favor,
19 state "aye."

20 (Board members said "aye.")

21 MR. INGRAM: You said public discussion.

22 ACTING CHAIRMAN FLYNN: I said public
23 discussion? My apologies. Is there any public comment?

24 Okay. Seeing none, calling for the vote again.
25 All in favor?

1 (Board members said "aye.")

2 ACTING CHAIRMAN FLYNN: Any opposed?

3 Motion carried. Congratulations, sir.

4 MR. MOONIN: Thank you.

5 ACTING CHAIRMAN FLYNN: All right. Moving on
6 to private patrolman. Item number 23, Centerra Services
7 International, Inc. is applying for a new --

8 MR. INGRAM: 22.

9 ACTING CHAIRMAN FLYNN: Woop. I skipped over
10 Rudolph Lara. Our Director threw me off there. Doing
11 the best I can, my first day chairing.

12 MR. INGRAM: I take full responsibility for
13 that, sir.

14 ACTING CHAIRMAN FLYNN: Okay. Private
15 investigator. Number 22, Rudolph Lara is applying for
16 an individual private investigator license. This is
17 subject to all statutory and regulatory requirements.
18 For possible action.

19 Have you been sworn in, sir?

20 MR. LARA: Yes, sir, I have.

21 ACTING CHAIRMAN FLYNN: Okay. Please have a
22 seat, your name and why you're here. Give a little
23 background on you, too.

24 MR. LARA: Okay. Rudolph Lara. I'm here for
25 the private investigator license.

1 My background includes over 30 years of federal
2 law enforcement experience. And my last 20 years was
3 with the United States Marshals Service. I was a
4 criminal investigator with the U.S. Marshal. Prior to
5 that, I was with Department of Interior, with the Bureau
6 of Land Management, as a criminal investigator, special
7 agent, as a wild horse and water investigator for the
8 State of Nevada. And prior to that, I was with the
9 office of the Inspector General, United States
10 Department of Interior in Washington, D.C. doing
11 criminal correction. And prior to that, I was actually
12 a ranger, but they recruited me. I was a ranger. And
13 prior to that, I was a United States Border Patrol agent
14 at the southern California border. Prior to that, I was
15 working my way through college, working at a casino, was
16 a corporate investigator for one of the casinos here in
17 Las Vegas. Prior to that, I was in the United States
18 Air Force, military police, in Dallas Air Force Base,
19 Texas. Prior to that, I was in high school.

20 (There was laughter.)

21 MR. LARA: Actually, I was a Police Explorer
22 from nine years old until I was 18. So that's my
23 background. And I have a bachelor's in criminal
24 justice.

25 ACTING CHAIRMAN FLYNN: So you're going to be a

1 recruiting poster for private investigators.

2 MR. LARA: Actually, I'm up for the position of
3 United States Marshal pending the outcome of the new
4 president. So, prior to that, I'm still holding on.

5 ACTING CHAIRMAN FLYNN: Okay. Well, I thank
6 you for your service, and that's an impressive resume.

7 Any questions from the Board?

8 BOARD MEMBER NADEAU: None.

9 ACTING CHAIRMAN FLYNN: Do we have any public
10 comment?

11 Okay. Seeing none, I'll take a motion.

12 BOARD MEMBER COLLINS: Mr. Chair, I have a
13 motion that Rudolph Lara be granted his individual
14 private investigator's license, this subject to all
15 statutory and regulatory requirements.

16 ACTING CHAIRMAN FLYNN: Okay. I have a motion.
17 Do I have a second?

18 BOARD MEMBER COLBERT: Second.

19 ACTING CHAIRMAN FLYNN: Any discussion?

20 All in favor?

21 (Board members said "aye.")

22 ACTING CHAIRMAN FLYNN: Any opposed?

23 Motion carried. Congratulations. You got
24 another line now for your LinkedIn account.

25 MR. LARA: Thank you.

1 ACTING CHAIRMAN FLYNN: All right. Private
2 patrolman. Item number 23, Centerra Services
3 International, Inc. is applying for a new corporate
4 private patrolman license. David A. Marvin is applying
5 for an individual private patrolman license. If
6 approved, he is requesting that his license be placed in
7 abeyance so that he may become the qualifying agent.
8 Corporate officers to be approved are Richard K. Allen,
9 David I. Beckett, Paul P. Donahue and Deborah F. Ricci.
10 This is subject to all statutory and regulatory
11 requirements. For possible action.

12 Good morning, sir. Have you been sworn in?

13 MR. MARVIN: Good morning. David Marvin,
14 Centerra Security.

15 ACTING CHAIRMAN FLYNN: Have you been sworn in?

16 MR. MARVIN: Yes, I have.

17 ACTING CHAIRMAN FLYNN: All right. Tell us why
18 you're here, a little background.

19 MR. MARVIN: I'm here to be the qualifying
20 agent for Centerra Security. I've been doing security
21 for the last 10 years. I was discharged from the Army
22 in 2005. So executive protection, all the way to armed
23 officer, to just about everything. So.

24 ACTING CHAIRMAN FLYNN: Okay. We've got a lot
25 of veterans here this morning.

1 MR. MARVIN: Yes, you do.

2 ACTING CHAIRMAN FLYNN: So, thank you.

3 MR. MARVIN: You're welcome.

4 ACTING CHAIRMAN FLYNN: Any questions from the
5 Board?

6 Any public comment?

7 I'd entertain a motion.

8 BOARD MEMBER NADEAU: Mr. Chair?

9 ACTING CHAIRMAN FLYNN: Sir.

10 BOARD MEMBER NADEAU: I move that Centerra
11 Services International, Incorporated be grant a new
12 corporate private patrol license, David A. Marvin be
13 granted an individual private patrol license, that that
14 license be placed in his -- his individual license be
15 placed in abeyance so that he may become the qualifying
16 agent for Centerra Services International, Incorporated.
17 Corporate officers to be approved are Richard K. Allen,
18 David I. Beckett, Paul P. Donahue and Deborah F. Ricci.
19 This is subject to all statutory and regulatory
20 requirements.

21 BOARD MEMBER COLBERT: Second.

22 ACTING CHAIRMAN FLYNN: I have a motion. Do I
23 have a -- well, I have a second. Any further
24 discussion?

25 All in favor?

1 (Board members said "aye.")

2 ACTING CHAIRMAN FLYNN: Any opposed?

3 Motion carried. Thank you, sir.

4 MR. MARVIN: Thank you. Have a nice day.

5 Thank you.

6 ACTING CHAIRMAN FLYNN: Item number 24, Salient
7 Consulting Group, Inc., doing business as Salient
8 Operations Group, is applying for a new corporate
9 private patrolman license. Mitchell J. McAlister is
10 applying for an individual private patrolman license.
11 If approved, he is requesting that his individual
12 license be placed into abeyance so that he may become
13 the qualifying agent. Corporate officer to be approved
14 is Mitchell J. McAlister. This is subject to all
15 statutory and regulatory requirements. For possible
16 action.

17 Good morning, sir. Have you been sworn in?

18 MR. MCALISTER: I have.

19 ACTING CHAIRMAN FLYNN: Your name for the
20 record, and tell us why you're here.

21 MR. MCALISTER: Mitchell J. McAlister. I'm
22 applying for a new corporate private patrolman license.

23 ACTING CHAIRMAN FLYNN: Okay. Any questions
24 from the Board?

25 Any public comment on this item?

1 I'll entertain a motion.

2 BOARD MEMBER COLLINS: Mr. Chairperson, I move
3 that Salient Consulting Group, Salient Operations Group
4 be granted a corporate private patrolman's license, and
5 that Mitchell J. McAlister be granted an individual
6 patrolman license, and that if it is approved, that his
7 individual license be placed into abeyance so that he
8 may become the qualifying agent. Corporate officer to
9 be approved is Mitchell J. McAlister. This is subject
10 to all statutory and regulatory requirements.

11 BOARD MEMBER NADEAU: Second.

12 ACTING CHAIR FLYNN: Okay. I have a motion. I
13 have a second. Any further discussion?

14 All in favor, state "aye."

15 (Board members said "aye.")

16 ACTING CHAIRMAN FLYNN: Any opposed?

17 Motion carried. Congratulations.

18 MR. MCALISTER: Thank you.

19 ACTING CHAIRMAN FLYNN: Number 25, Shepherd
20 Security Services, Incorporated is applying for a new
21 corporate private patrolman license. Jeffrey W. Rush is
22 applying for an individual private patrolman license.
23 If approved, he is requesting that his individual
24 license be placed into abeyance so that he may become
25 the qualifying agent. Corporate officers to be approved

1 are Gary B. Shepherd and Susan Wedin. This is subject
2 to all statutory and regulatory requirements. For
3 possible action.

4 I see you're all here. Have you all been sworn
5 in?

6 MR. SHEPHERD: Yes, sir.

7 ACTING CHAIRMAN FLYNN: Okay. I just need you
8 to identify yourself for the record. And then someone
9 speak why you're here.

10 MS. WEDIN: Susan Wedin.

11 MR. RUSH: Jeffrey Rush.

12 MR. SHEPHERD: Gary Shepherd.

13 BOARD MEMBER FLYNN: Okay. Who wants to speak?

14 MR. RUSH: My name's Jeffrey Rush. I'm
15 applying for an individual private patrolman license, to
16 be placed into abeyance, to become the qualifying agent
17 for Shepherd Security Services. Shepherd Security
18 Services is an established strong business in the
19 Phoenix area. And they're looking to expand their
20 business into the Las Vegas area.

21 My personal background is a little bit over 20
22 years in physical security, loss prevention, federal
23 contracts, casino security contracts, which is usually
24 up in Reno, and special events, armed, unarmed,
25 plainclothes, executive protection.

1 ACTING CHAIRMAN FLYNN: Okay.

2 MR. SHEPHERD: Shepherd Security has been in
3 operation in Phoenix for 12 years. And I personally
4 come from four generations of law enforcement and
5 military service, with a standing in Phoenix.

6 ACTING CHAIRMAN FLYNN: Okay.

7 MS. WEDIN: Susan Wedin. I'm the CFO. I
8 handle all the financial obligations and make sure that
9 we're in compliance.

10 ACTING CHAIRMAN FLYNN: Okay. You got the
11 toughest job.

12 MS. WEDIN: Sometimes.

13 ACTING CHAIRMAN FLYNN: Okay. Any questions
14 from the Board?

15 BOARD MEMBER NADEAU: None here.

16 BOARD MEMBER COLBERT: (Shook head negatively.)

17 ACTING CHAIRMAN FLYNN: Any public comment on
18 this item?

19 Okay. I'll entertain a motion.

20 BOARD MEMBER COLBERT: Mr. Chair, I request
21 approval for Shepherd Security Services, and that they
22 receive a new corporate private patrolman license, and
23 that Jeffrey W. Rush be approved for his individual
24 patrolman license, and that his individual license be
25 placed in abeyance so that he may become the qualifying

1 agent. Corporate officers to be approved are Gary B.
2 Shepherd and Susan Wedin. And this is subject to all
3 statutory and regulatory requirements.

4 ACTING CHAIRMAN FLYNN: I have a motion. Do I
5 have a second?

6 BOARD MEMBER COLLINS: Second.

7 ACTING CHAIRMAN FLYNN: Any further discussion?

8 BOARD MEMBER NADEAU: Mr. Chair?

9 ACTING CHAIRMAN FLYNN: Sir.

10 BOARD MEMBER NADEAU: I think, when Jim made
11 the motion, I think he said a new private patrolman
12 license, where it should be corporate license.

13 BOARD MEMBER COLBERT: Yeah.

14 BOARD MEMBER NADEAU: That was just --

15 ACTING CHAIRMAN FLYNN: Okay. Do you want to
16 amend that?

17 BOARD MEMBER COLBERT: Yes, I'll amend it to
18 the proper one.

19 ACTING CHAIRMAN FLYNN: Okay. All in favor,
20 state "aye."

21 (Board members said "aye.")

22 ACTING CHAIRMAN FLYNN: Any opposed?

23 Motion carried. Congratulations.

24 MS. WEDIN: Thank you very much.

25 MR. RUSH: Thank you.

1 MR. SHEPHERD: Thanks.

2 ACTING CHAIRMAN FLYNN: Okay. Item number 26,
3 Savannah Consulting Group, LLC, is applying for a new
4 corporate private patrolman license. Shane S. Owings is
5 applying for an individual private patrolman license.
6 If approved, he is requesting that his individual
7 license be placed into abeyance so that he may become
8 the qualifying agent. Member to be approved is Shane S.
9 Owings. This is subject to all statutory and regulatory
10 requirements. For possible action.

11 Have you been sworn in?

12 MR. OWINGS: I have not.

13 ACTING CHAIRMAN FLYNN: Okay. Please.

14 MR. KANDT: Oh, I'm sorry.

15 ACTING CHAIRMAN FLYNN: That's okay.

16 MR. KANDT: My mind was elsewhere. Thank you.
17 Raise your right hand. And just, under penalty of
18 perjury, do you swear to tell the truth, the whole
19 truth, and nothing but the truth?

20 MR. OWINGS: I do.

21 MR. KANDT: Thank you much.

22 ACTING CHAIRMAN FLYNN: Good morning, sir. For
23 our recorder, please identify yourself, and tell us why
24 you're here.

25 MR. OWINGS: My name is Shane Owings. I'm

1 owner of Savannah -- sorry -- Consulting Services. And
2 I'm applying for private patrolman to provide consulting
3 services for retail and financial institutions in
4 Nevada.

5 ACTING CHAIRMAN FLYNN: Thank you.

6 Any questions from the Board?

7 BOARD MEMBER NADEAU: I have none.

8 BOARD MEMBER COLBERT: (Shook head negatively.)

9 ACTING CHAIRMAN FLYNN: Any public, any public
10 comment on this item?

11 Okay. I'll entertain a motion.

12 BOARD MEMBER COLLINS: Mr. Chairman?

13 ACTING CHAIRMAN FLYNN: Yes.

14 BOARD MEMBER COLLINS: I have a motion that
15 Savannah Consulting Group, LLC, be granted a new
16 corporate private patrolman license, and that Shane
17 Owings, Shane S. Owings be granted his individual
18 private patrolman's license. If approved, he's
19 requesting that his individual license be placed into
20 abeyance so that he may become the qualifying agent.
21 Member to be approved is Shane S. Owings. This is
22 subject to all statutory and regulatory requirements.

23 ACTING CHAIRMAN FLYNN: I have a motion. I
24 have a second. Any further discussion from the Board?

25 Seeing none, I'll call the vote. All in favor,

1 state "aye."

2 (Board members said "aye.")

3 ACTING CHAIRMAN FLYNN: Any opposed?

4 Motion carried. Congratulations.

5 MR. OWINGS: Thanks.

6 BOARD MEMBER NADEAU: Item number 27.

7 BOARD MEMBER NADEAU: Mr. Chair?

8 ACTING CHAIRMAN FLYNN: Yes.

9 BOARD MEMBER NADEAU: Who seconded that?

10 ACTING CHAIRMAN FLYNN: I thought I heard a
11 second. I'll second it.

12 BOARD MEMBER NADEAU: Well, it wasn't a
13 matter -- it was just a matter that I didn't know if we
14 had it. I didn't second.

15 (To Board Member Colbert) And you didn't
16 second.

17 So I didn't know who seconded. And I just
18 wanted that for the record. I'm sorry.

19 ACTING CHAIRMAN FLYNN: Okay. I'll second it.
20 I'll second it for the record.

21 Do we need to call the vote again?

22 MR. KANDT: No.

23 BOARD MEMBER NADEAU: Thank you.

24 ACTING CHAIRMAN FLYNN: Okay. We don't need to
25 call the vote again.

1 All right. Thank you.

2 MR. OWINGS: Thanks.

3 ACTING CHAIRMAN FLYNN: Okay. Number 27, Kane
4 Consulting Group, Inc. is applying for a new corporate
5 private patrolman license. Daniel S. Clark is applying
6 for an individual private patrolman license. If
7 approved, he is requesting that his individual license
8 be placed into abeyance so that he may become the
9 qualifying agent. This is subject to all statutory and
10 regulatory requirements. For possible action.

11 Have you been about sworn in, sir?

12 MR. CLARK: I have. And signed in, too.

13 ACTING CHAIRMAN FLYNN: Okay. All right. Your
14 name for the record, and tell us why you're here, sir.

15 MR. CLARK: Daniel Clark. I'm looking to -- I
16 come into town a couple times a year. We do some
17 security consulting for some different clients in the
18 Convention Center. So we just want to make sure we're
19 following all the rules and getting all the right
20 licensing in place for that. So.

21 I was with the -- with a sheriff's department
22 in California for about eight years. And then I have
23 been doing security work for about the same amount of
24 time now. So it's about equaled out here recently. So.
25 Yeah, I'm just looking to get that license.

1 ACTING CHAIRMAN FLYNN: All right. Thank you.

2 Any questions from the Board?

3 BOARD MEMBER NADEAU: Just -- thank you,

4 Mr. Chairman. Yes.

5 Just for curiosity sake, what did you do in

6 Ventura?

7 MR. CLARK: I worked in corrections, did,
8 worked jail work. And so I had the opportunity to work
9 in the honor farms and some more remote jail sites. But
10 it was nice to get out of jail for a while. But I
11 always, I always say I served eight years. And that's
12 always interesting to see what that looks like, what
13 that sounds like in a conversation, so.

14 BOARD MEMBER NADEAU: I understand that. Thank
15 you.

16 ACTING CHAIRMAN FLYNN: It's a reverse
17 workplace probably.

18 MR. CLARK: Yeah, exactly.

19 BOARD MEMBER NADEAU: Mr. Chair?

20 ACTING CHAIRMAN FLYNN: Any public comment on
21 this? I've got to take public comment first. Any
22 public comment on this item?

23 Okay. Seeing none, I'll entertain a motion.

24 BOARD MEMBER NADEAU: Thank you, Mr. Chairman.
25 I would move that Kane Consulting Group, Incorporated be

1 granted a new corporate private patrol license,
2 Daniel S. Clark be granted an individual private patrol
3 license, that his individual license be placed into
4 abeyance so that he may become the qualifying agent of
5 Kane Consulting Group, Incorporated. This is subject to
6 all statutory and regulatory requirements.

7 ACTING CHAIRMAN FLYNN: I have a motion. Do I
8 have a second?

9 BOARD MEMBER COLBERT: Second.

10 ACTING CHAIRMAN FLYNN: Any further discussion
11 from the Board?

12 Okay. I'll call for a vote. All in favor,
13 state "aye."

14 (Board members said "aye.")

15 ACTING CHAIRMAN FLYNN: Any opposed?

16 Motion carried. Congratulations, sir.

17 MR. CLARK: Thank you.

18 ACTING CHAIRMAN FLYNN: Item 28, Griffin
19 Security Solutions, LLC is applying for a new corporate
20 private patrolman license. Sandy J. Griffin Jr. is
21 applying for an individual private patrolman license.
22 If approved, he is requesting that his individual
23 license be placed into abeyance so that he may become
24 the qualifying agent. Member to be approved is Sandy J.
25 Griffin Jr. This is subject to all statutory and

1 regulatory requirements. For possible action.

2 Good morning, sir. Have you been sworn in?

3 MR. GRIFFIN: Yes, sir, I have.

4 ACTING CHAIRMAN FLYNN: Okay. Your name for
5 the record, and tell us why you're here.

6 MR. GRIFFIN: I'm Sandy Julius Griffin Jr. I'm
7 here to get my individual private patrolman's license
8 and, also, apply for the new corporate patrolman license
9 for Griffin Security Solutions.

10 A little background about myself. I was
11 stationed at Nellis Air Force Base from 2003 to 2011,
12 six years active and two years active reserve. 2006,
13 after my first coming back from Iraq, I started getting
14 into the security field, and throughout 2006 to current
15 time now. I've worked all over town, from being a
16 supervisor at Anthem Country Club, to Southern
17 Highlands, and working armed and unarmed patrol, being
18 in charge of people and, also, working by myself. I
19 think, I'm ready at this point in my life to start my
20 own company and provide an excellent security service in
21 Nevada.

22 ACTING CHAIRMAN FLYNN: Okay. Thank you for
23 your service.

24 MR. GRIFFIN: Thank you, sir.

25 ACTING CHAIRMAN FLYNN: Any questions from the

1 Board on the applicant?

2 BOARD MEMBER NADEAU: None.

3 ACTING CHAIRMAN FLYNN: Okay. Any public
4 comment on this item?

5 Okay. Seeing none, I'll take a motion.

6 BOARD MEMBER COLBERT: Mr. Chairman, I move
7 that Griffin Security Solutions, LLC be granted a new
8 corporate private patrolman license, and that Sandy J.
9 Griffin Jr. be granted an individual private patrolman
10 license, and that his individual license be placed into
11 abeyance so that he may become the qualifying agent.
12 Members to be approved are Sandy J. Griffin Jr., and
13 that this is subject to all statutory and regulatory
14 requirements.

15 ACTING CHAIRMAN FLYNN: Okay. I have a motion.
16 Do I have a second?

17 BOARD MEMBER COLLINS: Second.

18 ACTING CHAIRMAN FLYNN: Okay. Any further
19 discussion from the Board?

20 Seeing none, I'll call the vote. All in favor
21 of the motion, state "aye."

22 (Board members said "aye.")

23 ACTING CHAIRMAN FLYNN: Any opposed?

24 Motion carried. Congratulations, sir.

25 MR. GRIFFIN: Thank you very much, Board,

1 appreciate it.

2 ACTING CHAIRMAN FLYNN: Item number 29,
3 Sentinel Armored, LLC is applying for a new corporate
4 private patrolman license. Matthew C. Greenwell is
5 applying for a individual private patrolman license. If
6 approved, he is requesting that his individual license
7 be placed into abeyance so that he may become the
8 qualifying agent. Member to be approved is Matthew C.
9 Greenwell. This is subject to all statutory and
10 regulatory requirements. For possible action.

11 Good morning, sir. Have you been sworn in?

12 MR. GREENWELL: Yes, sir.

13 ACTING CHAIRMAN FLYNN: Name for the record,
14 and tell us why you're here.

15 MR. GREENWELL: Matthew C. Greenwell. I'm here
16 to get my private patrolman's license for transporting
17 property in Nevada. I worked for Briggs, Incorporated
18 from 2007 to 2014, during which time I've done
19 everything from scheduling to hiring to setting up
20 contracts between different businesses. You name it,
21 I've done it.

22 So that's what I'm trying to do.

23 ACTING CHAIRMAN FLYNN: Okay. Don't test me.

24 MR. GREENWELL: I won't.

25 ACTING CHAIRMAN FLYNN: Okay. Any questions

1 from the Board?

2 BOARD MEMBER COLBERT: I have one, Mr. Chair.

3 ACTING CHAIRMAN FLYNN: Yes.

4 BOARD MEMBER COLBERT: Sir, could you give
5 us -- bring us up to speed there and enlighten us about
6 the financial issues that you had the Sears and such.

7 MR. GREENWELL: At this time, I have no
8 financial issue, zero. All of that has been cleared.
9 That's a long time ago.

10 BOARD MEMBER COLBERT: Okay. And what brought
11 all that upon -- what caused all that to happen?

12 MR. GREENWELL: Just life, just having to get
13 my stuff together. That's all. But, I believe, that
14 was all taken care of like in 2010.

15 BOARD MEMBER COLBERT: Okay. Okay.

16 ACTING CHAIRMAN FLYNN: We're good. All right.
17 Usually, anything within 10 years, we consider recent.

18 MR. GREENWELL: Oh, okay.

19 ACTING CHAIRMAN FLYNN: That's why we ask.

20 MR. GREENWELL: Okay. Gotcha. Yeah, all been
21 cleared up, all been paid up, sir.

22 BOARD MEMBER COLBERT: Thank you.

23 ACTING CHAIRMAN FLYNN: Any other questions,
24 any other questions from the Board?

25 Any public comment on this item?

1 Seeing none, I'll entertain a motion.

2 BOARD MEMBER NADEAU: Mr. Chair, I'd move that
3 Sentinel Armored, LLC be granted a new corporate private
4 patrol license, Matthew C. Greenwell be granted an
5 individual private patrol license, and that his
6 individual license be placed into abeyance so that he
7 may become the qualifying agent for Sentinel Armored,
8 LLC. Member to be approved is Matthew C. Greenwell.
9 This is subject to all statutory and regulatory
10 requirements.

11 BOARD MEMBER COLBERT: Second.

12 ACTING CHAIRMAN FLYNN: Okay. I have a motion.
13 Do I have a second?

14 BOARD MEMBER COLBERT: Second.

15 ACTING CHAIRMAN FLYNN: Okay. I have a second.
16 Any further discussion from the Board?

17 All in favor, state "aye."

18 (Board members said "aye.")

19 ACTING CHAIRMAN FLYNN: Any opposed?

20 Motion carried. Congratulations.

21 MR. GREENWELL: Thank you. Happy holidays,
22 everyone.

23 ACTING CHAIRMAN FLYNN: Item number 30, Agent
24 One Protective Services, LLC is applying for a new
25 corporate private patrolman license. Timothy C. Furnas

1 is applying for an individual private patrolman license.
2 If approved, he is requesting that his individual
3 license be placed into abeyance so that he may become
4 the qualifying agent. This is subject to all statutory
5 and regulatory requirements. For possible action.

6 Good morning, sir. Have you been, been sworn
7 in?

8 MR. FURNAS: Yes, sir.

9 ACTING CHAIRMAN FLYNN: Your name for the
10 record and why you're here.

11 Timothy C. Furnas. And I'm applying for a new
12 corporate and private patrolman license as well as an
13 individual private patrolman license.

14 ACTING CHAIRMAN FLYNN: Okay. Any questions
15 from the Board?

16 BOARD MEMBER NADEAU: Mr. Furnas, could you
17 just explain what's going on with the financials that
18 you have -- mentioned in the investigative report?

19 MR. FURNAS: Yes. The two items that were on
20 there were actually part of the original bankruptcy and,
21 for some reason, weren't caught. And so we have spoken
22 to the Goodheart Company at that time, right after
23 whoever called me. And we didn't know that still
24 existed. And those are included in that bankruptcy. So
25 there's no financial issue at all. They were fixing

1 that, too.

2 BOARD MEMBER NADEAU: Okay. And the bankruptcy
3 was caused by?

4 MR. FURNAS: I lived in northern California and
5 was a partner in a company. And when the bubble burst,
6 we got hit really hard. That was one of the hardest-hit
7 areas in the nation. And I actually went for two years
8 and sustained two years without a paycheck. And then
9 finally, it just -- it collapsed, you know, our company.
10 Our customers were filing bankruptcy, and it just --
11 that's what happened.

12 BOARD MEMBER NADEAU: Okay. Thank you. Thank
13 you.

14 MR. FURNAS: Since then, I have -- I'm sorry?

15 BOARD MEMBER NADEAU: No, go ahead and finish.
16 I'm sorry.

17 MR. FURNAS: Oh, since then, I've definitely
18 reestablished myself. I purchased my home, I own it
19 free and clear. So we don't have financial issues.

20 BOARD MEMBER NADEAU: All right. Thank you.
21 Thank you, sir.

22 Thank you, Mr. Chair.

23 MR. FURNAS: Thank you.

24 ACTING CHAIRMAN FLYNN: Okay. Any other
25 questions from the Board?

1 Any public comment on this item?

2 Seeing none, I'll call for a motion.

3 BOARD MEMBER COLBERT: Mr. Chair, I'd move that
4 Agent One Protective Services, LLC be granted a new
5 corporate private patrolman license, and Timothy C.
6 Furnas be granted an individual private patrolman
7 license, and that his individual license be placed into
8 abeyance so that he may become the qualifying agent for
9 Agent One Protective Services, LLC. And this is subject
10 to all statutory and regulatory requirements.

11 BOARD MEMBER COLLINS: Second.

12 ACTING CHAIRMAN FLYNN: I have a motion. I
13 have a second. Any further discussion, discussion from
14 the Board?

15 Okay. Seeing none, I'll call for the vote.
16 All in favor, state "aye."

17 (Board members said "aye.")

18 ACTING CHAIRMAN FLYNN: Any opposed?

19 Motion carried. Congratulations.

20 MR. FURNAS: Thank you. Happy holidays,
21 everyone.

22 ACTING CHAIRMAN FLYNN: Happy holidays, too.

23 Okay. Item 31, John P. Keane ("Keen")?

24 MR. KEANE: Sure.

25 ACTING CHAIRMAN FLYNN: Sure?

1 MR. KEANE: I've been fighting it all my life.
2 "Kane" or "Keen," either one.

3 ACTING CHAIRMAN FLYNN: What do you prefer?

4 MR. KEANE: "Keen."

5 ACTING CHAIRMAN FLYNN: Okay. He's applying
6 for an individual private patrolman license. If
7 approved, he's requesting that his individual license be
8 placed into abeyance so that he may become the
9 qualifying agent for Securitas Security Services USA,
10 Inc., license number 1100. This is subject to all
11 statutory and regulatory requirements. For possible
12 action.

13 Have you been sworn in?

14 MR. KEANE: Yes, I have.

15 ACTING CHAIRMAN FLYNN: Okay. For the record,
16 your name, and tell us why you're here.

17 MR. KEANE: John Keane. I'm here to be the
18 qualifying agent for Securitas. Securitas has a long
19 history here in Nevada.

20 I've recently moved here from Texas. I've held
21 many licenses in different states throughout my career,
22 back when I got out of the Marine Corps. in 1989. I've
23 worked in the armored car industry as well as the
24 guarding industry. And, hopefully, I'm here in Nevada
25 to stay, for now.

1 ACTING CHAIRMAN FLYNN: Okay. Thank you.

2 MR. KEANE: You're welcome.

3 ACTING CHAIRMAN FLYNN: Any questions from the
4 Board?

5 BOARD MEMBER NADEAU: Thank you, Mr. Chair.

6 I just had a question. It seems like we have
7 CSEQs, that we had like three all for the same period,
8 though they didn't agree in hours. I was just curious,
9 what was that about? And maybe the investigator can
10 tell me.

11 MR. KEANE: And the CSEQs, is that the
12 references?

13 BOARD MEMBER NADEAU: Yeah.

14 MR. KEANE: Is that?

15 BOARD MEMBER NADEAU: Yes.

16 MR. KEANE: I'm not sure. I had no input on
17 what they submitted. So I'm not --

18 ACTING CHAIRMAN FLYNN: Okay. We'll ask for
19 the investigator to come up.

20 MR. KEANE: Okay.

21 MR. INGRAM: Investigator Woodruff in the
22 north.

23 ACTING CHAIRMAN FLYNN: He's coming forward.

24 BOARD MEMBER NADEAU: I mean it's not a
25 question on hours. Just I was just confused why there

1 were the different CSEQs.

2 There's one by David McAlister, and that was
3 14,560 hours. Then there is one by Ty Stanford, and
4 that was 14,560 hours. And then there was a third by
5 Carol Christian, who attested to 16,640 hours. I was
6 just confused.

7 MR. WOODRUFF: Yes. Thank you. The CSEQs came
8 from several different types of people within the
9 organization. Carol Christian, Christianson has known
10 Mr. Keane for a long period of time, known of his
11 experience. Ty was a -- Ty Stanford was a coworker and
12 had different knowledge of his experience. And then,
13 thirdly, David McAlister, who is in the position of
14 human resources, had information not only of his
15 personal experience, but company files as to his
16 experience. And those were the differences.

17 BOARD MEMBER NADEAU: Thank you.

18 Thank you, Mr. Chair.

19 ACTING CHAIRMAN FLYNN: Okay. Any other
20 questions?

21 Any public comment on this item?

22 MR. KEANE: I actually have a comment. Can I
23 comment?

24 ACTING CHAIRMAN FLYNN: Yes.

25 MR. KEANE: You know, I've held licenses in a

1 number of states. And I want to commend the staff of
2 the PILB for holding my hand, specifically Gisela here
3 and Jason up in Carson City. As I, you know, got my
4 feet beneath me with all the rules and regulations in
5 Nevada, they've been very, very helpful. I expected to
6 hit a bureaucratic roadblock and not get any help. But
7 they've been fantastic throughout this whole process.
8 So I want to put on the record thanking them and the
9 Board during this process.

10 MR. INGRAM: Thank you very much.

11 ACTING CHAIRMAN FLYNN: Well, that's nice to
12 hear. And as most of us have mentioned before, that the
13 purpose of the Board is to assist the industry where
14 it's possible.

15 MR. KEANE: Well, I can attest to that. So,
16 thank you.

17 ACTING CHAIRMAN FLYNN: Okay. I already called
18 for public comment. I didn't see anybody come forward.

19 All right. All in -- I'll entertain a motion.

20 BOARD MEMBER NADEAU: Mr. Chair, I'd move
21 that --

22 ACTING CHAIRMAN FLYNN: Yes.

23 BOARD MEMBER NADEAU: I'd move that John P.
24 Keane be granted an individual private patrol license,
25 and that his individual license be placed in abeyance so

1 that he may become the qualifying agent for Securitas
2 Security Services USA, Incorporated, license number
3 1100. This is subject to all statutory and regulatory
4 requirements.

5 ACTING CHAIRMAN FLYNN: Is there a second?

6 BOARD MEMBER COLBERT: Second.

7 BOARD MEMBER COLLINS: Second.

8 ACTING CHAIRMAN FLYNN: Okay. I have a second
9 down south. Any further discussion from the Board?

10 All in favor, state "aye."

11 (Board members said "aye.")

12 ACTING CHAIRMAN FLYNN: Any opposed?

13 Motion carried. Thank you.

14 MR. KEANE: Thank you.

15 ACTING CHAIRMAN FLYNN: Item number 32,
16 Charles Q. Allaway, doing business as Watchdog Security
17 Services, is applying for an individual private
18 patrolman license. This is subject to all statutory and
19 regulatory requirements. For possible action.

20 Good morning, sir. Have you been sworn in?

21 MR. ALLAWAY: I have.

22 ACTING CHAIRMAN FLYNN: Okay. For the record,
23 your name and why you're here.

24 MR. ALLAWAY: Charles Allaway, and I'm applying
25 for a private patrol license, as a sole proprietor to

1 start. And, I believe, it would behoove me to establish
2 operations before I go for a corporate status. So start
3 small, start building from there. And then later,
4 within the next year to two years, I plan on going for
5 the corporate status. Currently, I have licensure in
6 Montana, California and Texas, and looking to start in
7 Nevada. I'd like to incorporate out of Nevada state.

8 Yeah, that's where I'm at.

9 ACTING CHAIRMAN FLYNN: Okay. Thank you. Any
10 questions from the Board?

11 Any public comment on this item?

12 I'll call for a motion.

13 BOARD MEMBER COLLINS: Mr. Chairman, I motion
14 that Charles Q. Allaway, for Watchdog Security Services,
15 be granted an individual private patrolman's license.
16 This is subject to all statutory and regulatory
17 requirements.

18 ACTING CHAIRMAN FLYNN: Okay. I have a motion.

19 BOARD MEMBER COLBERT: Second.

20 ACTING CHAIRMAN FLYNN: I have a second. Any
21 further discussion from the Board?

22 All in favor, state "aye."

23 (Board members said "aye.")

24 ACTING CHAIRMAN FLYNN: Any opposed?

25 Motion carried. Congratulations.

1 MR. ALLAWAY: Thank you all.

2 ACTING CHAIRMAN FLYNN: Okay. I'm going to
3 move on to reposessor. Item 33, Clifton L. Jones, Jr.,
4 is applying for an individual reposessor license. If
5 approved, he is requesting that his individual license
6 be placed into abeyance so that he may become the
7 qualifying agent for Kennedy Auto Recovery Solutions,
8 LLC, license number 2053D. This is subject to all
9 statutory and regulatory requirements. For possible
10 action.

11 Good morning, sir. Have you been sworn in?

12 MR. JONES: Yes, sir.

13 ACTING CHAIRMAN FLYNN: Please have a seat.
14 Your name and why you're here.

15 MR. JONES: Clifton Jones, Jr., to get my
16 reposessor's license and become the qualified agent for
17 my existing company.

18 ACTING CHAIRMAN FLYNN: Okay. Any questions
19 from the Board?

20 Any public comment on this item?

21 Okay. Seeing none, I'll call for a motion.

22 BOARD MEMBER COLLINS: Mr. Chairman, I motion
23 that Clifton L. Jones is granted his individual
24 reposessor's license; if approved, that his individual
25 license be placed into abeyance so that he may become

1 the qualifying agent for Kennedy Auto Recovery
2 Solutions, LLC, license number 2053D. This is subject
3 to all statutory and regulatory requirements.

4 BOARD MEMBER COLBERT: Second.

5 ACTING CHAIRMAN FLYNN: I have a motion, and I
6 have a second. Any further discussion from the Board?

7 All in favor, state "aye."

8 (Board members said "aye.")

9 ACTING CHAIRMAN FLYNN: Any opposed?

10 Motion carried. Congratulations.

11 MR. JONES: Thank you.

12 ACTING CHAIRMAN FLYNN: I'll move on to
13 polygraph examiner. Item number 34, Kerry White is
14 applying for an individual polygraph examiner
15 certification until such time that she retires from law
16 enforcement. This is similar to an abeyance license for
17 any other category. If approved, she will not -- she
18 will notify the Board staff when she retires, at which
19 time she may activate her license. This is subject to
20 all statutory and regulatory requirements. For possible
21 action.

22 Good morning, Kerry.

23 MS. WHITE: Good morning.

24 ACTING CHAIRMAN FLYNN: Good to see you again.
25 When are you going to be retiring? Okay.

1 MS. WHITE: This month, maybe next year.

2 ACTING CHAIRMAN FLYNN: The department's on
3 probation.

4 MS. WHITE: Pretty much, yes.

5 ACTING CHAIRMAN FLYNN: I just want to directly
6 comment to counsel, in the past, I've abstained when an
7 individual has worked directly for me. Kerry has not
8 worked directly for me, but she's been in my chain of
9 command over several years, in my previous life, for
10 years. Plus, I have nothing but positive comments about
11 her. But I don't feel I need to abstain, because she
12 was not directly reporting to me.

13 MR. KANDT: Well, I just remind the Board
14 members that under the ethics in government law, the
15 decision whether or not to abstain is left to the
16 individual judgment of the Board member that may have a
17 potential or an apparent conflict of interest. So the
18 important thing, I think, is that you disclose any
19 potential or apparent conflict of interest the minute
20 the item comes up on the agenda, prior to any discussion
21 of the item.

22 But, once again, to Mr. Flynn, your comments,
23 it's left to you, your determination as to whether you,
24 after disclosing the prior relationship, working
25 relationship with the individual, whether or not you

1 feel like there's any sort of conflict of interest that
2 would impair your judgment to act in an impartial
3 manner.

4 ACTING CHAIRMAN FLYNN: Okay. And then, for
5 the record, for the stenographer, as has been stated
6 before, Ms. White has not directly reported to me,
7 although has been in my chain. In the past, I've
8 abstained from people that directly reported to me. I
9 feel I could be fair and impartial on this.

10 And, Ms. White, do you have any concerns?

11 MS. WHITE: No concern, sir.

12 ACTING CHAIRMAN FLYNN: Okay. And for the
13 record, your name and why you're here?

14 MS. WHITE: My name's Kerry White, and I am
15 trying to get my private polygraph license so that I can
16 do polygraphs after I retire in the private sector.

17 ACTING CHAIRMAN FLYNN: Okay. Any questions
18 from the Board?

19 BOARD MEMBER NADEAU: I have none. Do you?

20 BOARD MEMBER COLBERT: No.

21 ACTING CHAIRMAN FLYNN: All right. Any public
22 comment on this item?

23 All right. Seeing none, I'll entertain a
24 motion.

25 BOARD MEMBER COLBERT: Mr. Chair, I move that

1 Kerry White be granted an individual polygraph examiner
2 certification, and that it remain in abeyance until she
3 retires from law enforcement, and, if approved, that she
4 will notify the Board once she has retired, at which
5 time she may activate her license. And this is subject
6 to all statutory and regulatory requirements.

7 BOARD MEMBER NADEAU: Second.

8 ACTING CHAIRMAN FLYNN: I have a motion and a
9 second. Any further discussion from the Board?

10 I'll call for the vote. All in favor?

11 (Board members said "aye.")

12 ACTING CHAIRMAN FLYNN: Any opposed?

13 The motion carried. Congratulations.

14 MS. WHITE: Thank you, sir.

15 ACTING CHAIRMAN FLYNN: Okay. Private
16 investigator and private patrolman. Item number 35,
17 Executive Security & Protection, Inc. is applying for a
18 new corporate private investigator and private patrolman
19 license. Michael D. Vishnesky ("Vish-nes-skee")?

20 MR. VISHNESKY: Rolled right off.

21 ACTING CHAIRMAN FLYNN: Okay. Is applying for
22 an individual private investigator and private patrolman
23 license. If approved, he is requesting that his
24 individual license be placed in abeyance so that he may
25 become the qualifying agent. This is subject to all

1 statutory and regulatory requirements. For possible
2 action.

3 Have you been sworn in?

4 MR. VISHNESKY: I have.

5 ACTING CHAIRMAN FLYNN: Please have a seat.

6 Your name and why you're here, sir.

7 MR. VISHNESKY: My name is Mike Vishnesky. I
8 would thank the Board for allowing me to present our
9 case, and the staff has been just terrific working with
10 us.

11 I'm from Pennsylvania. And I've been a
12 licensed private investigator for 30 years, only job
13 I've ever had actually. So I've been fortunate to work
14 in many states, and that has been -- I've been a guest
15 here many times. And now I've had friends and business
16 acquaintances, and they've asked me to bring my business
17 out here.

18 ACTING CHAIRMAN FLYNN: Thank you, and thank
19 you for pronouncing our state correctly.

20 MR. VISHNESKY: I made sure.

21 ACTING CHAIRMAN FLYNN: Our Chairman will
22 appreciate that.

23 Any questions from the Board?

24 BOARD MEMBER NADEAU: I have none.

25 BOARD MEMBER COLBERT: No.

1 ACTING CHAIRMAN FLYNN: Okay. Any public
2 comments on this item?

3 I'll entertain a motion.

4 BOARD MEMBER NADEAU: Mr. Chair, I'd move that
5 Executive Security & Protection, Incorporated be granted
6 a new corporate private investigator and private patrol
7 license, Mike, Michael D. Vishnesky be granted an
8 individual private investigator and private patrol
9 license, and that his license be placed in abeyance so
10 that he can become the qualifying agent for Executive
11 Security & Protection, Incorporated. This is subject to
12 all statutory and regulatory requirements.

13 BOARD MEMBER COLBERT: Second.

14 ACTING CHAIRMAN FLYNN: I have a motion, and I
15 have a second. Any further discussion from the Board?

16 Seeing none, I'll call for a vote. All in
17 favor, state "aye."

18 (Board members said "aye.")

19 ACTING CHAIRMAN FLYNN: Any opposed?

20 The motion carried. Congratulations, sir.

21 MR. VISHNESKY: Thank you very much.

22 MR. INGRAM: Mr. Chairman, did you want to go
23 back to item 17?

24 ACTING CHAIRMAN FLYNN: Yes. Yep. I was going
25 to go there next.

1 MR. INGRAM: Excellent.

2 ACTING CHAIRMAN FLYNN: We're trailing one
3 item. That's item number 17. We're about ready to
4 conclude the first portion of our meeting today.

5 So is anybody here representing Rayken LLC?

6 I don't see any here. Any up north?

7 BOARD MEMBER COLBERT: No.

8 ACTING CHAIRMAN FLYNN: Okay. I'll entertain a
9 motion. Well, hold on one second. Any public comment
10 on this item?

11 All right. I'll entertain a motion.

12 BOARD MEMBER COLBERT: Mr. Chair, I'd move that
13 Rayken LLC be granted a new corporate polygraph license,
14 and that Chad W. Russell, license number 1836E, be
15 granted his individual license, requesting that his
16 individual license be placed into abeyance so that he
17 may become the qualifying agent. And this is subject to
18 all statutory and regulatory requirements.

19 ACTING CHAIRMAN FLYNN: I have a motion. Do I
20 have a second?

21 BOARD MEMBER COLLINS: Second.

22 ACTING CHAIRMAN FLYNN: I have a second. Any
23 further discussion from the Board?

24 All in favor, state "aye."

25 (Board members said "aye.")

1 ACTING CHAIRMAN FLYNN: Any opposed?

2 The motion carried.

3 All right. We've had a long way. I'm going to
4 call for a break, 15 minutes, for myself, as I'm losing
5 my voice, as well as our hard-working stenographer up
6 there. And we'll reconvene at 11:05.

7 Those of you that are here for the appeals,
8 make sure you've signed in, in the back.

9 And we are off the record.

10 * * * * *

11 (A break was taken, 10:50 to 11:09 a.m.)

12 * * * * *

13 ACTING CHAIRMAN FLYNN: Okay. We're ready to
14 go on the record.

15 BOARD MEMBER COLBERT: Let me go grab Jim.

16 ACTING CHAIRMAN FLYNN: Okay. He needed to
17 make a call. It's all right with us. We've got a
18 quorum.

19 BOARD MEMBER COLBERT: Okay.

20 ACTING CHAIRMAN FLYNN: Yeah, Jim, he let me
21 know right at the break that he needed to make a call.
22 We've got a quorum, so we can proceed.

23 Okay. This is a continuation of today's
24 Private Investigator's Licensing Board meeting. This
25 portion will be dedicated to registration appeals.

1 Before we get started, Executive Director, I
2 think, you've got some comments?

3 MR. INGRAM: Yes. We're aware right now,
4 agenda item 40, Jorel Strother, agenda item 46, Raymond
5 Torres, and agenda item 52, Wesley Jones, have withdrawn
6 their appeals.

7 ACTING CHAIRMAN FLYNN: So 40, 46 and 52?

8 MR. INGRAM: Correct.

9 ACTING CHAIRMAN FLYNN: Okay. And if the Board
10 doesn't have any objection, what I'd like to do is -- I
11 noticed there's a couple people here with children. I'd
12 like to call them first, so the kids don't have to sit
13 around all day. Because this could go a bit.
14 Otherwise, I could wait till your turn.

15 MS. ROBERTS: No, I'll take it.

16 ACTING CHAIRMAN FLYNN: All right. Come up
17 front. And, you know, I understand.

18 Yes, ma'am, do you have an objection?

19 MS. MOATON: No.

20 ACTING CHAIRMAN FLYNN: You have children, too.
21 Okay. I'm going to go with her first, because I noticed
22 her, and then you.

23 And then, hopefully, the rest of the room will
24 understand why I'm doing this. Okay. Because I toted
25 around my kids when they were a lot younger. I should

1 tote them around now. They're in their 30s and 40s,
2 but.

3 Come up front. I don't know what agenda item
4 is yours. But just please tell us your name. Give us a
5 minute to find it.

6 MS. ROBERTS: It's 37.

7 ACTING CHAIRMAN FLYNN: You're 37?

8 MS. ROBERTS: Roberts.

9 ACTING CHAIRMAN FLYNN: Chrishondala
10 ("Kris-ahn-DAHL-a") Roberts?

11 MS. ROBERTS: "Krish-AHN-dah-lah").

12 ACTING CHAIRMAN FLYNN: Chrishondala.

13 MS. ROBERTS: Yes.

14 ACTING CHAIRMAN FLYNN: Okay. My apologies.

15 MS. ROBERTS: No problem.

16 ACTING CHAIRMAN FLYNN: All right. Come
17 forward. And you need to be sworn in.

18 MS. ROBERTS: Okay.

19 ACTING CHAIRMAN FLYNN: Okay. So please stand.

20 MR. KANDT: Ms. Roberts, if you'll just come
21 up so the mic can pick you up. And just state your name
22 for the record.

23 MS. ROBERTS: Chrishondala Roberts.

24 MR. KANDT: Could you raise your right hand,
25 please. Do you swear under penalty of perjury to tell

1 the truth, the whole truth, and nothing but the truth?

2 MS. ROBERTS: Yes.

3 MR. KANDT: Thank you.

4 ACTING CHAIRMAN FLYNN: Okay. Please have a
5 seat. Identify your name again for the record, and.

6 MS. ROBERTS: Chrishondala Roberts.

7 ACTING CHAIRMAN FLYNN: Okay. And why are you
8 here?

9 MS. ROBERTS: I'm here. And I'm a security
10 guard in California. And I came to Nevada to get a
11 card, get work, and I didn't report that I had a
12 criminal record, because it was expunged, and they
13 didn't tell me I had to report it if it was expunged.

14 ACTING CHAIRMAN FLYNN: Okay. I'd like to call
15 the investigator, either up north or down here.

16 MS. DONALD: Investigator Donald.

17 ACTING CHAIRMAN FLYNN: Okay. Can you hear
18 her, for the recorder?

19 THE REPORTER: Yes.

20 MS. DONALD: I can speak loudly.

21 ACTING CHAIRMAN FLYNN: Yes. Okay. All right.
22 Please.

23 MS. DONALD: So Ms. Roberts had arrests that
24 she didn't disclose. She is correct on some of them,
25 they were dismissed under 1203.4. But Nevada doesn't

1 recognize 1203.4, so we do require the applicants to
2 list them.

3 We provided the Board with the denial report,
4 listing, you know, if they were a misdemeanor or a
5 felony and what the outcome was for each arrest. I can
6 go through it if you would like me to.

7 ACTING CHAIRMAN FLYNN: Please, for the record.

8 MS. DONALD: 2013, one count of force, possible
9 great bodily injury. 2015, one count of theft, personal
10 property. She received summary probation, 60 days in
11 jail, fines, anger management classes. This was a
12 misdemeanor. She completed probation in two thousand --
13 so the '15 and misdemeanor charges were dismissed under
14 1203.4.

15 In 2004, she had one count of force, assault
16 with a deadly weapon but not a firearm. The type was
17 unknown. The disposition was unknown. She did provide
18 court documents, but they not list the disposition, and
19 neither did the fingerprints. It was incomplete.

20 2003, one count of force, assault with a deadly
21 weapon not a firearm. Again, that was unknown as far as
22 disposition. The fingerprints did not list it. No
23 court docs were provided.

24 2001, one count of making a fictitious check.
25 This was a felony. It was 36 months formal probation.

1 She received jail and fines. The felony conviction was
2 dismissed under 1203.4 after probation.

3 1998, assault with a deadly weapon on a person
4 without a firearm. This was a felony. Probation, 36
5 months jail, or 36 months probation, 90 days jail. It
6 was a felony conviction, dismissed under 1203.4 after
7 probation.

8 One more, 1998 battery, misdemeanor. She was
9 convicted, given one day in jail.

10 ACTING CHAIRMAN FLYNN: Okay. For the record,
11 which ones were not expunged?

12 MS. ROBERTS: I have the documents.

13 ACTING CHAIRMAN FLYNN: I'll give you plenty of
14 time.

15 MS. DONALD: There were -- one of them was the
16 2004. The court docs she provided were incomplete. It
17 didn't list the disposition. And like I said, the
18 fingerprints didn't, either. And that was one count of
19 force, assault with a deadly weapon not a firearm.

20 There was actually two, 2004 and 2003, we were
21 unable to obtain the disposition.

22 ACTING CHAIRMAN FLYNN: Okay. You wanted to
23 say anything?

24 MS. ROBERTS: I have the documents that I
25 emailed her.

1 MS. DONALD: But it wasn't complete. And we
2 had spoken about that. It didn't list whether she was
3 charged with a felony or a misdemeanor. So we were
4 unsure. Several of us had looked at it, and we weren't
5 able to determine.

6 ACTING CHAIRMAN FLYNN: Okay. Anything else
7 you want to add?

8 MS. ROBERTS: No.

9 ACTING CHAIRMAN FLYNN: No. Okay. Any
10 questions of the Board?

11 BOARD MEMBER COLBERT: No.

12 BOARD MEMBER COLLINS: I have a question. On
13 the 2004 and 2003, they are the exact same charge?

14 MS. DONALD: Correct, it is.

15 BOARD MEMBER COLLINS: And does the record
16 indicate she was arrested, but there's no disposition?

17 MS. DONALD: I don't know. She provided me
18 with a lot of court documents. I have them all here.
19 And I -- actually, I don't think, for '3 and '4, I've
20 even gotten court documents on it. Let me look on the
21 fingerprints, what the fingerprints say for those.

22 So those were out of Los Angeles. A lot of
23 times, when we get the fingerprint reports back, we
24 don't have any disposition.

25 This says count four is assault with deadly

1 weapon not firearm, great bodily injury. It was
2 9-11-2003 and 11-15-2004. It says "severity unknown" on
3 both of them.

4 BOARD MEMBER COLLINS: Thank you.

5 ACTING CHAIRMAN FLYNN: Do you want to comment
6 about these incidents where force was related with great
7 bodily injury?

8 MS. ROBERTS: They were retaliation from
9 domestic violence.

10 ACTING CHAIRMAN FLYNN: Do we have any reports
11 that state that this was in conjunction or a
12 continuation of domestic violence?

13 MS. DONALD: No, I don't see anything about if
14 it was domestic violence on the fingerprints. It
15 doesn't say it. It just says what I read before.

16 ACTING CHAIRMAN FLYNN: Okay. And your
17 reasoning, again, for not reporting any of these,
18 including the ones that weren't expunged?

19 MS. ROBERTS: From my understanding, everything
20 that I have is expunged. I emailed her the court
21 documents. And my paperwork just says that it was
22 expunged. When I faxed them over to her, and I got in
23 contact with her to find out if she received everything,
24 I never got a call back. It was supposed to be an
25 initial 44 pages that I faxed over to her. I never got

1 a call back whether she received every single last one
2 of them.

3 ACTING CHAIRMAN FLYNN: Okay. Any other
4 questions from the Board?

5 (Board Member Nadeau came back into the meeting
6 room in Las Vegas.)

7 BOARD MEMBER COLBERT: No.

8 ACTING CHAIRMAN FLYNN: Any public comment on
9 this item?

10 MR. MARTINEZ: I have one comment.

11 ACTING CHAIRMAN FLYNN: On this item?

12 MR. MARTINEZ: Yes.

13 ACTING CHAIRMAN FLYNN: Please come forward and
14 identify yourself.

15 MR. MARTINEZ: Again, I'm Josh Martinez.

16 And somebody stated earlier that she failed to
17 report something. My question on that was, does she
18 still have the right to remain silent and not give
19 anything to the state? So that's my question about the
20 U.S. Constitution.

21 She -- it's the state's obligation to prove her
22 wrong or somehow not worthy or not to work in this
23 field. So I just want to remind the Board of where your
24 constitution belongs. Because, obviously, she's here
25 with her child. She's trying to work in a business or

1 in an industry that you guys reserve the right to
2 approve or disapprove an individual.

3 So my argument, or my question, I'm sorry, my
4 question is, does she still retain the right to remain
5 silent without being punished later for it?

6 MR. KANDT: This is Board counsel. I remind
7 the Board that members of the public who want to provide
8 comment, whether it's in the general period of public
9 comment or on a specific item that's being considered
10 for action, they have a right to provide comment. They
11 don't have a right to ask questions of the Board, and
12 the Board is not obligated to provide answers to
13 questions that are asked.

14 MR. MARTINEZ: Okay. Well, can I share a
15 comment, then? Nevada Constitution, Article 1,
16 Section 2, says that paramount allegiance of every
17 citizen in the United States or in Nevada is due to the
18 central federal government and protected by all of its
19 constitutional powers. Therefore, her constitutional
20 rights are being violated right now, as we speak. So
21 that's part of my comment.

22 Another comment is I don't know why you don't
23 have a name. You just said Board counsel. You're
24 claiming to be counsel. You gave me your number
25 earlier. But none of that information is posted where

1 all of us can see. That's another comment. I'm not
2 going to ask you, because you might get back with me on
3 that. So that's my comment. Can you answer that
4 comment, reply to that comment?

5 MR. KANDT: I already stated for the record my
6 name is Brett Kandt.

7 MR. MARTINEZ: And your bar number, please,
8 again?

9 MR. KANDT: 5384.

10 MR. MARTINEZ: 5384. Thank you.

11 MR. INGRAM: Mr. Chair, if I may interject?

12 ACTING CHAIRMAN FLYNN: Yes.

13 MR. INGRAM: We have different Board counsel
14 that represent us on a regular basis. That's why our ID
15 placard for Board counsel says Board counsel. We have
16 no, no responsibility to report the name on a placard.
17 It is on the record. And, you know, that suffices.

18 Thank you.

19 MR. KANDT: But just also to clarify, I'm with
20 the Attorney General's Office. The Nevada Attorney
21 General's Office is legal counsel for this Board. And
22 one of more members of my office may sit as Board
23 counsel at any given Board meeting.

24 MR. MARTINEZ: Okay. And I have more comment.
25 Due process, is this due process right here, that we

1 are -- because like it seems like double jeopardy.

2 MR. INGRAM: Mr. Martinez, that's a question.

3 MR. MARTINEZ: Okay. A comment. This, this is
4 a violation of due process. Her -- she already paid for
5 what she's done. And this is double jeopardy. She is
6 about to be punished a second time for something she's
7 already done. And this is, again, by the state, the
8 punishment given by the state.

9 You're depriving her a right to work. That is
10 protected by the First Amendment of the United States
11 Constitution, an oath that you swore, you swore to
12 uphold that, that oath to that constitution.

13 So, again, due process is being violated. She
14 doesn't have right to counsel. She doesn't have 12
15 members of her peers deciding whether it's a yes or no.
16 You do not have the authority to do that. Your power
17 derives from the consent of the government. We the
18 people control you. You do not tell us what we can and
19 cannot do.

20 ACTING CHAIRMAN FLYNN: Okay. Thank you for
21 your comment.

22 MR. MARTINEZ: Thank you.

23 BOARD MEMBER FLYNN: Any other questions or
24 comments from the Board?

25 I'll entertain a motion.

1 BOARD MEMBER COLBERT: Mr. Chair, I move that
2 Chrishondala Roberts' denial be continued, I mean that
3 it be approved, that we continue with the denial, that
4 is stand as is.

5 ACTING CHAIRMAN FLYNN: I have a motion. Do I
6 have a second?

7 BOARD MEMBER COLLINS: Second.

8 ACTING CHAIRMAN FLYNN: Okay. I have a motion
9 and a second.

10 MR. KANDT: This is Board counsel. Just to
11 clarify for the record, the motion is that the denial be
12 upheld?

13 BOARD MEMBER COLBERT: That's correct.

14 MR. KANDT: Correct?

15 BOARD MEMBER COLBERT: That's correct. Sorry.

16 MR. KANDT: Thank you.

17 BOARD MEMBER NADEAU: Mr. Chair?

18 ACTING CHAIRMAN FLYNN: Yes.

19 BOARD MEMBER NADEAU: Thank you, Mr. Chair.
20 I'm going to abstain from this vote since I wasn't here
21 for the full testimony of this particular item.

22 ACTING CHAIRMAN FLYNN: Understood.

23 All right. I have a motion. I have a second.
24 Any further discussion from the Board?

25 Seeing none, I'll call for a vote. All in

1 favor of the motion, state "aye."

2 (Board members said "aye.")

3 ACTING CHAIRMAN FLYNN: Any opposed?

4 Motion carried. And I'm sorry, ma'am.

5 We had somebody else identify they're here with
6 children. If they could come forward.

7 Good morning. What item number are you?

8 MS. MOATON: 42.

9 ACTING CHAIRMAN FLYNN: 42?

10 MS. MOATON: M hm (affirmative).

11 ACTING CHAIRMAN FLYNN: David Ewing?

12 UNIDENTIFIED MAN: Yes.

13 MS. MOATON: No. No.

14 UNIDENTIFIED MAN: Michelle Moaton.

15 MS. MOATON: Michelle Moaton.

16 MR. INGRAM: 41.

17 MS. MOATON: 41.

18 ACTING CHAIRMAN FLYNN: 41. Okay.

19 MS. MOATON: I was close.

20 ACTING CHAIRMAN FLYNN: I was looking at him
21 when I said the name.

22 Okay. Mechele, you haven't been sworn in.
23 Please stand.

24 MS. MOATON: Oh, I'm sorry.

25 ACTING CHAIRMAN FLYNN: No, no problem.

1 MR. KANDT: Ms. Moaton, please state your name
2 for the record.

3 MS. MOATON: Michelle Moaton.

4 MR. KANDT: Thank you. And do you swear under
5 penalty of perjury to tell the truth, the whole truth,
6 and nothing but the truth?

7 MS. MOATON: Yes.

8 MR. KANDT: Thank you.

9 ACTING CHAIRMAN FLYNN: Okay. Mechele, why are
10 you here?

11 MS. MOATON: I requested an appeal.

12 ACTING CHAIRMAN FLYNN: All right. Do you have
13 anything you'd like to say?

14 No?

15 MS. MOATON: Hm-m (negative). No. Sorry.

16 ACTING CHAIRMAN FLYNN: All right.

17 MR. INGRAM: Investigator Woodruff in the
18 north.

19 ACTING CHAIRMAN FLYNN: In the north, the
20 investigator, if you could come forward and give us a
21 little background.

22 MR. WOODRUFF: Thank you, Mr. Chairman.
23 Investigator Woodruff.

24 I denied her originally because under -- has
25 made false statements of material fact on the

1 application. She listed no arrest history, no
2 conviction history whatsoever on her application. When
3 we ran her, we found in December of 2013 that she was
4 arrested for theft and, also, burglary. That was
5 dismissed. That was not disclosed.

6 And on March 25th of 2012, she was convicted of
7 domestic violence. And that was also not disclosed.
8 And in that one, later, we found that it appears that
9 she did some prison time and possibly probation.

10 When we got the fingerprint report back, we
11 also found that she was charged with a felony. She was
12 arrested in 2002 for manufacture, delivery of cocaine.
13 And she was sentenced for marijuana, it looks like. She
14 did not disclose this as well.

15 2000, she was arrested for knowingly damaging
16 property and domestic battery. Again, she did not
17 disclose.

18 On her appeal, she said that she didn't know
19 that these things would come up.

20 ACTING CHAIRMAN FLYNN: Did not know what?

21 MR. WOODRUFF: On her written appeal, for
22 today, she said that she didn't know that those things
23 would come up on her record.

24 ACTING CHAIRMAN FLYNN: Okay. Anything you
25 want to say?

1 MS. MOATON: Yes. That was a time over back in
2 my past. And I didn't think that it was going to be --
3 it was going to come up, or whatever. So I didn't put
4 it, because I'm on public housing, and when they ran a
5 federal background, ain't none of that stuff come up, or
6 whatever. So I thought it was off my record. So that's
7 why I didn't put it.

8 ACTING CHAIRMAN FLYNN: Any other questions
9 from the Board?

10 BOARD MEMBER NADEAU: Thank you, Mr. Chair.
11 I'm sorry. When, when -- I couldn't hear you
12 clearly. When did you say that they ran your -- they
13 ran a background check, and it didn't come up. Where
14 was that?

15 MS. MOATON: The only thing that had come up
16 was for the domestic battery. Which was a
17 misunderstanding. Some neighbors had called the police.
18 So it was a misunderstanding. And that was the only
19 thing that came up. The only thing I had to do was
20 bring the paperwork stating that the judge threw it out,
21 with the federal housing.

22 BOARD MEMBER NADEAU: Okay. For the federal
23 housing.

24 MS. MOATON: M-hm (affirmative).

25 BOARD MEMBER NADEAU: But the domestic

1 violence, you were convicted?

2 MS. MOATON: No. Which one, for the one in
3 2012?

4 BOARD MEMBER NADEAU: Yes.

5 MS. MOATON: They threw it out.

6 BOARD MEMBER NADEAU: It's my understanding the
7 record says that you were sentenced.

8 MS. MOATON: Not that I know. The only thing I
9 had to bring was the papers stating that it was thrown
10 out.

11 BOARD MEMBER NADEAU: And for the investigator,
12 from your records, the domestic violence was a
13 conviction?

14 MR. WOODRUFF: Correct, from what I found.
15 After the fingerprints came up with the jurisdiction
16 that the charge was, I went on line to that, that court
17 in San Bernardino, I believe it was, and they show that
18 she was convicted and --

19 MS. MOATON: San Bernardino?

20 MR. WOODRUFF: The court records are very
21 difficult to read online. They don't give you the exact
22 details. But that's what the information was leading
23 to, that she was convicted. She was put on probation.
24 Then she was -- had a violation of probation, and then
25 they sent her to prison.

1 MS. MOATON: M-hm (affirmative). In San
2 Bernardino, California?

3 MR. WOODRUFF: Yes.

4 ACTING CHAIRMAN FLYNN: She's asking if it was
5 San Bernardino, California.

6 MR. WOODRUFF: That's my recollection. I don't
7 have those documents with me today. I apologize.

8 MS. MOATON: I've never been to California.
9 No, I've never been to California.

10 MR. INGRAM: Just to reiterate to the Board,
11 the application is very clear that they are to list all
12 arrests, the requirements of the disposition. And it
13 also states on the application that failure to disclose
14 would, may result in a denial.

15 So I just want to put that on the record again.
16 They have the responsibility to report information to
17 the Board, to Board staff. They sign that document
18 stating that they have provided all the information.
19 And so, again, failure to disclose kind of trumps just
20 about anything else on the application.

21 Thank you.

22 ACTING CHAIRMAN FLYNN: Any other questions
23 from the Board?

24 BOARD MEMBER NADEAU: I just didn't get it, I
25 didn't really understand why she didn't disclose her

1 arrest and conviction.

2 MS. MOATON: I didn't think it was, I didn't
3 think it was going to come up, or whatever. I didn't.
4 Because with the housing, it didn't come up. The only
5 thing that came up, or whatever, was the domestic
6 battery.

7 BOARD MEMBER NADEAU: But you didn't disclose
8 that, either.

9 MS. MOATON: I know.

10 BOARD MEMBER NADEAU: Okay.

11 ACTING CHAIRMAN FLYNN: Ms. Collins, do you
12 have a question?

13 BOARD MEMBER COLLINS: The 2012, the battery
14 charge --

15 MS. MOATON: He said in San Bernardino. I've
16 never been to San Bernardino. That's what I'm saying.
17 He said San Bernardino.

18 MR. WOODRUFF: Mr. Chairman?

19 MS. MOATON: I don't know where --

20 MR. WOODRUFF: Mr. Chairman?

21 ACTING CHAIRMAN FLYNN: Yes.

22 MR. WOODRUFF: I may have my recollection
23 incorrect on San Bernardino as far as that charge. I
24 don't have -- that was my memory, but it could be wrong.

25 I denied her originally based on the fact that

1 she did not disclose any of the arrests. And when we
2 got a fingerprint report, we got more information of
3 other activities as well. But she could be correct in
4 this matter as far as it may not have been originated
5 out of San Bernardino.

6 ACTING CHAIRMAN FLYNN: Okay.

7 BOARD MEMBER COLLINS: So what is your -- what
8 was the outcome, the disposition from the charge?

9 MS. MOATON: It was a disagreement or --

10 BOARD MEMBER COLLINS: The disposition, the
11 outcome.

12 MS. MOATON: The outcome.

13 BOARD MEMBER COLLINS: What was the sentence?

14 MS. MOATON: They signed that they were -- my
15 time has been served, that case dismissed. And they
16 dismissed the charges and everything. And I just had to
17 go get a paper.

18 ACTING CHAIRMAN FLYNN: Okay. My only comment,
19 and this Board has looked at time and recency before,
20 but to my knowledge, anytime someone has purposely not
21 been truthful on their application, we normally reject
22 it. I can't speak for today. But that's where we're
23 coming from. That's why we ask that question.

24 So any other questions from the Board?

25 Any public comment?

1 MR. MARTINEZ: One more public comment, please.
2 And it's just a comment. She was asked again why she
3 didn't disclose something. That's part of her Fifth
4 Amendment right. So I'm demanding that the PILB operate
5 within those boundaries.

6 Also, in Hale vs. Hinkel, page 201, U.S. 74,
7 the individual may stand upon their constitutional
8 rights as a citizen. They are entitled to carry on his
9 own private business in their own way. Their power to
10 contract is unlimited. No infringement from anyone.

11 Okay. And that is what is happening here.
12 She's being infringed upon. You're going to deny her,
13 from previous, previous charges.

14 So. And another thing. I'm not going to ask a
15 question. You guys are public officers. You guys swore
16 an oath to uphold and defend the constitution. You
17 should have a name tag, you should have something that
18 identifies you, so that we know who you are, just in
19 case you're not in time and trying to deprive us of any
20 laws or any rights, just like what's happening today.

21 I know you're going to deny, deny this
22 individual. So I'm here to state, as a citizen in
23 Nevada and the United States, that you have not, you do
24 not have that right.

25 Thank you.

1 ACTING CHAIRMAN FLYNN: Okay. I'll call for a
2 motion.

3 BOARD MEMBER NADEAU: Mr. Chair?

4 ACTING CHAIRMAN FLYNN: Yes.

5 BOARD MEMBER NADEAU: I'd move that the denial
6 of registration for Michelle Moaton be sustained. Under
7 NRS statute 648.100, under Section 3, Section G,
8 subsection G, knowingly makes any false statement in an
9 application, failure to complete the application and
10 answer the questions truthfully is a failure to make --
11 is knowing to make a false statement on an application.

12 ACTING CHAIRMAN FLYNN: I have a motion. Do I
13 have a second?

14 BOARD MEMBER COLBERT: Second.

15 ACTING CHAIRMAN FLYNN: Any further discussion
16 from the Board?

17 BOARD MEMBER NADEAU: Yes. Just for an
18 addition.

19 ACTING CHAIRMAN FLYNN: Yes.

20 BOARD MEMBER NADEAU: In Section H, it also
21 says "or refuse to provide any information required by
22 the Board."

23 ACTING CHAIRMAN FLYNN: Okay.

24 BOARD MEMBER NADEAU: Thank you, Mr. Chair.

25 ACTING CHAIRMAN FLYNN: I'll call for a vote.

1 All in favor of the motion, say "aye."

2 (Board members said "aye.")

3 ACTING CHAIRMAN FLYNN: Any opposed?

4 Motion's upheld. I'm sorry.

5 MS. MOATON: Okay. Thank you.

6 ACTING CHAIRMAN FLYNN: Okay. Anybody else

7 with children?

8 Do we have anybody up north with children?

9 BOARD MEMBER NADEAU: No, sir.

10 ACTING CHAIRMAN FLYNN: Okay. We'll go back in
11 order. Number 36, Lorenzo Garaycoa. If I pronounced it
12 incorrectly, my apologies, and please correct me.

13 MR. GARAYCOA: That's right.

14 ACTING CHAIRMAN FLYNN: Okay. Please stand and
15 be sworn in, sir.

16 MR. KANDT: Mr. Garaycoa, please, will state
17 your name for the record. Please stand. And will you
18 state your name for the record.

19 MR. GARAYCOA: Lorenzo Garaycoa.

20 MR. KANDT: Okay. Raise your right hand. And
21 under penalty of perjury, do you swear to tell the
22 truth, the whole truth, and nothing but the truth?

23 MR. GARAYCOA: I do.

24 MR. KANDT: Thank you.

25 ACTING CHAIRMAN FLYNN: Okay. Why are you

1 here?

2 MR. GARAYCOA: I'm here because I would like to
3 appeal for my unarmed security card so I can work as a
4 security guard, in South Korea at this point.

5 And I thank the Board here, in front of the
6 Board. And, also, I am sorry for what happened 10 years
7 ago. And they said I had accost two others, as at the
8 moment, when that didn't happen, 11 years ago.

9 ACTING CHAIRMAN FLYNN: Can you tell us what
10 happened 11 years ago?

11 MR. GARAYCOA: Yes. I was working as a
12 security officer. And I've already got married. And
13 the mother got a miscarriage. So I was on under a lot
14 of pressure and, back then, lack of maturity. Lack of
15 maturity. So I was on assign with another worker. And
16 we were going to -- back and forth with her, because I
17 didn't know, when officers fall asleep, you're required
18 to quit on your own, so they don't have to pay you any,
19 any employment of when you -- they don't owe you
20 anything, as you were working.

21 So what happened was, I was going to find the
22 person with the chemical. But she -- start to make her
23 sick, the stomach, maker her sick, for about two days.
24 But I did not did that. So when -- then I left the
25 post, and I quit. But then I decided to come back,

1 because I don't want to lose my job. And that's when
2 the medical worker asked me where you been. I explained
3 the same as I explained to you this moment. But when I
4 left, after two weeks, I found out that she called
5 the -- what the -- also with the company that I was
6 working at the moment, they called the police.

7 And then I was at the community college. So
8 they show up on the scene, and they arrest me, and then
9 explain to me, and then ask me, "You know why we're
10 here?" And I said, "No, I don't know why you're here."
11 So they took me into custody. And I was two months,
12 given two months jail, pled not guilty, and then year
13 and a half with honorable discharge.

14 ACTING CHAIRMAN FLYNN: Okay. Who's the
15 investigator on this?

16 MS. DONALD: Investigator Donald.

17 ACTING CHAIRMAN FLYNN: Okay. Anything else
18 that you can add?

19 MS. DONALD: I mean he -- as he stated, it's
20 pretty accurate. He pled guilty to a felony. He
21 received a suspended jail sentence, three years
22 probation. And this was back in the beginning of 2006.

23 ACTING CHAIRMAN FLYNN: Okay.

24 MS. DONALD: He did disclose the arrest. We
25 have court documents that show what he was charged with.

1 ACTING CHAIRMAN FLYNN: Okay. And this is more
2 than 10 years ago?

3 MS. DONALD: Yes.

4 ACTING CHAIRMAN FLYNN: Okay. What are you
5 doing now?

6 MR. GARAYCOA: Right now, I work as a teacher.
7 I prepare classes and also repair computers. I started
8 this on my own and educated myself, so I can move
9 forward with my career.

10 ACTING CHAIRMAN FLYNN: Okay. Thank you.
11 Any other questions from the Board?

12 BOARD MEMBER NADEAU: None.

13 ACTING CHAIRMAN FLYNN: Any public comment?
14 I'll entertain a motion.

15 BOARD MEMBER NADEAU: Mr. Chair, I'll try for a
16 motion.

17 ACTING CHAIRMAN FLYNN: Yes.

18 BOARD MEMBER NADEAU: Thank you, Mr. Chair. I
19 would move that Lorenzo Garaycoa, that his denial be
20 overturned and that he be issued his registration card.

21 ACTING CHAIRMAN FLYNN: Okay. I have a motion.
22 Do I have a second?

23 BOARD MEMBER COLBERT: Second.

24 ACTING CHAIRMAN FLYNN: Any further discussion
25 from the Board?

1 All in favor, state "aye," of the motion.

2 MR. INGRAM: Call public comment. Okay.

3 ACTING CHAIRMAN FLYNN: I did, I already called
4 public comment.

5 They're keeping an eye on me, down there. It's
6 all right.

7 All in favor, state "aye."

8 (Board members said "aye.")

9 ACTING CHAIRMAN FLYNN: Any opposed?
10 Congratulations.

11 MR. GARAYCOA: Thank you, sir.

12 ACTING CHAIRMAN FLYNN: Have a good day.

13 MR. GARAYCOA: Thank you.

14 MR. INGRAM: Just for the record, any of you
15 that are granted a work card after today's hearing,
16 Board staff will be in contact with you. And that
17 generally takes three to five business days before we
18 can make contact with you. And then you'll have your
19 card to follow.

20 MR. GARAYCOA: Take your time. That's okay.

21 MR. INGRAM: Thank you.

22 ACTING CHAIRMAN FLYNN: We're not going to take
23 that long. All right.

24 Okay. All right. Number 38, Lanier Fisher
25 applied for registration, was denied. Mr. Fisher is

1 appealing the decision to the Board pursuant to NRS 648.
2 For possible action.

3 MR. FISHER: Good morning.

4 ACTING CHAIRMAN FLYNN: Good morning. You need
5 to be sworn in, sir.

6 MR. KANDT: Mr. Fisher, could you state your
7 name for the record.

8 MR. FISHER: Lanier Fisher.

9 MR. KANDT: Raise your right hand. And under
10 penalty of perjury, do you swear to tell the truth, the
11 whole truth, and nothing but the truth?

12 MR. FISHER: I swear to God.

13 MR. KANDT: Thank you.

14 ACTING CHAIRMAN FLYNN: Okay. Please have a
15 seat. And tell us why you're here, sir.

16 MR. FISHER: I'm here to appeal my work card
17 application, since it was denied. I have no, I have
18 no -- and I don't know it was denied, you know.

19 ACTING CHAIRMAN FLYNN: You don't know why it
20 was denied?

21 MR. FISHER: Yeah, I mean I figured it was when
22 I put my charges on there, the one charge, and I
23 abbreviated "registered." And then it looked like, I
24 guess, it may have looked like "regular." But it was a
25 registered firearm, that I was calling it. Which in

1 California, they had changed the gun law, so anyone who
2 was found with any legal handgun, which is a firearm
3 that was -- that was with the serial number scratched
4 off, or purchased off the street without knowing its
5 registration or anything. And in my case, my firearm is
6 registered to me. That's really why it was a
7 misdemeanor.

8 ACTING CHAIRMAN FLYNN: Okay. There's four
9 charges that we're looking at. You're saying you only
10 forgot about one of them?

11 MR. FISHER: I don't know about any other
12 charges.

13 MR. INGRAM: Two charges.

14 BOARD MEMBER COLBERT: Two charges.

15 BOARD MEMBER NADEAU: Yeah.

16 ACTING CHAIRMAN FLYNN: Oh, my apologies.
17 Okay. We'll call the investigator up.

18 MR. FISHER: May I ask, what's the first
19 charge?

20 MS. DONALD: I'll let you know.

21 MR. FISHER: Okay.

22 MS. DONALD: Investigator Donald.

23 In 1996, he was charged with carrying a loaded
24 firearm in a public place. And per our statutes, we
25 denied you for illegal use or possession of a dangerous

1 weapon. That's why you are denied.

2 It was a misdemeanor. He was convicted. He
3 got three years probation, 180 days jail and a fine.
4 Per the fingerprints, he did disclose it.

5 And in 1995, he was charged with having a
6 loaded firearm in a public school. That was dismissed.
7 And it was not 1203.4. Per the fingerprints, it was
8 dismissed. He did disclose that one as well.

9 ACTING CHAIRMAN FLYNN: So he disclosed both of
10 them?

11 MS. DONALD: Yes.

12 ACTING CHAIRMAN FLYNN: And I'm correct that
13 these are over 20 years ago?

14 MS. DONALD: Correct, yes.

15 MR. FISHER: Correct. And, also, they say it
16 was a school ground. But I mean it was a school. But
17 after a certain time, it becomes a public park. And
18 that's when I was in the park. It was after school. It
19 was like 4:30 or something like that, so.

20 ACTING CHAIRMAN FLYNN: Okay. All right. Any
21 comments from -- or questions from the Board?

22 BOARD MEMBER NADEAU: I have none.

23 BOARD MEMBER COLBERT: No.

24 ACTING CHAIRMAN FLYNN: Any public comment on
25 this item?

1 I'll entertain a motion.

2 BOARD MEMBER NADEAU: Mr. Chair?

3 ACTING CHAIRMAN FLYNN: Yes.

4 BOARD MEMBER NADEAU: Thank you, Mr. Chair. I
5 would move that Lanier Fisher be granted, that his
6 denial for the registration be overturned and that he be
7 issued a registration card.

8 ACTING CHAIRMAN FLYNN: Okay. Do I have a
9 second?

10 BOARD MEMBER COLLINS: Second.

11 BOARD MEMBER COLBERT: Second.

12 ACTING CHAIRMAN FLYNN: Okay. Any other
13 discussion from the Board?

14 BOARD MEMBER NADEAU: Mr. Chair, may I --

15 ACTING CHAIRMAN FLYNN: Yes.

16 BOARD MEMBER NADEAU: -- just make a comment?

17 ACTING CHAIRMAN FLYNN: Of course, you may.

18 BOARD MEMBER NADEAU: The fact that they're 20
19 years old and that he did disclose is very instrumental
20 in my motion.

21 ACTING CHAIRMAN FLYNN: And I'll add that it
22 goes to your character, you've stayed out of trouble for
23 this long.

24 MR. FISHER: Yes. And I can't. I'm
25 family-oriented. I can't. Because I've got to try to

1 get them straight.

2 ACTING CHAIRMAN FLYNN: No problem.

3 MR. FISHER: If they're messing around.

4 ACTING CHAIRMAN FLYNN: Okay. All right. I'll
5 call for a vote. All in favor, state "aye."

6 (Board members said "aye.")

7 ACTING CHAIRMAN FLYNN: Any opposed?

8 Motion carried. Congratulations, sir.

9 MR. FISHER: Thanks so much.

10 ACTING CHAIRMAN FLYNN: Okay. Make sure I get
11 the right one this time.

12 MR. INGRAM: Go by the number.

13 ACTING CHAIRMAN FLYNN: All right. Is Lori
14 Fields here?

15 Okay. Number 39, Lori Fields applied for
16 registration, was denied. Ms. Fields is appealing the
17 decision to the Board pursuant to NRS 648. For possible
18 action.

19 Good morning.

20 MS. FIELDS: Good morning.

21 ACTING CHAIRMAN FLYNN: Or, actually, good
22 afternoon just about.

23 MS. FIELDS: No, that's fine.

24 ACTING CHAIRMAN FLYNN: We'll swear you in
25 first.

1 MR. KANDT: Thank you. Please state your name
2 once again for the record.

3 MS. FIELDS: Lori Fields.

4 MR. KANDT: Raise your right hand. Do you
5 swear under penalty of perjury to tell the truth, the
6 whole truth, and nothing but the truth?

7 MS. FIELDS: Yes.

8 ACTING CHAIRMAN FLYNN: Okay. Have a seat,
9 your name, and tell us why you're here.

10 MS. FIELDS: My name's Lori Fields. In two
11 thousand -- I really think it was like in 2006, I worked
12 for a company that was -- actually, it was just a friend
13 of mine I worked for. And really it was just point low
14 on friendship. And he needed some help. I worked for
15 him for a couple years. And it was a pretty shady
16 operation. There was a lot of stuff going on. He
17 wanted me to do a lot of different things. There was a
18 van exchanged between him and I, ledger sheets between
19 him and I.

20 I ended up getting sick. I had cancer. I
21 left. About two years after I left, he charged me with
22 embezzlement, embezzlement of taking the van, which was
23 a \$70,000 value.

24 (Interruption by a fire alarm in Las Vegas.)

25 MR. INGRAM: For the record, we are going --

1 well, hold on a second. If they make an announcement
2 that it's a test, we're okay.

3 (Interruption by a fire alarm in Las Vegas.)

4 MR. INGRAM: This is not the normal alarm. So
5 I'm going to sit here for a minute and see what follows.

6 ACTING CHAIRMAN FLYNN: Am I allowed to say
7 everybody keep your fingers crossed?

8 I'm with you, sir, I want to continue.

9 Okay. Let's give it a shot. All right. So.

10 MS. FIELDS: Okay.

11 ACTING CHAIRMAN FLYNN: There was the van.

12 MS. FIELDS: There was a van, and it's where I
13 take the van with my --

14 (Interruption by fire alarm in Las Vegas.)

15 MR. INGRAM: Can we check with Capitol Police
16 and see if this a test, or.

17 ACTING CHAIRMAN FLYNN: If it's not, please
18 come back.

19 MR. INGRAM: I think, we can try, if you want.

20 (Interruption by a fire alarm in Las Vegas.)

21 ACTING CHAIRMAN FLYNN: We're off the record
22 right now, so.

23 (There was a period off the record at
24 11:50 a.m.)

25 ACTING CHAIRMAN FLYNN: All right. We'll go

1 back on the record.

2 So just for the record, they're doing testing.
3 They've asked us to ignore all the alarms. So we'll try
4 our best. So.

5 So there was a van.

6 MS. FIELDS: There was a van. There was a lot
7 of -- like I said, a lot of shady stuff going on. Two
8 years later, he ended up charging me with embezzlement.

9 (Interruption by a fire alarm in Las Vegas.)

10 MR. INGRAM: Wait.

11 MS. FIELDS: I apologize for not stating it on
12 my application. And the reason I didn't is because I
13 wasn't arrested. I never was arrested. An investigator
14 called me into his office. He talked to me for about
15 two hours, asked me everything that went on from the
16 time I started till the time I walked out.

17 He met with me probably for a week straight
18 over different things. And right after I had my cancer
19 surgery, he called me in -- it was right around
20 Christmas -- asked me to come in and talk to him for a
21 final time.

22 When I walked in, he said, "I'm not arresting
23 you. I don't think any of this is -- you know, this is
24 a bogus situation. But the D.A. wants to charge you,
25 because they're friends. I have to do it." I lived in

1 a very small community. Everybody knew everybody. He's
2 like, "So I'm just going to fingerprint you and let you
3 go home." I said, "Okay."

4 The investigator went through court with me.
5 We went through two years of court. They could never
6 prove anything, neither. Finally, they went through
7 five D.A.s, and it just -- it was a mess. They ended up
8 letting me go. But they, all the -- the judge, the
9 judge called me in chambers, and because they were going
10 to push it to a jury trial. Because I didn't want
11 nothing on my record. I had never been in trouble my
12 entire life, ever, ever, ever. And I didn't want
13 anything on my record. But the judge called me in
14 chambers, him and my attorney, and said, "I'm really
15 sorry. We really need to just try to settle this. I
16 can't get a jury trial. Unfortunately, no one cares for
17 the gentleman" that was suing me. "It would take us
18 forever. They're offering you a misdemeanor. It's
19 nothing. Half of us have misdemeanors. Accept it and
20 walk out and let this go."

21 I didn't know. I had never been in trouble.
22 So I said, "As long as it's not on my record, that's all
23 I care." He said, "It's a misdemeanor. Everybody has
24 them. It's nothing. It's a ticket." I said, "Okay,
25 I'll take it." We walked back in the courtroom, and he

1 said, "We're going to accept a misdemeanor. Give her a
2 thousand-dollar fine. Let her go home."

3 That's what I did. I've lived the rest of my
4 life. I've never had this come up. I never knew that
5 it was on there. I never knew it would show after that,
6 because they told me it wouldn't.

7 ACTING CHAIRMAN FLYNN: Whereabouts did this
8 occur?

9 MS. FIELDS: Yuba County. It's a very small
10 town. It's called Marysville, California. They have
11 one Walmart.

12 ACTING CHAIRMAN FLYNN: The report also says
13 you had formal counseling besides, and also probation.
14 Are you aware of that?

15 MS. FIELDS: No, sir, I just -- all I had was a
16 probation officer. That's all I had. And I had to meet
17 with him for three months. I had to go in each month
18 and talk to him. And then, after that, I was just on a
19 written thing. I had to write monthly reports, fax them
20 in. And they came to my house one time, and then that's
21 that last I've ever heard of them.

22 ACTING CHAIRMAN FLYNN: Okay. What are you
23 doing now?

24 MS. FIELDS: I'm an office manager for a
25 machine shop.

1 ACTING CHAIRMAN FLYNN: Does the investigator
2 have anything to add?

3 MS. DONALD: Investigator Donald.

4 So, originally, she was charged with a felony.
5 She was fined. She did some informal probation and
6 counseling. According to the Superior Court of
7 California, County of Sutter -- we have minutes here.
8 It says both counsel stipulate to 15,000 in victim
9 restitution and that when the first 1,000 is paid, the
10 charge will be reduced to a misdemeanor. The court
11 states that when the matter is reduced to a misdemeanor,
12 it will still be formal probation. After the first
13 1,000 is paid, defendant and counsel may place the
14 matter on the calendar for modification of probation to
15 have the charge reduced to a misdemeanor. But the court
16 makes no promise of summary probation.

17 According to the court documents and the
18 record, she did complete probation. It is now a
19 misdemeanor. But she was originally charged with a
20 felony.

21 ACTING CHAIRMAN FLYNN: Are you aware now it's
22 on your record?

23 MS. FIELDS: Yes. This is the first.

24 ACTING CHAIRMAN FLYNN: So you know to disclose
25 it in the future?

1 MS. FIELDS: Absolutely. It's the first I've
2 heard. Like I said, they never. They kept, they told
3 me time and time again, it's not a felony, it will just
4 be a misdemeanor, it will never show up. That's all.
5 And I never was arrested. I apologize. That's my
6 fault.

7 MR. INGRAM: Mr. Chairman.

8 ACTING CHAIRMAN FLYNN: Yes.

9 MR. INGRAM: I would like to put on the record
10 that, once again, the application states that you must
11 disclose any arrest, whether it's a conviction or not.
12 And there was a failure to disclose.

13 Thank you.

14 ACTING CHAIRMAN FLYNN: Any questions or
15 comments from the Board?

16 BOARD MEMBER COLBERT: No.

17 BOARD MEMBER NADEAU: No.

18 ACTING CHAIRMAN FLYNN: I'm not saying this is
19 going to happen this morning. But what I've done before
20 in situations like this, as I've mentioned publicly,
21 I've got a big issue with disclosure, but I might invite
22 you back after a certain period of time. And then you
23 can do the application correctly.

24 MS. FIELDS: No problem.

25 ACTING CHAIRMAN FLYNN: Now that you know. But

1 that we'll see what happens.

2 MS. FIELDS: So. Okay. No problem. So even
3 though they explained to me, because I wasn't -- so even
4 though I was, because I was fingerprinted, is that
5 considered arrested?

6 ACTING CHAIRMAN FLYNN: Yes.

7 MS. FIELDS: Okay.

8 ACTING CHAIRMAN FLYNN: You were formally
9 charged.

10 MS. FIELDS: Okay. Because I just -- he just,
11 the investigator said, "I'm not even going to take you
12 to the jail. I don't even want to go over there. We're
13 just going to do it right here."

14 ACTING CHAIRMAN FLYNN: You were not only
15 formally charged, you were also formally convicted.

16 MS. FIELDS: Okay.

17 ACTING CHAIRMAN FLYNN: And you were formally
18 put on probation. And you formally fined. That's all
19 from the court documentation.

20 MS. FIELDS: Yes. Okay.

21 ACTING CHAIRMAN FLYNN: Okay. We'll see what
22 happens this morning. Okay.

23 MS. FIELDS: Okay. Thank you.

24 ACTING CHAIRMAN FLYNN: All right. Any public
25 comment?

1 MR. MARTINEZ: One more, please?

2 MS. FIELDS: No, I don't want him to come up.

3 MR. MARTINEZ: You guys remember me. I love
4 you all. I want to state that she --

5 ACTING CHAIRMAN FLYNN: Are you aware the
6 applicant really doesn't want you up here?

7 MR. MARTINEZ: Yeah, but it's public comment
8 right now.

9 ACTING CHAIRMAN FLYNN: I understand that.

10 MR. KANDT: Yeah, let me establish something
11 for the record, if I could.

12 MR. MARTINEZ: Yeah.

13 MR. KANDT: Are you a licensed attorney?

14 MR. MARTINEZ: No, I'm a civilian.

15 MR. KANDT: Okay. I just want to make it
16 clear, because you are -- this is the third time that
17 you've come up when an applicant's denial was being
18 considered on appeal.

19 MR. MARTINEZ: Okay.

20 MR. KANDT: And in the prior two instances,
21 you acted in a manner in which you were advocating for
22 the legal rights of the person that was up here. And
23 you're not a licensed attorney. You haven't been
24 retained by any of these people as a licensed attorney
25 to advocate their rights in this proceeding. I just

1 want to note that for the record.

2 MR. MARTINEZ: Right. Right. And the bar
3 association, they are bounded with contracts and with
4 people like you. I'm protected by the constitution.
5 Anyone has rights to that law, to the constitution. You
6 can look that up in Marbury vs. Madison.

7 Also, there's also Murdock vs. Pennsylvania.
8 That's Murdock vs. Pennsylvania, 319 U.S. 105. No state
9 shall convert a right into a privilege and issue a
10 license and be therefor.

11 Shuttlesworth v. City of Birmingham, Alabama,
12 373 U.S. 262, 1963. The state, if the state converts a
13 right into a privilege, the person can't ignore the
14 license of being engaged in the right with impunity.
15 That means, if she does decide to work in that field,
16 you can't punish her.

17 So, again, I'm not an attorney, but I do
18 understand common sense and common law. You do not have
19 to go to school, a decorated law school, to understand
20 that.

21 So I just want to remind you where your oath
22 belongs, which is the United States Constitution before
23 the bar. The bar association is controlled by Britain.
24 You do not have authority over what I can and cannot do.

25 Thank you very much.

1 ACTING CHAIRMAN FLYNN: Okay. I'll entertain a
2 motion.

3 I'll make one. Am I allowed to make a motion?
4 First time as being the Chair.

5 MR. KANDT: Procedurally, that's fine.

6 ACTING CHAIRMAN FLYNN: My motion is to uphold
7 staff's denial. But I'd put a condition on it allowing
8 the applicant to come back every six months, fill out
9 the paperwork correctly, noting everything we know now.
10 And we'll see what happens.

11 MR. INGRAM: For the record, our statutes and
12 regulations state that, once denied, they must wait a
13 year to reapply.

14 ACTING CHAIRMAN FLYNN: Well, if that's your
15 regulations, I'm going to have to abide by the
16 regulation. So a year.

17 MS. FIELDS: I just, all I was using it for was
18 mystery shopping. I was just being a mystery shopper
19 part-time.

20 ACTING CHAIRMAN FLYNN: I'm trying to help you.
21 Okay. That's my motion. One year.

22 BOARD MEMBER COLBERT: Second.

23 ACTING CHAIRMAN FLYNN: Okay. I have a second.
24 Any further discussion from the Board?

25 BOARD MEMBER NADEAU: Mr. Chair?

1 ACTING CHAIRMAN FLYNN: Sir.

2 BOARD MEMBER NADEAU: Thank you, Mr. Chair. I
3 think, I'm going to not support your motion. In spite
4 of the fact that you're absolutely correct, failure to
5 disclose is a violation of statutes, and, but, I think,
6 there was a -- I believe her story.

7 ACTING CHAIRMAN FLYNN: Okay. It's on the
8 record.

9 All right. All in favor of the motion?

10 (Board members said "aye.")

11 ACTING CHAIRMAN FLYNN: Any opposed?

12 BOARD MEMBER NADEAU: Aye.

13 ACTING CHAIRMAN FLYNN: Okay. The motion
14 carries three-one. We'll see you in a year.

15 MS. FIELDS: Thank you.

16 ACTING CHAIRMAN FLYNN: You have a good day.
17 Thank you. Okay.

18 MR. INGRAM: We're up to 42.

19 ACTING CHAIRMAN FLYNN: Thank you.

20 Number 42, David Ewing applied for
21 registration, was denied. Mr. Ewing is appealing the
22 decision to the Board pursuant to NRS 648. For possible
23 action.

24 Good morning, sir.

25 MR. EWING: Good morning.

1 ACTING CHAIRMAN FLYNN: Please, you need to be
2 sworn in.

3 MR. KANDT: Please state your name again for
4 the record.

5 MR. EWING: David Ewing.

6 MR. KANDT: And raise your right hand. And
7 under penalty of perjury, do you swear to tell the
8 truth, the whole truth, and nothing but the truth?

9 MR. EWING: Yes.

10 MR. KANDT: Thank you.

11 ACTING CHAIRMAN FLYNN: Okay. Mr. Ewing, why
12 are you here?

13 MR. EWING: Well, I'm here to appeal my
14 license, because I'm an addict in recovery. I had
15 substance issues for 29 years. About four years ago, I
16 had a little awakening. And I have changed my life a
17 hundred percent, you know, everything. I've had a job,
18 taken a job for the whole time. I've been clean. I got
19 my family back, my kids, everything.

20 I understand how -- you can look at my record.
21 I was not the upstanding citizen I am now, you know, for
22 29 years. I do admit I made mistakes. I just try not
23 to -- hopefully, those mistakes don't go with me the
24 rest of my life. You know, like I said, I sponsor
25 people in recovery. I volunteer at the Salvation Army.

1 I'm not in any run-ins. You know, like I said, I'm
2 trying, trying to re-right the wrongs I've done.

3 ACTING CHAIRMAN FLYNN: So you're fully engaged
4 in the 12 Step?

5 MR. EWING: A hundred percent.

6 ACTING CHAIRMAN FLYNN: Okay.

7 MR. EWING: And like I said, I -- you all can
8 look at my record.

9 ACTING CHAIRMAN FLYNN: I am.

10 MR. EWING: I wasn't a nice person. But I've
11 changed, you know. I was given a chance. I thought I'd
12 come in and ask for it.

13 ACTING CHAIRMAN FLYNN: What type of drug?

14 MR. EWING: Methamphetamine.

15 ACTING CHAIRMAN FLYNN: What, meth?

16 MR. EWING: Methamphetamine.

17 ACTING CHAIRMAN FLYNN: Okay. Does the
18 investigator have anything to add?

19 MR. SALADINO: Yes. Investigator Saladino.

20 The charges were a 2013 possession of a
21 controlled substance, felony. The applicant did
22 disclose this, provided court documents, as well as
23 completion for drug court.

24 1999 and 1995, again for possession of
25 controlled substance, where he was given probation.

1 The applicant was -- he listed all the arrests.
2 He stated that he was an addict and he's gotten help to
3 move on from that. He also comes with recommendations
4 from employers that, you know, want to have him work for
5 them. And he was very perfunct with everything,
6 provided everything we needed.

7 We knew going into this that because it was a
8 felony, that we'd have to bring him before the Board.
9 And I've seen, everything that I've seen shows me that
10 he is working to make everything better.

11 ACTING CHAIRMAN FLYNN: Okay. Was the
12 recommendation from any security organizations?

13 MR. SALADINO: No, it was from a wrecking yard.

14 MR. EWING: I have --

15 ACTING CHAIRMAN FLYNN: I believe.

16 MR. EWING: No, I got one. Okay.

17 ACTING CHAIRMAN FLYNN: No, go ahead. It's
18 your time.

19 MR. EWING: I have one with me. They run a
20 yard with another company. And I have recommendations,
21 also, from that company, also.

22 ACTING CHAIRMAN FLYNN: Okay.

23 MR. EWING: About my character, you know.

24 ACTING CHAIRMAN FLYNN: I'll take you at your
25 word.

1 MR. EWING: Thank you, sir.

2 ACTING CHAIRMAN FLYNN: Okay. Any questions
3 from the Board?

4 BOARD MEMBER COLBERT: No questions.

5 ACTING CHAIRMAN FLYNN: Any public comment?
6 Okay. Seeing none, I'll entertain a motion.
7 I'll call a second time. I'm entertaining a
8 motion.

9 BOARD MEMBER COLLINS: Mr. Chairman, I'll make
10 a motion that David -- Erwing?

11 MR. EWING: Ewing.

12 BOARD MEMBER COLLINS: His denial be upheld,
13 for the denial.

14 ACTING CHAIRMAN FLYNN: Okay.

15 BOARD MEMBER NADEAU: I'll second.

16 ACTING CHAIRMAN FLYNN: I have a motion. Is
17 there a second?

18 BOARD MEMBER NADEAU: I'll second that.

19 ACTING CHAIRMAN FLYNN: Okay. Any other
20 discussion from the Board?

21 BOARD MEMBER NADEAU: Mr. Chair?

22 ACTING CHAIRMAN FLYNN: Yes.

23 BOARD MEMBER NADEAU: I just can't keep my
24 mouth shut today, but.

25 ACTING CHAIRMAN FLYNN: That gives me a break,

1 and I appreciate it.

2 BOARD MEMBER NADEAU: I'm going to support the
3 motion.

4 I have -- we're getting feedback from you,
5 also, by the way.

6 But I'll -- I seconded the motion, and I'm
7 supporting the motion because of the recency.

8 Mr. Ewing, I think, you're doing a great job in
9 trying to get things clean and that. I support that. I
10 give you all the credit in the world for doing that.
11 But I just -- the recency of this, in this industry, I'm
12 really struggling with that. So it's not a reflection
13 on what you're doing. It's a reflection on what you
14 did.

15 ACTING CHAIRMAN FLYNN: I would concur. And I
16 would encourage you to come back after a year.

17 MR. EWING: All right.

18 ACTING CHAIRMAN FLYNN: Okay. I have a motion.
19 I have a second. All in favor of the motion?

20 (Board members said "aye.")

21 ACTING CHAIRMAN FLYNN: Anybody opposed?

22 Motion carried. Thank you.

23 Florence Kendall, number 43, applied for
24 registration and was denied. Ms. Kendall's appealing
25 the decision to the Board pursuant to NRS 648. For

1 possible action.

2 Good morning.

3 MS. KENDALL: Hi.

4 ACTING CHAIRMAN FLYNN: Or good afternoon.

5 MS. KENDALL: Good evening.

6 ACTING CHAIRMAN FLYNN: Okay. Evening's good,
7 too.

8 MS. KENDALL: That's okay.

9 MR. KANDT: Ready, ready to go. Thank you.

10 MS. KENDALL: You're welcome.

11 MR. KANDT: Would you state your name for the
12 record.

13 MS. KENDALL: My name is Florence Kendall.

14 MR. KANDT: Okay. And do you swear under
15 penalty of perjury to tell the truth, the whole truth,
16 and nothing but the truth?

17 MS. KENDALL: Yes, I do.

18 MR. KANDT: Thank you.

19 ACTING CHAIRMAN FLYNN: Okay. Ma'am, please
20 have a seat. All right. Tell us why you're here.

21 MS. KENDALL: My guard card was taken from me.
22 But I moved here from California, and I had my guard
23 card from California, in 2007. I worked five years, and
24 we got laid off when the economy dropped. And so I went
25 back home to take care of my brother and sister.

1 They're very sick. And now I'm back out here again.
2 And they took my guard card from me. But I did put it
3 on my application.

4 ACTING CHAIRMAN FLYNN: We appreciate that.

5 MS. KENDALL: I did do that.

6 ACTING CHAIRMAN FLYNN: All right. I know it's
7 quite a long time ago.

8 MS. KENDALL: It was, yeah, 30 some years.

9 ACTING CHAIRMAN FLYNN: I don't think it's 30,
10 is it?

11 MS. KENDALL: Yes. My daughter's 32.

12 ACTING CHAIRMAN FLYNN: What was the deal with
13 the gun?

14 MS. KENDALL: My son -- my two kids' father had
15 been jumping on me, raping me, beating me up, ripping
16 out my heart. That when, at one point, I got tired of
17 it. He sprayed me with mace in my face. I ended up in
18 the hospital. And I just got fed up with it. He ended
19 up going to jail when the guy said he will kill me.

20 So I made a promise to my kids I wouldn't let
21 him hurt them or me, I would be here for them. And my
22 kids are doing good. I have two truckdrivers and two
23 nurses now.

24 So that's the reason I had my gun, because I
25 was afraid for my life, and I thought he was going to

1 try to kill me.

2 ACTING CHAIRMAN FLYNN: Okay. You've been in
3 no trouble since?

4 MS. KENDALL: Huh-uh (negative).

5 ACTING CHAIRMAN FLYNN: Okay.

6 MS. KENDALL: No.

7 ACTING CHAIRMAN FLYNN: Okay. Which
8 investigator has this?

9 MR. SALADINO: Investigator Saladino.

10 ACTING CHAIRMAN FLYNN: Anything to add?

11 MR. SALADINO: It was 1989. And it was listed
12 on the application. It was a misdemeanor, possessing or
13 carrying a firearm in public, one year probation. And,
14 like I said, it was disclosed.

15 ACTING CHAIRMAN FLYNN: Okay. Anything else,
16 ma'am?

17 MS. KENDALL: (Shaking head.)

18 ACTING CHAIRMAN FLYNN: Comments or questions
19 from the Board?

20 BOARD MEMBER COLBERT: No.

21 BOARD MEMBER NADEAU: No.

22 ACTING CHAIRMAN FLYNN: Any public comment on
23 this case or this agenda item?

24 Okay. I'll call for a motion.

25 BOARD MEMBER NADEAU: Mr. Chair?

1 ACTING CHAIRMAN FLYNN: Yes.

2 BOARD MEMBER NADEAU: I would move that
3 Florence Kendall be granted -- that the registration
4 denial be reversed and she be issued her registration
5 card.

6 ACTING CHAIRMAN FLYNN: Okay. I have a motion.
7 Do I have a second?

8 MS. KENDALL: Second.

9 ACTING CHAIRMAN FLYNN: Any further discussion
10 from the Board?

11 BOARD MEMBER NADEAU: Mr. Chair?

12 ACTING CHAIRMAN FLYNN: I'll call for a vote.
13 All in -- yes?

14 BOARD MEMBER NADEAU: I'm sorry. Just explain
15 the motion, because I want it to be on the record.
16 Fine?

17 ACTING CHAIRMAN FLYNN: Yes.

18 BOARD MEMBER NADEAU: This is so long ago. And
19 there have been no arrests. She did disclose.

20 Thank you. Thank you, Mr. Chair.

21 ACTING CHAIRMAN FLYNN: And it also sounds like
22 you've been an outstanding mom.

23 MS. KENDALL: Thank you.

24 ACTING CHAIRMAN FLYNN: Okay. All right.
25 We've got a motion. We got a second. All in favor?

1 (Board members said "aye.")

2 ACTING CHAIRMAN FLYNN: Any opposed?

3 Motion carries. Congratulations.

4 MS. KENDALL: Thank you.

5 ACTING CHAIRMAN FLYNN: Number 44, Edward

6 Hickman applied for registration, was denied.

7 Mr. Hickman is appealing the decision to the Board

8 pursuant to NRS 648. For possible action.

9 Mr. Hickman?

10 Is Mr. Hickman up north?

11 BOARD MEMBER COLBERT: No.

12 ACTING CHAIRMAN FLYNN: Is anybody up north?

13 BOARD MEMBER COLBERT: No.

14 BOARD MEMBER NADEAU: No.

15 MR. INGRAM: Mr. Chairman?

16 ACTING CHAIRMAN FLYNN: Yes.

17 MR. INGRAM: For the record, Mr. Hickman was
18 notified, failed to respond to any notices that he would
19 be attending today. He was notified by phone, email and
20 certified letter.

21 ACTING CHAIRMAN FLYNN: Okay.

22 MR. INGRAM: He was instructed to be here at
23 10:00 a.m.

24 ACTING CHAIRMAN FLYNN: If there's no
25 objections from the Board, I'd like it trail it anyway.

1 We'll call him one more time.

2 BOARD MEMBER COLBERT: Okay.

3 ACTING CHAIRMAN FLYNN: I don't need a motion
4 for that, do I, counsel?

5 MR. KANDT: No.

6 ACTING CHAIRMAN FLYNN: Number 45, Lucien Micah
7 Love applied for registration, was denied. Mr. Love is
8 appealing the decision to the Board pursuant to NRS 648.
9 For possible action.

10 MR. KANDT: Mr. Micah, state your name for the
11 record.

12 MR. LOVE: Lucien Micah Love, sir.

13 MR. KANDT: And do you swear under penalty of
14 perjury to tell the truth, the whole truth, and nothing
15 but the truth?

16 MR. LOVE: Yes, sir.

17 ACTING CHAIRMAN FLYNN: Okay. Have a seat,
18 sir.

19 MR. LOVE: All right. First of all, I would
20 like to apologize to you guys for not disclosing my
21 record. The reason why I didn't disclose what was on my
22 record was because I was under the impression that after
23 seven years, it doesn't show up.

24 I haven't been in trouble since that, that
25 time. I'm a new father. I'm here to take care of my

1 family. I applied for a guard card. I'm a good
2 citizen. Right now, I work at a temporary agency just
3 doing little pick-up jobs. I have two brand-new
4 children that I need to take care of.

5 And, like I said, I wasn't trying to hide
6 nothing off my record. I just didn't disclose it,
7 because I was told that there was a statute of
8 limitations and that the stuff wouldn't show up. So I
9 do apologize for not disclosing it.

10 ACTING CHAIRMAN FLYNN: Okay. You've got a few
11 things here. Let's talk about the gun charges.

12 MR. LOVE: Okay. The gun charge, there's only
13 one gun charge, sir. The gun charge was I was walking
14 my dog. The gun was registered to me. I'm ex-military.
15 I went to the store, I bought my gun. I was walking my
16 dog. I used to live in Lancaster, California. It was
17 late night. I walk my dogs at night. And I had my
18 pistol on me.

19 The police approached me because someone had
20 pulled a gun on some people around the corner. It was a
21 party or something. And they approached me and my
22 buddy. Both were, were packing. It was both legal
23 guns. I disclosed that I had my gun. I went to jail
24 for one night. They sentenced me to 30 days. I did one
25 day off of that. And that was it. That was in 2003.

1 ACTING CHAIRMAN FLYNN: Okay. Who's the
2 investigator on this one?

3 MR. SALADINO: Investigator Saladino.

4 ACTING CHAIRMAN FLYNN: Okay. Anything you
5 want to add?

6 MR. SALADINO: No, there was the 2004 carrying
7 a loaded firearm in public. 2004 again, April. One was
8 March, one was April, the same one. In August 2005,
9 another carrying a concealed firearm in public.
10 December of 2005 --

11 MR. LOVE: Mr. Saladino, excuse me. I'm sorry.

12 ACTING CHAIRMAN FLYNN: Let him finish.

13 MR. LOVE: Oh, okay.

14 ACTING CHAIRMAN FLYNN: And I'll give you all
15 the time you need.

16 MR. LOVE: All right.

17 ACTING CHAIRMAN FLYNN: Okay.

18 MR. SALADINO: April of 2016, there was a
19 possession of marijuana for sale. Marijuana possession,
20 or for sale in California is a felony. I wasn't
21 provided any court documents to the contrary.

22 2007, another loaded firearm.

23 2008, there was a possession of marijuana for
24 sale, but there was no disposition, per the
25 fingerprints.

1 ACTING CHAIRMAN FLYNN: Okay.

2 MR. LOVE: There was one, there was only one
3 case with a possession of a gun. I've never, ever been
4 caught with another gun before. That gun was mine. I
5 don't know why those other things are popping up like
6 that. I did get caught with marijuana. I had a lot of
7 marijuana with me in two thousand and -- that was six.
8 Yeah, that was 2006.

9 It's been over 10 years. I've cleaned my life
10 up. And like I said, the reason why I didn't disclose
11 it is because I thought that -- I was told by another
12 security guard that if you didn't, that it's been so
13 many years, that the stuff wouldn't pop up. That's the
14 only reason why. I'm not trying to hide my record.

15 When I was 21 or 23, I got caught with a bunch
16 of marijuana. And I got caught with my gun. I never
17 hurt anybody. I'm not -- if you look, I have no
18 violence on my record or nothing. And that's the only
19 reason I didn't disclose, because. And it's a new
20 state, also. So, you know, I'm under the impression
21 that I'm a brand-new citizen here. And that stuff was
22 old. I'm no longer on probation. I don't do drugs. I
23 don't do anything. I'm just here to take care of my
24 children, sir.

25 ACTING CHAIRMAN FLYNN: Okay. Any questions

1 from the Board, or comments?

2 BOARD MEMBER NADEAU: Sure. Mr. Chair?

3 ACTING CHAIRMAN FLYNN: Yes.

4 BOARD MEMBER NADEAU: Thank you.

5 When was the last time you were arrested?

6 MR. LOVE: 2009 or 2006. It was like two
7 thousand -- it's been 10 years, sir.

8 BOARD MEMBER NADEAU: And then carrying a
9 loaded firearm in public in September of 2007.

10 MR. LOVE: No, sir. That's not me, sir. I
11 only got caught with a gun one time, and it was my gun,
12 sir.

13 BOARD MEMBER NADEAU: Well, apparently, this is
14 on your record.

15 MR. LOVE: Maybe it's a probation thing, a
16 violation. Because I don't know why it's in my record.
17 It only happened one time, though. The arrest, the
18 arrest for ecstasy was Lancaster, California, Lancaster
19 Sheriff's Department. And that was it. I mean I don't
20 know why those extra things are on my record. I really
21 don't.

22 The two things I do admit to is being caught
23 with the marijuana, and I got caught with my gun in 2003
24 or '4. And that's it.

25 ACTING CHAIRMAN FLYNN: I understand. Okay.

1 BOARD MEMBER COLLINS: Mr. Saladino, there
2 appear to be five charges.

3 MR. LOVE: It's the same thing.

4 BOARD MEMBER COLLINS: So is it possible --

5 ACTING CHAIRMAN FLYNN: Let the investigator
6 answer, and then I'll let you. You can ask all the
7 questions you want and have all the time that you want.

8 MR. SALADINO: Recently, I have inquired on the
9 fingerprint reports of why stuff comes up multiple
10 times. And from what I gather, it comes down to the
11 court dates. If they have court dates pending or if
12 they're on probation, it'll show up again on their
13 fingerprint report if they're, you know, subsequently
14 arrested again, or for questions.

15 The one in 2007, it was September,
16 September 1st, 2007, it was one count carrying a loaded
17 firearm in a public place and one count of driving
18 without a license. The disposition of it, the loaded
19 firearm isn't there in the disposition. And then
20 there's no disposition available for the driving without
21 a license. And it shows that it went to a warrant.
22 That's how the fingerprint report reads.

23 BOARD MEMBER COLLINS: So it is possible that
24 it could be one?

25 MR. SALADINO: It's possible it could be one,

1 and it's a continuation of the probation, that, you
2 know, when you get stopped, it just comes up again in
3 that.

4 ACTING CHAIRMAN FLYNN: Okay.

5 BOARD MEMBER COLLINS: Thank you.

6 ACTING CHAIRMAN FLYNN: Do you understand?

7 MR. LOVE: Yes, sir.

8 ACTING CHAIRMAN FLYNN: I mean that, what the
9 investigator is saying?

10 MR. LOVE: Yeah, that makes sense. That makes
11 a lot of sense.

12 ACTING CHAIRMAN FLYNN: Okay.

13 MR. LOVE: Because I only got caught with a gun
14 one time.

15 ACTING CHAIRMAN FLYNN: Okay.

16 MR. LOVE: And it was my gun. I wasn't pulling
17 it on anybody or nothing. The police came to me while I
18 was walking my dog and asked, needed to put my dog in
19 the thing, and I told him, he asked me if I had a
20 weapon, and I said, "Yes, I do."

21 ACTING CHAIRMAN FLYNN: Okay. So you're aware
22 that's on your record?

23 MR. LOVE: Yes, sir. Yes, I do.

24 ACTING CHAIRMAN FLYNN: You're aware you need
25 to disclose it in the future?

1 MR. LOVE: Yes, sir. Yes, sir. Yes, sir.
2 Yes, sir.

3 ACTING CHAIRMAN FLYNN: All right. Any other
4 comments from the Board?

5 MR. LOVE: Oh, I do have one more thing to say.
6 As far as like the lady said earlier, with the housing
7 stuff, when I apply for my apartments and stuff and the
8 house that I live in now, you know, they do the
9 background check, and none of that stuff pops up. I had
10 a contact with the police. None of it popped up. And
11 that's why I didn't disclose it, because I thought it
12 was off my record after so long, after seven years. So
13 that's why I didn't disclose it. Otherwise, I would
14 have put it on there.

15 ACTING CHAIRMAN FLYNN: Okay. All right. Any
16 public comment on this particular item?

17 Okay. Seeing none --

18 BOARD MEMBER NADEAU: Mr. Chair?

19 ACTING CHAIRMAN FLYNN: -- call for a motion.
20 Yes.

21 BOARD MEMBER NADEAU: I'm concerned about all
22 the number of things that have popped up here, whether
23 or not they're duplicate charges, just different court
24 dates, or whatever. If there's a motion, and it
25 sustains the denial, then Mr. Love won't be able to

1 reapply for a year.

2 If for some reason we were able to get some of
3 this clarified and was to be able to be brought back
4 with this appeal at our next meeting, next scheduled,
5 next Board meeting, not the appeals hearing next week,
6 but then there would only be a three-month delay rather
7 than a year delay.

8 I don't know if there's any appetite among the
9 commissioners for delaying this to get that cleaned up.

10 ACTING CHAIRMAN FLYNN: Well, yeah, there's an
11 appetite here, with me.

12 What the commissioner -- go on.

13 BOARD MEMBER NADEAU: It could seem to me
14 that -- I don't know. I don't know what the protocol is
15 here or the administrative law as far as whose onus it
16 is to delay it, whether it's his or ours. If we have
17 the ability to delay it, then I'd make that motion. But
18 if we don't, then the onus is upon him to ask for a
19 delay for clarification of the record.

20 ACTING CHAIRMAN FLYNN: Well, what we've done
21 in the past, and any of you can correct me if I'm a
22 little off, is we've explained to the applicant what
23 we're trying to do and let them know that they're the
24 only ones that can ask for a delay.

25 BOARD MEMBER NADEAU: Correct, that's what my

1 recollection is.

2 ACTING CHAIRMAN FLYNN: And then we make a
3 motion based on the applicant's approval or disapproval
4 of the delay. So.

5 BOARD MEMBER NADEAU: Based on --

6 ACTING CHAIRMAN FLYNN: Yes.

7 BOARD MEMBER NADEAU: My position right now is
8 if this isn't clarified, then I have to go with what the
9 record says and make my -- make up my decision based on
10 that. But if we are able to -- if Mr. Love was able to
11 come back and show us that these were multiple counts of
12 the same thing, then it may change our -- or my
13 interpretation of where to go.

14 ACTING CHAIRMAN FLYNN: Okay. Mr. Love, we're,
15 basically, leaning towards what you're saying.

16 MR. LOVE: Okay.

17 ACTING CHAIRMAN FLYNN: And I'm not here to say
18 that the government documents are always correct. So
19 either work with staff or work with the counsel that you
20 had at the time. Let's get this cleared up, with the
21 onus being on you. And if you would ask for a delay, to
22 give you time to work on this, the Board is apt to give
23 you the delay.

24 MR. KANDT: Mr. Chairman, if I may?

25 ACTING CHAIRMAN FLYNN: Yes.

1 MR. KANDT: Make sure it's framed properly.
2 You would ask, you would ask the applicant for a
3 continuance of this appeal.

4 ACTING CHAIRMAN FLYNN: Okay.

5 MR. KANDT: They could stipulate to a
6 continuance. And then you, as a Board, give the
7 applicant the time to stipulate to a continuance, and
8 then take action to continue the matter. That's the way
9 I would recommend you proceed.

10 ACTING CHAIRMAN FLYNN: Okay. I'm going to
11 change my wording from delay to continuance, to give you
12 time to work on this.

13 MR. LOVE: Okay. Thank you, sir.

14 ACTING CHAIRMAN FLYNN: Are you in agreement
15 with that?

16 MR. LOVE: Yes, I'm in agreement.

17 ACTING CHAIRMAN FLYNN: Okay. I'll entertain a
18 motion.

19 BOARD MEMBER NADEAU: Mr. Chair, I'd move that
20 we continue this to our next regularly scheduled Board
21 meeting at the request of any stipulation by Mr. Love.

22 ACTING CHAIRMAN FLYNN: Okay. We have a
23 motion. Do I have a second?

24 BOARD MEMBER COLBERT: Second.

25 BOARD MEMBER COLLINS: Second.

1 ACTING CHAIRMAN FLYNN: Okay. Any other
2 discussion from the Board?

3 All right. All in favor of the motion to
4 continue?

5 (Board members said "aye.")

6 ACTING CHAIRMAN FLYNN: Any denied?

7 Okay. Good luck to you.

8 MR. LOVE: Thank you for the time today.

9 MR. INGRAM: Mr. Love, we'll be in contact with
10 you --

11 MR. LOVE: Okay.

12 MR. INGRAM: -- to open communication with you.
13 And then, at that time, we'll get you scheduled for the
14 March Board meeting.

15 MR. LOVE: March. Thank you.

16 ACTING CHAIRMAN FLYNN: Okay. I believe, we're
17 up to number 47. Mary Rains applied for registration,
18 was denied. Ms. Rains is appealing the decision to the
19 Board pursuant to NRS 648. For possible action.

20 Good afternoon to you, ma'am.

21 MS. RAINS: Good afternoon.

22 ACTING CHAIRMAN FLYNN: We need to swear you
23 in.

24 MR. KANDT: Ms. Rains, could you state your
25 name for the record.

1 MS. RAINS: Mary Elaine Rains.

2 MR. KANDT: Thank you. And do you swear under
3 penalty of perjury to tell the truth, the whole truth,
4 and nothing but the truth?

5 MS. RAINS: Yes, I do.

6 ACTING CHAIRMAN FLYNN: Okay. Why are you
7 here?

8 MS. RAINS: I'm here to appeal my record. I
9 didn't -- I disclosed it. I didn't know that it was a
10 felony trespass from 1999. I thought it was a
11 misdemeanor. That's what I was told, and that's what
12 I've always thought.

13 ACTING CHAIRMAN FLYNN: But you did disclose
14 it?

15 MS. RAINS: Yes.

16 ACTING CHAIRMAN FLYNN: Okay. So don't worry
17 about that part.

18 MS. RAINS: Okay.

19 ACTING CHAIRMAN FLYNN: Okay. Who's the
20 investigator?

21 MR. BATCHELOR: Investigator Batchelor.

22 ACTING CHAIRMAN FLYNN: Okay. Tell us what you
23 know about it.

24 MR. BATCHELOR: Like it says there in the
25 report, she has that one conviction from 1999 that was a

1 felony burglary conviction. And as she -- as it states
2 in there, she did complete a diversion program. And it
3 was -- has since then been dismissed. And as she
4 stated, she did disclose that on her application.

5 ACTING CHAIRMAN FLYNN: Okay. Tell us about
6 that event, please.

7 MS. RAINS: My friend and I had broken up. And
8 I went to get my things. And I had given him these
9 candlesticks. And he went and threw one at the wall.
10 So I went to throw one at the wall, and he ran at me,
11 and I accidentally hit him in the head. And I did it,
12 and I can't change it.

13 ACTING CHAIRMAN FLYNN: Okay. I understand
14 that.

15 MS. RAINS: And I went through, I pled guilty.
16 He didn't press charges. And I went through diversion,
17 and I finished early, actually a half a year early. And
18 it's -- it changes in me.

19 ACTING CHAIRMAN FLYNN: Okay. We appreciate
20 your forthrightness. What are you doing now?

21 MS. RAINS: I am a staff accountant.

22 ACTING CHAIRMAN FLYNN: A what?

23 MS. RAINS: A staff accountant.

24 ACTING CHAIRMAN FLYNN: Okay.

25 MS. RAINS: I was a claims adjustor at the

1 time.

2 ACTING CHAIRMAN FLYNN: Okay. Any other
3 questions from the Board?

4 BOARD MEMBER NADEAU: No.

5 BOARD MEMBER COLBERT: No.

6 ACTING CHAIRMAN FLYNN: Any public comment?

7 All right. I'll entertain a motion.

8 BOARD MEMBER COLBERT: Mr. Chair, I move that
9 Mary Rains' denial be overturned and she be issued a
10 card.

11 ACTING CHAIRMAN FLYNN: All right. Can I have
12 a second?

13 BOARD MEMBER COLLINS: Second.

14 ACTING CHAIRMAN FLYNN: Any discussion from the
15 Board?

16 Okay. Because of your honesty and because it's
17 been a long time and because you stayed clean, that's
18 why.

19 MS. RAINS: Thank you, sir.

20 ACTING CHAIRMAN FLYNN: All right. All right.
21 Well, I got to do a vote. Don't go, no, no, no. I got
22 to do a vote. I don't know if they're going to agree
23 with me.

24 MS. RAINS: I'm sorry.

25 ACTING CHAIRMAN FLYNN: All right. I got a

1 motion. I got a second. All those in favor of
2 overturning, say "aye."

3 (Board members said "aye.")

4 ACTING CHAIRMAN FLYNN: Any opposed?

5 Motion approved.

6 MS. RAINS: Thank you.

7 ACTING CHAIRMAN FLYNN: You're welcome. Now
8 you can go.

9 MS. RAINS: Okay. Thank you.

10 ACTING CHAIRMAN FLYNN: Didn't want you to miss
11 the good part.

12 All right. Number 48, Joanna Calhoun applied
13 for registration, was denied. Ms. Calhoun is appealing
14 the decision to the Board pursuant to NRS 648. For
15 possible action.

16 MR. INGRAM: Mr. Chairman, for the record, she
17 was adequately notified. We left telephone messages,
18 email, certified mail. The certified mail came back
19 undeliverable, with no forwarding address.

20 ACTING CHAIRMAN FLYNN: Okay. If no one
21 objects, I'd like to trail this, also, to give the
22 person the benefit of doubt. Rains trailed.

23 Where are we?

24 MR. INGRAM: 49.

25 ACTING CHAIRMAN FLYNN: 49, Danny Elliott

1 applied for registration, was denied. Mr. Elliott is
2 appealing the decision to the Board pursuant to NRS 648.
3 For possible action.

4 Okay. Again, I'd like to trail this to the
5 end.

6 Number 50, Jeffrey Lowe applied for
7 registration.

8 MR. LOWE: May I ask the court if my -- the
9 owner of my company can come up with me?

10 ACTING CHAIRMAN FLYNN: Of course.

11 MR. LOWER: And, just for the record, his
12 name's Rodney Longberger.

13 ACTING CHAIRMAN FLYNN: I got to read this into
14 the record. But bring him up in the meantime.

15 Jeffrey Lowe applied for registration, was
16 denied. Mr. Lowe is appealing the decision to the Board
17 pursuant to NRS 648. For possible action.

18 We got to get you guys sworn in. And then you
19 can tell me what's up.

20 MR. KANDT: Mr. Lowe, state your name for the
21 record.

22 MR. LOWE: My name is Jeffrey Lowe.

23 MR. KANDT: Raise your right hand. Do you
24 swear under penalty of perjury to tell the truth, the
25 whole truth, and nothing but the truth?

1 MR. LOWE: Yes, sir, I do.

2 MR. KANDT: Okay. Thank you.

3 Would you also state your name for the record?

4 MR. LONGBERGER: Rodney Longberger.

5 MR. KANDT: And raise your right hand. And do
6 you swear under penalty of perjury to tell the truth,
7 the whole truth, and nothing but the truth?

8 MR. LONGBERGER: Yes, sir.

9 MR. KANDT: Thank you.

10 ACTING CHAIRMAN FLYNN: Okay. Now tell us
11 what's going on.

12 MR. LOWE: Okay. So earlier this year, I was
13 asked to come up on behalf of my company. We have three
14 different offices. Two of them are in Arizona, one in
15 Kingman, one in Gilbert. And we also have a Las Vegas
16 office. We had a lull in employment out here due to,
17 you know, individuals that, you know, couldn't stay with
18 the company and stuff like this. So they asked me to
19 come up and observe and to come up and obtain my state
20 license so that I can come up and help out. We need it.

21 I kind of did it on a whim. So when I was
22 asked to go, I came to the office, the PILB office, at a
23 later hour in the evening, right before they were
24 getting ready to close. They said that, huh-uh
25 (negative). I believe, I went before the June Board

1 hearing. The only way I could get into that is if I,
2 you know, I put all the paperwork and then pay my fee,
3 got my fingerprint card, and then got the paperwork in
4 before they closed that day.

5 So I did, and I did. I got all the information
6 down the best I could. I didn't know what I was getting
7 into, as far as like, you know, what information I
8 needed. I had no paperwork with me. It was all off the
9 top of my head.

10 There was a failure to disclose on one charge,
11 and another arrest that got dismissed. All the other
12 charges, I did disclose. And if you want, we'll talk
13 about them.

14 ACTING CHAIRMAN FLYNN: Okay. And now you can
15 explain why you're here.

16 MR. LOWE: I'm sorry?

17 ACTING CHAIRMAN FLYNN: Who did you bring with
18 you?

19 MR. LOWE: Oh, sorry. I work for Bulldog
20 Recovery in the Kingman, Arizona and Gilbert, Arizona
21 and, also, out of Las Vegas, Arizona, or Las Vegas,
22 Nevada. This is the owner of our Kingman office, who I
23 work under. And we cover all of northern Arizona, from
24 Fort Mohave, Golden Valley, Bullhead City, Kingman, Lake
25 Havasu, all the way over to the New Mexico border.

1 ACTING CHAIRMAN FLYNN: Okay. You've got some
2 things on your record you want to talk about?

3 MR. LOWE: Yes.

4 ACTING CHAIRMAN FLYNN: Okay.

5 MR. LOWE: Back in '98, you know, I had a bunch
6 of friends, you know, and, I guess, you know, a lot of
7 people look at as undesirable and stuff like this. One
8 of my buddies, apparently, had stolen a vehicle. He
9 said, you know, "You want to go ahead and take the
10 vehicle to get home," and everything else. I said,
11 "Yes." And I took the vehicle, held onto it for a
12 couple days. And I got arrested by RFPD. And they got
13 me for grand theft auto, theft of an auto, theft of an
14 auto and then two counts of receiving stolen property,
15 which were those personals that were in the vehicle.

16 And I went before the court. You know, I had
17 to face my time, you know. And I admit it. You know,
18 it was a stupid decision, you know. I didn't personally
19 steal the vehicle myself, but I was in possession of it,
20 you know. And California likes to stack charges, and
21 they put four felonies on me at the time.

22 You know, I did disclose this. And I did talk
23 about it at the last, well, not the last one, but the
24 previous Board meeting before that, and we decided to
25 delay everything.

1 I had a few domestic violences. My previous
2 ex-wife, you know, she was 14 years my senior, you know,
3 heavy into drugs. I was trying to clean up my life and
4 move forward, you know, and grow. I became a union iron
5 worker down in San Diego, California. And I bounced
6 back and forth between Local 416, L.A., and Local --
7 Local -- the local down in San Diego. And she held me
8 back, you know, and I let her influence me, you know.
9 And when work got slow, you know, we started to argue,
10 you know.

11 And in this day and age, you know, post O.J. in
12 California, the domestic violence laws, you know, became
13 very, very strict, you know. And, you know, I'm not
14 going to say I was an angel. I'm not going to say that
15 I ever laid a hand on her, because I didn't. You know,
16 but the way they interpret the laws in the state of
17 California, you know, they are very strict with them.
18 You know, so if there's any, you know, he said, she said
19 type of thing, you know, an individual, you know, has to
20 deal with it, you know.

21 And I did. I owned it. You know, I owned it.
22 You know, I may have raised my voice. I may have come
23 across good character unbecoming of a male, you know. I
24 may have, you know, kind of went towards her like this,
25 or something, you know, to put fear in her, and stuff

1 like this.

2 My dad didn't teach me that. You know, I since
3 learned the error of my way, you know. And I'm in a
4 beautiful relationship with a woman that I love, you
5 know. Which is not the same person, by the way, you
6 know. And, you know, so I mean, you know, I learned
7 about that, you know.

8 I think, it was Mr. Easton, he, you know, had
9 stated that I didn't disclose a charge for a
10 switchblade. I do not recall the date on this. I
11 acquired it. I remember the switchblade. I do.
12 Because I got it at the Orange County Swat Meet when I
13 was in sixth grade. You know, it was for sale. I
14 bought it. I thought it was cool. I kept it. And, you
15 know, I'd always stayed at the house. And one day, I
16 was stopped by a police officer. He asked me if I had
17 anything. I said, "I got a switchblade in my pocket."
18 Took it. Put me in jail for it, you know.

19 There was also an arrest that wasn't disclosed.
20 It was in California, the City of Huntington Beach. It
21 was dismissed. It was for, I think, destruction of
22 property, I believe, if I recall right. And me and my
23 current wife, we were dating at the time. And there was
24 still some, you know, some tension over my last, my last
25 wife. And I walked away. I walked way from her. And I

1 was walking through the parking lot. I was carrying a
2 Sierra Mist bottle. And she kept following me. And I
3 said, "Please, just, you know, let me go. You know, let
4 me, let me go cool off." You know, and she kept
5 following me. I turned around and faced away from her.
6 And I had a Sierra Mist bottle in my hand. I threw it.
7 It hit the ground, bounced, broke out the back window of
8 a Toyota Sienna.

9 I immediately went into Target, and I talked to
10 the security guard on duty, I said, "Can you please find
11 this individual. I need to go ahead and tell them that
12 I broke out the back window of their vehicle, and I want
13 to pay for it."

14 And they didn't. The security department
15 called, called the Huntington Beach P.D. They came out.
16 And they see, they see paper, they see everything on the
17 computer, and they hear everything over the radio. They
18 automatically, you know, start, you know, coaching the
19 individuals, if you will, you know.

20 And I'm not going to lie. I had a colorful
21 past, you know. I mean it's nothing for me to be proud
22 of, you know. But I deserve my day in court. Or I at
23 least deserve to have the one-on-one with the individual
24 who, you know, sustained the damage that I caused, you
25 know, to be able to work it out with them, instead of

1 something with the law, you know.

2 And they charged me with felony destruction,
3 you know, and that got dropped down to a misdemeanor
4 during court, and it got dismissed thereafter, after
5 going to my day in court.

6 So. And if there's anything else, you know,
7 I'm more than willing to answer any one of your
8 questions.

9 You know, I don't believe that, you know,
10 papers from my past should, you know, should stop me
11 from my personal growth. I've done well over the past
12 years. I moved to Arizona. You know, we own our own
13 home, 22 square foot house, we got a mortgage. You
14 know, I got two beautiful daughters, my stepdaughters,
15 who I treat like my own. They're 19 and 22.

16 And I work for a wonderful boss. I've been
17 with this company for a year now, come the 28th of this
18 month. And I want my, my growth to help his growth.
19 And because we're a team, we do this together, you know.
20 And we're not only helping us, we're helping the other
21 one over down in Gilbert and the Las Vegas office as
22 well. And if I can help out in this region, you know, I
23 want to do it.

24 You know, I've done over 550 repossessions in
25 the state of Arizona this year, by myself. You know, I

1 came across some pretty hairy situations. It's a right
2 to carry state, you know. And some individuals feel,
3 you know, they bestow their right on you, you know, when
4 you're trying to reclaim banks' property, you know.

5 I'm just asking for a chance, you know. And,
6 you know, we do service a subdivision of that area,
7 which is -- or a subdivision of Las Vegas, which is
8 Laughlin, Nevada. And right now, I can't do that. I
9 live, I live in Kingman, Arizona. I rent a place in
10 Bullhead City. We have to send our Kingman agent, who's
11 licensed in the state of Nevada. All right. So he has
12 to. I rent the place in Bullhead specifically to
13 service Bullhead, Fort Mohave, Mohave Valley. All
14 right. And I can't service, I can't service Laughlin
15 across the bridge, you know, a few miles away from me.
16 So we have to put another truck out there with our
17 driver from Kingman, who is licensed, to come out and
18 service the Laughlin area.

19 And that is -- you know, I understand your
20 guys' position. But, you know, for our growth as a
21 company, it hurts.

22 ACTING CHAIRMAN FLYNN: Okay. The
23 investigator?

24 MR. BATCHELOR: Investigator Batchelor. And I
25 have nothing further to comment. What he said was

1 correct, as far as charges, convictions.

2 ACTING CHAIRMAN FLYNN: All right. Any
3 questions or comments from the Board?

4 BOARD MEMBER COLBERT: I have one, Mr. Chair.

5 ACTING CHAIRMAN FLYNN: Yes.

6 BOARD MEMBER COLBERT: What were of the dates
7 of the domestic violence?

8 MR. BATCHELOR: What was the dates of what?

9 BOARD MEMBER COLBERT: When was the arrest for
10 domestic violence?

11 MR. BATCHELOR: In 2002, he was convicted of
12 domestic violence. And, also, in 2004 as well. Those
13 years, he was convicted of domestic violence.

14 BOARD MEMBER COLBERT: Okay. Thank you.

15 MR. BATCHELOR: He did list one of them.

16 BOARD MEMBER COLBERT: Okay. Thank you.

17 I have no further.

18 ACTING CHAIRMAN FLYNN: Any other questions of
19 the Board?

20 BOARD MEMBER COLBERT: No, I have nothing
21 further.

22 ACTING CHAIRMAN FLYNN: Okay. Any public
23 comment?

24 He brought you up to the table. We might as
25 well get you involved, huh?

1 MR. LONGBERGER: Yep.

2 ACTING CHAIRMAN FLYNN: All right. Anything
3 you'd like to add? Would you identify yourself for the
4 record.

5 MR. LONGBERGER: I'm Rodney Longberger. I am
6 part owner of Bulldog Recovery. And what he said was
7 correct. He's worked for me for coming up on a year
8 now. He's well done over five, six hundred
9 repossessions in the state of Arizona.

10 I've never had any complaints with him, as far
11 as going to people's homes, collecting the collateral.
12 Obviously, everybody knows that that can be a touchy
13 situation, repossessing a vehicle. Never had an
14 incident where we've had to have enforcement involved
15 with him in a home. Never had an instance where I've
16 had a debtor or anybody call and state that he's done
17 damage or got verbally violent or anything with them.

18 I've had no issues with Jeff being an employee
19 of mine for a year. And I'm happy to have him on the
20 team. And to be honest, if I could clone the guy, it
21 would be amazing, and I'd grow even more.

22 ACTING CHAIRMAN FLYNN: Okay. Thank you.

23 MR. LONGBERGER: You're welcome.

24 ACTING CHAIRMAN FLYNN: I'll call for a motion.

25 I call for a motion a second time.

1 BOARD MEMBER COLBERT: Mr. Chair, I move that
2 the denial for Jeffrey Lowe be upheld at this time.

3 ACTING CHAIRMAN FLYNN: Okay. I have a motion.
4 Do I have a second?

5 BOARD MEMBER COLLINS: Second.

6 ACTING CHAIRMAN FLYNN: I have a second. Any
7 further discussion from the Board?

8 Okay. I'll call for a vote. All those in
9 favor of the motion?

10 (Board members said "aye.")

11 ACTING CHAIRMAN FLYNN: Any denials?

12 The motion carried. Sorry, sir.

13 MR. LOWE: But we could have your place.

14 MR. LONGBERGER: Thank you.

15 MR. LOWE: Thank you very much. Have a good
16 day, folks.

17 ACTING CHAIRMAN FLYNN: All right. Number 51,
18 Lindsey --

19 MS. MUSICANT: Musicant.

20 ACTING CHAIRMAN FLYNN: Musicant. Thank you.

21 Applied for registration, was denied.

22 Ms. Musicant is appealing the decision to the Board
23 pursuant to NRS 648. For possible action.

24 Please be sworn in.

25 MR. KANDT: Would you identify yourself for the

1 record.

2 MS. MUSICANT: My name is Lindsay Musicant.

3 MR. KANDT: Do you swear under penalty of
4 perjury to tell the truth, the whole truth, and nothing
5 but the truth?

6 MS. MUSICANT: I do.

7 MR. KANDT: Thank you.

8 MS. MUSICANT: I'm here for my guard card or
9 test or PILB card for -- to be a security guard. I know
10 I forgot to disclose some of my information. But I'll
11 be honest. I'm a stupid child back when I was 11. I've
12 been on the street since I was 23. So I just barely got
13 my life back together. I'm 24 years old. So now I've
14 been in AA. And I'm currently working for a servant
15 place and for maids. So I do two jobs. I'm balancing
16 them both.

17 Most of my charges are all prostitution. I
18 know I have one drug charge. I don't know. I don't
19 even know how to argue with prostitution, because people
20 all frown upon it. It's probably horrible. But I
21 didn't have a choice. I had to learn to live. So I'm
22 not going to -- whatever. I just want to be a guard. I
23 like doing security. I actually love being a security
24 officer. So I found something I'm good at, and I'm
25 going to fight for it, I guess.

1 ACTING CHAIRMAN FLYNN: Where have you been a
2 security officer?

3 MS. MUSICANT: Securitas in 2004. Oh, my gosh.
4 Fremont Security downtown. I worked, I guess, with
5 Metro as well. And most of the officers know me, and
6 they laugh because of my background. But those are the
7 two main I worked for a lot. So back and forth for a
8 couple of years on both of them.

9 I was just actually -- James, right? He called
10 me right when I was getting hired on my birthday, and
11 they denied me, and he told me I can't work there this
12 year. So. I was going to get rehired at Trion. So he
13 told me to come back, if I get my guard card, and I
14 could get hired right away.

15 ACTING CHAIRMAN FLYNN: Anything else?

16 MS. MUSICANT: No, just messed up kid trying to
17 do better.

18 ACTING CHAIRMAN FLYNN: Does the investigator
19 have anything to add?

20 MR. BATCHELOR: Nothing more than what's on the
21 sheet. She did list all -- most of her stuff. She
22 stated she had multiple prostitution arrests and
23 convictions. And a lot of dispositions were not
24 available on the fingerprint report. But she did list
25 most of those on there.

1 MS. MUSICANT: You can ask me any date, and I
2 can probably memorize it most of the time. And anything
3 past 18, I can't really remember, so.

4 ACTING CHAIRMAN FLYNN: I can only speak for
5 myself. With that many, if you forgot a couple --

6 MS. MUSICANT: Yeah.

7 ACTING CHAIRMAN FLYNN: -- I can understand it.

8 MS. MUSICANT: I just know it's habitual
9 prostitution. That's all it was.

10 ACTING CHAIRMAN FLYNN: All right. Any other
11 questions or comments from the Board?

12 BOARD MEMBER NADEAU: None here.

13 ACTING CHAIRMAN FLYNN: Any public comment on
14 this particular case?

15 Okay. I'll call for a motion.

16 BOARD MEMBER NADEAU: Mr. Chair?

17 ACTING CHAIRMAN FLYNN: Yes.

18 BOARD MEMBER NADEAU: I'd move that the
19 registration, the denial be reversed and that Lindsay
20 Musicant be issued her registration card. And if
21 there's a second, I'll explain my motion.

22 ACTING CHAIRMAN FLYNN: Okay. We have a
23 motion. Do we have a second?

24 BOARD MEMBER COLBERT: Second.

25 ACTING CHAIRMAN FLYNN: Okay. Go ahead.

1 BOARD MEMBER NADEAU: Thank you, Mr. Chair.

2 Again, these are all misdemeanors. She
3 included them in her application. Obviously, there's a
4 lot there. But, I think, I think, we're moving forward.
5 And, again, that's my justification.

6 MS. MUSICANT: Thank you.

7 ACTING CHAIRMAN FLYNN: Okay. We have a
8 motion. We have a second. Any other discussion from
9 the Board?

10 All right. I'll call for a vote. All in
11 favor?

12 (Board members said "aye.")

13 ACTING CHAIRMAN FLYNN: Any opposed?

14 Motion carried. Congratulations.

15 MS. MUSICANT: I want to give you a hug really.
16 Thank you. Have a good day.

17 ACTING CHAIRMAN FLYNN: You too, ma'am.

18 How's our stenographer doing?

19 (The Reporter indicated that she's doing well
20 and we can keep going.)

21 ACTING CHAIRMAN FLYNN: All right. I believe,
22 we're up to number 53. Juan Frias applied for
23 registration, was denied. Mr. Fries is appealing the
24 decision to the Board pursuant to NRS 648. For possible
25 action.

1 Are you here, sir?

2 All right. I'm going to trail this one, also.

3 I apologize if I mess up the last name on this
4 one. Number 54, Mark Mosqueda.

5 MR. MOSQUEDA: Sure, Mosqueda.

6 ACTING CHAIRMAN FLYNN: Mosqueda. Applied for
7 registration, was denied. Mr. Mosqueda is appealing the
8 decision to the Board pursuant to NRS 648. For possible
9 action.

10 We need to get you sworn in, sir.

11 MR. MOSQUEDA: Sure.

12 MR. KANDT: Mr. Mosqueda, could you identify
13 yourself for the record, raise your right hand.

14 MR. MOSQUEDA: Yes. My name is Mark Mosqueda.

15 MR. KANDT: If you'd raise your right hand.

16 Under penalty of perjury, do you swear to tell the
17 truth, the whole truth, and nothing but the truth?

18 MR. MOSQUEDA: I do.

19 MR. KANDT: Thank you.

20 ACTING CHAIRMAN FLYNN: Okay. Have a seat.

21 MR. MOSQUEDA: Thank you.

22 ACTING CHAIRMAN FLYNN: Tell us why you're
23 here.

24 MR. MOSQUEDA: I'm here because I applied
25 for -- in California, we call them guard cards. But you

1 call them PLB cards here. I'm still learning that. So
2 I'm here to apply to work here in Nevada. I do have a
3 current guard card.

4 I did bring supporting documents. I was not
5 aware that I was supposed to email them or give them to
6 the person here that needed to have them on file. So I
7 don't know if I'll be able to present these documents to
8 you to for -- to support my case here.

9 ACTING CHAIRMAN FLYNN: Are they, they're
10 letters of reference?

11 MR. MOSQUEDA: References. Also, when I moved
12 to Nevada. And you guys can go ahead and keep them.
13 These are just copies of everything. That's my guard
14 card. Also, certification for my college years.

15 A little, brief history on me. I've had my
16 guard card in California since 1990. I've worked in
17 numerous positions as a security officer, security
18 guard, slash, bouncer. From hospitals, warehouses, you
19 name it in between, it's all -- security work is a vast
20 amount of work out there.

21 My last job as a security officer, I was
22 working at Mount Sierra College, which is a technical
23 college, very secured down. We had key access in there.
24 So it's really high-profile students, because we had
25 overseas students from Asia coming in there. So they're

1 really high-profile.

2 Previous to that job, I was at my previous job
3 for 10 years as a substance abuse counselor. I worked
4 with dual diagnosis patients that had mental issues as
5 well as substance abuse issues, which was very
6 challenging. It was a very small company, nonprofit.
7 As you're aware, the State of California is going
8 through and still is in budget crisis. And they cut the
9 budget for that program. It was a nonprofit program.
10 So the last person to get hired was me, in that 10-year
11 span, so I was the first one to be let go.

12 So that's just the way it goes. And I try to
13 go back out there in the field. A little challenging,
14 different things out there, but I said, let me try a new
15 turn in life. Because being from California, we come
16 out, this is our ticket home, in California. I love
17 Las Vegas. We come, I come here with my wife quite
18 often, we can get away, and so forth.

19 Being in the substance abuse field, I have my
20 documents here to prove that I -- well, I will pull them
21 out for you. I'm certified as a chemical dependency
22 counselor. I graduated from East L.A. College in 2005.
23 This is -- you have to get state-certified from
24 California to be able to work in the field. At the
25 time, it is expired, because the cost is almost \$500 to

1 get it. So right now, all I have to do to renew it is
2 do my continuing education classes, and I will get them.
3 Pay the fees, obviously.

4 But I made a decision to come out here to
5 Las Vegas and give this a chance, in this field, because
6 there is a lot. When I come out to Vegas, every time,
7 especially in the hot days, or even now in the cold,
8 people out there in the street. And most, most of them,
9 I have a compassion and a drive to help people that most
10 average people in this world just pass them by. Hey,
11 how about nickel or a dollar. They're begging for
12 change. I reach out to people and try to, you know,
13 give them a strength of hope that there is a way out
14 of -- out of addiction.

15 And so here in Vegas, addiction is so rampant
16 and out of control here. You just can walk down the
17 street right now, and you'll see somebody here.

18 So I'm here because of that. But in the
19 meantime, I need to get state-certified here and do some
20 educational requirements to get certified in the state
21 of Nevada. So in the meantime, with my guard experience
22 in California, I would like to work as security to be
23 able to support myself in the meantime.

24 I am -- I do have properties in California. I
25 have three properties in California. They're

1 investments properties right now. So that's how I'm
2 making it right now. But that money was supposed to be
3 put for retirement, because I don't think Social
4 Security's going to be here when I'm ready to retire.
5 So I've been living off that. But I want to get back
6 into the work field as far as supporting myself, working
7 at what I know how to do. And one of my jobs is
8 security.

9 And I was denied for my guard -- I keep saying
10 guard card. Sorry about that. When I applied, I
11 disclosed all my information. I was 100 percent honest
12 on everything. And so, in the meantime, while I get my
13 accreditations from the State of Nevada, I need to work.
14 And working, for me, is doing security. So I'm a great
15 security guard. I'm customer service. I have, you
16 know, a lot to offer professionally in my substance
17 abuse field. That is my main drive.

18 That is the main thing. When I'm here in
19 Vegas, I want to make a difference. I already looked
20 into the Catholic charities, that I have my spiritual
21 belief. I am a Catholic, rooted real deep in my
22 spiritual belief. And I checked in there to do some
23 volunteer work that needs to get some networking done.
24 I can't work and get paid for it. But when you help
25 people that are strung out on narcotics, alcohol -- and

1 don't forget the other one, what's here, gambling.
2 That's a big one. And one more, and, I guess, I'll stop
3 of that, women or men. It's an addiction. It really
4 is.

5 And so, in the meantime, I need to get a job
6 and start working again. Because I'm using my
7 retirement money from my investments properties in
8 California to live. I've been here since June 11th. I
9 came out here for one week, and I didn't leave. So I'm
10 trying to make a life here. I do have a -- I'm renting
11 a house here right now, with me and my wife and our
12 three dogs. We have three dogs, no children.

13 And so, at this time, I really would appreciate
14 a chance. Because I am going to make a difference here
15 in Nevada. I will.

16 ACTING CHAIRMAN FLYNN: Okay.

17 MR. MOSQUEDA: And I just told all the
18 information on my application, as the investigator may
19 go ahead and disclose that right now, at this time.

20 ACTING CHAIRMAN FLYNN: All right. Well, we're
21 here because of the arrests. I mean I --

22 MR. MOSQUEDA: Yes, sir.

23 ACTING CHAIRMAN FLYNN: -- think a lot of what
24 you want to do, and work with people and substance
25 abuse, that's a noble cause. But let's talk about your

1 arrests.

2 MR. MOSQUEDA: Yes, sir.

3 ACTING CHAIRMAN FLYNN: And what can you tell
4 us, the background? Because there's several of them
5 here.

6 MR. MOSQUEDA: Yes, sir. Okay. The one was --
7 the one disclosed, for the last one, was the checks. At
8 that time, me and a friend were in -- we had our
9 landscaping, landscaping business going. And it was
10 going through decent. I tried to, you know, try our own
11 little side business. Apparently, this guy -- we had a
12 couple accounts. And this guy was breaking into homes
13 and getting, you know, checks. Turned around, and he
14 said he said, "Oh, these were from the people," and paid
15 me with their checks. They reported it stolen. So that
16 was one of the charges there I got, that check one.

17 And so I took the deal, because I didn't want
18 to be wrapped up in all kinds of red tape. It was a
19 losing battle, because I was the one that cashed the
20 check, bottom line. So, very much, I took the deal, and
21 it was a misdemeanor charge.

22 I another one, which was also a misdemeanor
23 charge. And that was in 2001, the check, I think.

24 And then the discharge of the firearm was in
25 2000. The story behind that one is that I was security,

1 so I purchased a gun. And I was interested in getting
2 my gun permit at the time. It was Thanksgiving, had
3 family over. One of my nephews, that's not too
4 intelligent, and he's a gang member, went into my room,
5 got my gun, went outside. I was preparing, you know,
6 Thanksgiving, trimmings and all that. Went outside, and
7 he shot the gun off.

8 I heard the -- I didn't know what was going on
9 at the time. I just went outside. Because when a gun
10 goes off, and it's really loud when it's super close, I
11 went outside. I said, "What's going on here?" "Oh, I
12 shot your gun." I said, "What are you shooting my gun
13 for?" I grabbed it from him. So I took it, put it back
14 here. And as I was turning around to go back inside,
15 the Los Angeles County sheriff came around the corner.
16 And I had -- the bottom line, I had the gun on me, so
17 they charged me with that, with that as a discharge of a
18 firearm.

19 So that's how that one happened there.

20 ACTING CHAIRMAN FLYNN: So you're maintaining
21 that your relative didn't step forward to save you?

22 MR. MOSQUEDA: No, no, of course not. And
23 then, and, obviously, the sheriffs -- but I mean he was
24 gone by the time they pulled around the corner. He
25 walked away or something. They were right there, where

1 they focused on me, once they found out that I had the
2 gun. And because I had it on possession, on me, they --
3 I told them, I said, "I didn't do it." And so they, you
4 know, they had to do what they had to do, because I had
5 possession on me. So it was a misdemeanor.

6 ACTING CHAIRMAN FLYNN: Okay. Who is the
7 investigator on this?

8 MR. BATCHELOR: Investigator Batchelor.

9 ACTING CHAIRMAN FLYNN: Anything you want to
10 add?

11 MR. BATCHELOR: Sure. He did list most of his
12 convictions. He did list the firearms conviction,
13 the -- it's not known whether it's a felony or a
14 misdemeanor on the fingerprints.

15 He did not list a 1997 arrest for possession, a
16 felony possession of narcotics. And there's no
17 disposition on that in the fingerprints.

18 MR. MOSQUEDA: M-hm (affirmative).

19 MR. BATCHELOR: And he did, he had the two DUIs
20 he listed and his -- the bad checks charge, conviction.

21 MR. MOSQUEDA: M-hm (affirmative), yes. I'm
22 aware -- I'm sorry. Excuse me. Can I speak?

23 I am aware about that narcotic charge. But I
24 did go through a diversion program and completed the
25 diversion program, completed probation.

1 And I was under the understanding that it was
2 eliminated from my record. I didn't know it was there.
3 Obviously, if I would have known it was still there, I
4 would have definitely put that on there, because I
5 complied with the courts 100 percent. And it was, I
6 guess, it was dismissed. It was a -- it's not a
7 conviction, but how I understood it, it wasn't a
8 conviction, but it was a charge, but it was still going
9 to be on my record. But I went through the diversion
10 program, the drug diversion program there in California.

11 If I would have known that, about that one, I
12 definitely would have put that down on the application,
13 because I want to be straightforward. Honesty is the
14 best policy.

15 ACTING CHAIRMAN FLYNN: All right. Any
16 questions from the Board?

17 BOARD MEMBER NADEAU: None.

18 BOARD MEMBER COLBERT: No.

19 ACTING CHAIRMAN FLYNN: Any public comment on
20 this particular matter?

21 Okay. I'll entertain a motion.

22 BOARD MEMBER NADEAU: Mr. Chair?

23 ACTING CHAIRMAN FLYNN: Yes.

24 BOARD MEMBER NADEAU: Just as a clarification,
25 on the 2002 arrest, that was a misdemeanor?

1 ACTING CHAIRMAN FLYNN: I'll let the
2 investigator answer.

3 MR. BATCHELOR: On the fingerprints, it's
4 unknown. It doesn't say whether it's a felony or a
5 misdemeanor. It just says he was convicted, and 45 days
6 jail, three years probation. It doesn't say whether or
7 not it's a felony or a misdemeanor.

8 MR. MOSQUEDA: Like I say, it was a
9 misdemeanor, though, conviction.

10 BOARD MEMBER NADEAU: And you successfully
11 completed your probation?

12 MR. MOSQUEDA: I hundred percent completed all
13 my probations. There's nothing outstanding at this
14 time. I've been an outstanding citizen. And like I
15 said, I'm here to help the city of Las Vegas and its
16 population that's bound by this drug epidemic that we're
17 having here.

18 BOARD MEMBER NADEAU: Mr. Chair, I'd move that
19 Mark Mosqueda, that the denial of his registration be
20 reversed and that he be issued a registration card.

21 ACTING CHAIRMAN FLYNN: Okay. I have a motion.
22 Do I have a second?

23 BOARD MEMBER COLBERT: Second.

24 ACTING CHAIRMAN FLYNN: Any other discussion
25 from the Board?

1 Okay. I move for a vote. All those in favor?

2 (Board members said "aye.")

3 ACTING CHAIRMAN FLYNN: Any opposed?

4 The motion carried. Congratulations, sir.

5 MR. MOSQUEDA: Thank you very much.

6 ACTING CHAIRMAN FLYNN: All right. I'm going

7 to call for a 10-minute break.

8 MR. MOSQUEDA: Thank you very much. Merry

9 Christmas.

10 * * * * *

11 (A break was taken, 1:00 to 1:15 p.m.)

12 * * * * *

13 ACTING CHAIRMAN FLYNN: All right. We're going

14 to get started, going back on the record. Are we okay

15 up north?

16 BOARD MEMBER NADEAU: Just about.

17 ACTING CHAIRMAN FLYNN: All right.

18 We're up to number 55, Daniel Conti. Come on

19 up. I don't know why I say "Come on up"; I feel like a

20 game show host.

21 All right. Daniel Conti applied for

22 registration, was denied. Mr. Conti's appealing the

23 decision to the Board pursuant to NRS 648. For possible

24 action.

25 You need to be sworn in, sir.

1 MR. KANDT: Mr. Conti, state your name for the
2 record.

3 MR. CONTI: Daniel Conti.

4 MR. KANDT: Do you swear under penalty of
5 perjury to tell the truth, the whole truth, and nothing
6 but the truth?

7 MR. CONTI: I do.

8 MR. KANDT: Thank you.

9 ACTING CHAIRMAN FLYNN: Good afternoon. And
10 tell us why you're here.

11 MR. CONTI: Well, I recently got refused for
12 the guards card, which is expectable. I'm in
13 construction. I -- I'm on disability, SSI, and I'm
14 collecting a small pension. So since I can't do my
15 trade anymore, this would be perfect, a guard's job.

16 And I have a felony. If I'm not mistaken, it's
17 about 32 years old. It happened in '82. It happened so
18 long ago, I can't remember.

19 So I'm in front of the Board right now to
20 rectify the situation, hopefully.

21 ACTING CHAIRMAN FLYNN: Okay. Well, you did
22 some time. I mean what was the burglary about?

23 MR. CONTI: It happened so long ago, it's hard
24 to remember. It was a nonviolent. It was a very stupid
25 thing. I believe, I was 19, 20. This happened in the

1 White, Maui White. I was with three men, three boys, if
2 you will, at that time. And so we pulled into a fan
3 show, Hawaiian fans. And they went in, took some fans.
4 And I was the driver. And that was it.

5 ACTING CHAIRMAN FLYNN: Okay.

6 MR. CONTI: It was a very stupid thing. I
7 regret it. And I'm paying for it in my senior years.

8 ACTING CHAIRMAN FLYNN: All right. And who's
9 the investigator on this?

10 MR. BATCHELOR: Investigator Batchelor.

11 ACTING CHAIRMAN FLYNN: Anything you can add?

12 MR. BATCHELOR: No. Mr. Conti's correct, he
13 was denied for that felony back in 1982. He listed it.
14 And he had a DUI since then. And after that,
15 that's all he's done. In 2006, he had that DUI, as you
16 guys can see.

17 There's another felony charge on there from
18 '73, possession of a controlled substance, where the
19 fingerprints had no disposition. It didn't say what
20 happened on that.

21 ACTING CHAIRMAN FLYNN: Okay.

22 MR. BATCHELOR: And that's it.

23 ACTING CHAIRMAN FLYNN: Thank you.

24 MR. CONTI: It was a felony?

25 MR. BATCHELOR: It was a felony charge.

1 MR. CONTI: I'm sorry. I didn't know about
2 that, or I would have disclosed it.

3 ACTING CHAIRMAN FLYNN: What are you doing now?

4 MR. CONTI: Right now, I'm collecting my -- a
5 small pension and SSI.

6 ACTING CHAIRMAN FLYNN: Okay.

7 MR. CONTI: This would be ample.

8 ACTING CHAIRMAN FLYNN: Any questions from the
9 Board?

10 BOARD MEMBER NADEAU: None from me.

11 BOARD MEMBER COLBERT: None.

12 ACTING CHAIRMAN FLYNN: Any public comment on
13 this particular case?

14 Okay. I'll call for a motion.

15 BOARD MEMBER NADEAU: Mr. Chair?

16 ACTING CHAIRMAN FLYNN: Yes.

17 BOARD MEMBER NADEAU: I'd move that Daniel
18 Conti, that his registration denial be reversed and that
19 he be issued his registration card.

20 ACTING CHAIRMAN FLYNN: Okay. We have a
21 motion. Do we have a second?

22 BOARD MEMBER COLLINS: Second.

23 ACTING CHAIRMAN FLYNN: Any comments from the
24 Board?

25 BOARD MEMBER NADEAU: Just a clarification.

1 Again, it's recency and undisclosed.

2 ACTING CHAIRMAN FLYNN: Okay. Call for a vote.
3 All in favor, say "aye."

4 (Board members said "aye.")

5 ACTING CHAIRMAN FLYNN: Any opposed?

6 Motion carried. Congratulations, sir.

7 MR. CONTI: Very good. Thank you.

8 ACTING CHAIRMAN FLYNN: All right. Number 56,
9 Debra Johnston.

10 Okay. Ma'am, we need to swear you in, please.

11 MR. KANDT: Ms. Johnston, state your name for
12 the record.

13 MS. JOHNSTON: Debra Johnston.

14 MR. KANDT: And do you swear under penalty of
15 perjury to tell the truth, the whole truth, and nothing
16 but the truth?

17 MS. JOHNSTON: I do.

18 MR. KANDT: Thank you.

19 ACTING CHAIRMAN FLYNN: Good afternoon to you.

20 MS. JOHNSTON: Good afternoon.

21 ACTING CHAIRMAN FLYNN: And tell us why you're
22 here.

23 MS. JOHNSTON: Okay. I'm here to overturn the
24 decision to not approve me for a guard card. I would
25 have disclosed my past record if I'd known I had one. I

1 didn't know I had one.

2 At the time that I was convicted in '95 for
3 welfare fraud, I was a battered single woman,
4 struggling, on welfare, and I didn't want to stay on it,
5 so I applied for a job. Which I was employed. I was
6 making less than -- I mean I was getting the -- well, my
7 rent was more than my income, you know. And I was
8 struggling, afraid. I knew that it was wrong, but I was
9 just afraid I'm going to -- you report it to the county
10 that I am working, and, but I was afraid over what's
11 going to happen if I don't have enough for my bills.
12 Which I regret.

13 So since that time, I have paid restitution
14 fees. I did everything that I was ordered to do by the
15 judge. I went back to school, got a bachelor's degree
16 so I can better myself and take care of my children.

17 And at the time that I applied for employment
18 and was denied of a guard card, I had a -- was living in
19 California before that and holding a valid guard card,
20 and which I held for over 18 years, with one company for
21 17 and a half years. So I was just shocked when I got
22 here and applied in this state and was denied.

23 ACTING CHAIRMAN FLYNN: Okay. What are you
24 doing now?

25 MS. JOHNSTON: Right now, I'm a volunteer at

1 Saint Rose Hospital in Henderson, Nevada.

2 ACTING CHAIRMAN FLYNN: Okay. Who is the
3 investigator on this?

4 MR. BATCHELOR: Investigator Batchelor.

5 ACTING CHAIRMAN FLYNN: Anything you can add?

6 MR. BATCHELOR: I really don't have anything to
7 add. She's correct, it was a 1995 welfare fraud and
8 conviction. And off the fingerprints, it doesn't say
9 whether it's a felony or a misdemeanor. Typically, this
10 charge is a felony. We weren't able to get any
11 documentation, since it's so sold. That's why she was
12 denied.

13 ACTING CHAIRMAN FLYNN: Okay. Any questions
14 from the Board?

15 BOARD MEMBER NADEAU: Just one, Mr. Chair.
16 Why didn't you disclose?

17 MS. JOHNSTON: I didn't know I had a record.

18 BOARD MEMBER NADEAU: But you went through all
19 the steps to comply with the terms of the conviction,
20 right, you made restitution and you completed your
21 probation?

22 MS. JOHNSTON: Yes.

23 BOARD MEMBER NADEAU: Why, why would you not be
24 aware of the conviction?

25 MS. JOHNSTON: Because I was given -- in

1 California, when you have a guard card, every two years
2 you go to renew, to get it renewed every two years. And
3 every two years it went up, everything was approved. So
4 I didn't think I had anything on my record. Otherwise,
5 I would looked into that way back.

6 BOARD MEMBER NADEAU: Okay. I guess, my
7 question doesn't go to what California determines,
8 whether it's a conviction or not. You were aware that
9 it was a conviction.

10 MS. JOHNSTON: I thought it was overturned.
11 Once I paid the money back, I thought it was overturned.
12 Because, as I said, I didn't know. I don't know the
13 law. I don't know how it goes. I've never been in any
14 trouble in my life. I'm 62 years old, never spent an
15 hour or a minute in jail. So I just didn't know. I was
16 not aware.

17 MR. INGRAM: Mr. Chair, for the record, again,
18 with California law, there's always a potential that by
19 not having an actual disposition because of the age,
20 it's very possible at that time that it might have been
21 dismissed under another provision. Which, in
22 California, they don't have to disclose. We require the
23 disclosure here.

24 So that could come into play, if that was
25 Mr. Nadeau's question.

1 ACTING CHAIRMAN FLYNN: Okay. Any other
2 questions from the Board?

3 Any public comment on this particular matter?

4 Okay. I'll entertain a motion.

5 BOARD MEMBER COLLINS: Mr. Chairman, I motion
6 that Debra Johnston's registration be reversed and she
7 be allowed to obtain a guard card.

8 ACTING CHAIRMAN FLYNN: Okay. We have a
9 motion. Do I have a second a second?

10 BOARD MEMBER COLBERT: Second.

11 ACTING CHAIRMAN FLYNN: And we have a second.
12 Any other comments from the Board?

13 My only comment, ma'am, is I appreciate living
14 a good life since then and not being in any trouble.
15 But bear in mind that this is on your record. You will
16 need to disclose it if this comes up again. Okay.

17 All right. I'll call for a vote. All those in
18 favor?

19 (Board members said "aye.")

20 ACTING CHAIRMAN FLYNN: Opposed?

21 BOARD MEMBER NADEAU: Nay.

22 ACTING CHAIRMAN FLYNN: Okay. Three to one.
23 Motion granted. Congratulations.

24 MS. JOHNSTON: Thank you very much.

25 ACTING CHAIRMAN FLYNN: Good luck to you.

1 MS. JOHNSTON: Thank you.

2 ACTING CHAIRMAN FLYNN: Okay. Number 57,
3 William Carpenter applied for registration, was denied.
4 Mr. Carpenter's appealing the decision to the Board
5 pursuant to NRS 648. For possible action.

6 Good afternoon, sir. We need to swear you in.

7 MR. KANDT: Mr. Carpenter, would you state your
8 name for the record.

9 MR. CARPENTER: William T. Carpenter, Jr.

10 MR. KANDT: Do you swear under penalty of
11 perjury to tell the truth, the whole truth, and nothing
12 but the truth?

13 MR. CARPENTER: I do.

14 MR. KANDT: Thank you.

15 ACTING CHAIRMAN FLYNN: Okay, sir. Tell us why
16 you're here.

17 MR. CARPENTER: Hopefully, I can get my guard
18 card so I can go to work.

19 ACTING CHAIRMAN FLYNN: The reason you were
20 denied was for several arrests. Do you want to explain,
21 give us a little background on those?

22 MR. CARPENTER: Yeah, those were some pretty
23 dark days. I was using drugs. You know, I got into a
24 fight with my girlfriend, behind some stupid stuff. And
25 I hit her. And the judge gave me a year on that. I was

1 using drugs quite a bit, till they gave me the cell.
2 And I did the time on that. Plus, I had to do a year
3 with a program, which I completed, Briggs Kicks.

4 And I had a weapons charge. It wasn't mine.
5 It wasn't, it wasn't loaded. My friend had gave it to
6 me. You know, when you're into drugs. And they thought
7 that. And that's how I got that.

8 ACTING CHAIRMAN FLYNN: Okay. Who's the
9 investigator on this?

10 MR. BATCHELOR: Investigator Batchelor, again.

11 ACTING CHAIRMAN FLYNN: Anything to add, again?

12 MR. BATCHELOR: Not really, it just he's
13 correct, he got those convictions back in 1982, 1983.
14 He did not list all four of those convictions on his
15 application.

16 ACTING CHAIRMAN FLYNN: Which one did he not
17 list?

18 MR. BATCHELOR: No, he did not list any of
19 them.

20 MR. CARPENTER: I want to apologize on that,
21 because I thought it was just for the state of Nevada.

22 ACTING CHAIRMAN FLYNN: Okay. Now, when they
23 ask you if you've ever been arrested, if they would say
24 just state of Nevada --

25 MR. CARPENTER: I know that now.

1 ACTING CHAIRMAN FLYNN: How long have you lived
2 in this state?

3 MR. CARPENTER: Six years. I haven't had no
4 contact with the police.

5 ACTING CHAIRMAN FLYNN: Okay.

6 MR. CARPENTER: Matter of fact, I haven't had
7 no contact with the police since my last arrest that was
8 in '97.

9 ACTING CHAIRMAN FLYNN: What are you doing now,
10 sir?

11 MR. CARPENTER: I'm currently working for
12 Del Mar Thoroughbred Club down in Del Mar, San Diego.

13 ACTING CHAIRMAN FLYNN: Okay.

14 MR. CARPENTER: The racetrack.

15 ACTING CHAIRMAN FLYNN: M-hm (affirmative).

16 MR. CARPENTER: And I had a job at Fremont,
17 maintenance, but that didn't work out, so.

18 ACTING CHAIRMAN FLYNN: Well, as I would tell
19 you, as I said to one of the other, and this is time for
20 comments from the Board or questions, we take
21 nondisclosure very serious. But I would encourage you.
22 I don't know which way the vote's going to go. But if
23 it doesn't go your way, I would encourage you to apply,
24 reapply in a year. And we'll start then, and we'll take
25 a look at it then.

1 Any questions from the Board?

2 BOARD MEMBER COLBERT: No.

3 BOARD MEMBER NADEAU: No.

4 ACTING CHAIRMAN FLYNN: Okay. Any public
5 comment on this particular?

6 All right. I'll entertain a motion.

7 BOARD MEMBER COLBERT: Mr. Chair, I move that
8 William Carpenter's denial be upheld.

9 ACTING CHAIRMAN FLYNN: Okay. I have a motion.
10 Do I have a second?

11 BOARD MEMBER NADEAU: I'll second.

12 ACTING CHAIRMAN FLYNN: Okay. Any other
13 comments from the Board?

14 All right. I'll call for the vote. All those
15 in favor of the motion?

16 (Board members said "aye.")

17 ACTING CHAIRMAN FLYNN: Any opposed?

18 The motion carries. Mr. Carpenter, I would
19 encourage you to come back see us again in a year.

20 All right. Number 58, Randall Graves.

21 Are you here, sir?

22 Applied for registration, was denied.

23 Mr. Graves is appealing the decision to the Board
24 pursuant to NRS 648. For possible action.

25 Good afternoon, sir. I have to get you sworn

1 in.

2 MR. KANDT: Please state your name for the
3 record.

4 MR. GRAVES: Randall Graves, Sr.

5 MR. KANDT: Do you swear under penalty of
6 perjury to tell the truth, the whole truth, and nothing
7 but the truth?

8 MR. GRAVES: I do.

9 MR. KANDT: Thank you.

10 ACTING CHAIRMAN FLYNN: Please have a seat,
11 sir. Tell us why you're here.

12 MR. GRAVES: I'm here because I failed to
13 disclose all my criminal activity on my application.
14 And when I got the letter from Investigator Batchelor,
15 he explained that's why I was denied, because I did not
16 provide for an even disclosure.

17 A lot of those arrests, a lot of that criminal
18 activity was petty larcenies. But I'm from New York,
19 Virginia. And Virginia took some of those petty
20 larcenies, and putting them together made them a felony
21 petty larceny. So that's how I got the felony on the
22 petty larcenies.

23 Now, the other side, on the secret life. The
24 other life was I'm a retired university counselor. I've
25 been working in colleges for 30 years. I got my

1 master's when I was 24. So I was, I was leading a
2 double life. I'm from New York, and I got involved in
3 the crack back in the '80s. But like I said, I was
4 leading a double life.

5 And so I'm here now because, like I said, I did
6 not put all of that information on the application,
7 because I cringed when tried to recall it. I was, petty
8 larceny here, petty larceny here, going to Walmart here,
9 going to Walmart here, to sustain a drug habit. But I
10 didn't have to go through 12 Step and all that. I'm
11 also recovering from non-Hodgkin's lymphoma that I
12 contracted. That was in 2005, like that maybe, 2006.
13 Anyway, prednisone allowed me to be able to replace
14 crack. But I did not, didn't have any need to do any of
15 that, all the activity that sustained that life.

16 Right now, I'm here in Nevada because -- I'm
17 here because my son is here. He had a six-year-old
18 grandson, 19-year-old grandson, and he has another one
19 born and due in December. So I'm here to help him. I'm
20 retired. I'm receiving monthly income.

21 And I just wanted to be able to do some mystery
22 shopping. Because as we're sitting around, they say,
23 hey, when you go in, talk about stores and act like
24 you're going to buy a tray of food, or whatever mystery
25 shoppers do. And then the other aspect was the casino,

1 doing that.

2 So that's why I'm here. My card will either be
3 restored or it won't. I would like it to, I would like
4 to get a registration card. So I throw myself on the
5 mercy of the Board.

6 ACTING CHAIRMAN FLYNN: Okay. Well, first off,
7 congrats on being a grandpa.

8 MR. GRAVES: I got another one on the way.

9 ACTING CHAIRMAN FLYNN: All right. God bless
10 you. What are you doing now for employment?

11 MR. GRAVES: I'm not employed. Like I said,
12 I'm receiving Social Security.

13 ACTING CHAIRMAN FLYNN: Okay.

14 MR. GRAVES: I live with grandkids.

15 ACTING CHAIRMAN FLYNN: All right.

16 MR. GRAVES: And so when I put them down, that
17 was the thing to do. I don't gamble, even though my son
18 and his wife, they are involved in the industry, they
19 got to get cards and stuff like that. But I'm just not
20 that now. It's a different life. That life on the East
21 Coast is over, and now I'm out here. And while I was
22 out here, I said, well, I'll apply for a mystery shopper
23 card just get some extra income. If it happens, okay.
24 If it doesn't, that's okay, too.

25 ACTING CHAIRMAN FLYNN: Okay. Who's the

1 investigator on this?

2 MR. BATCHELOR: Investigator Batchelor.

3 ACTING CHAIRMAN FLYNN: You've been busy.

4 MR. BATCHELOR: I have been. I really have
5 nothing to add. What he said was correct, he only
6 listed the one petty larceny, and the other felony
7 conviction he did not, but multiple convictions that he
8 did not list.

9 MR. GRAVES: I'm typing my letter to the --
10 you, Investigator Batchelor, forgot to put down that I
11 was on probation. I think, I was on probation for eight
12 months.

13 Like I say, with my secret life, I was able to
14 navigate myself through that.

15 ACTING CHAIRMAN FLYNN: Okay. I could tell
16 you, you've been sitting here today --

17 MR. GRAVES: Yes. And I had to fight the --
18 you know, this is a totally aside. But I remember
19 Shawshank Redemption -- that's one of my favorite
20 movies, when Morgan Freeman just said you go and do what
21 you want to do, and then he got paroled. But I was back
22 there listening to all these stories. And I want to
23 just go mystery shop. That's all. If it happens,
24 that's good. But if not, I got a good life with my
25 grandkids. I'm all right.

1 ACTING CHAIRMAN FLYNN: Okay. As I told a
2 previous applicant, the Board is going to do, but I
3 would encourage you to come back in a year.

4 MR. GRAVES: I'm not coming back in a year.

5 ACTING CHAIRMAN FLYNN: All right. Well, if
6 you change your mind. And then just remember, you need
7 to disclose these things. Unfortunately, they're still
8 there.

9 MR. GRAVES: Matter of fact, I thought that
10 because there was a statute of limitations, they were
11 all petty larcenies to me. The only felony was not guns
12 or anything like that. It was because Virginia's a
13 commonwealth, so they do things differently. And they
14 took the different petty larcenies combined. They
15 wanted to give me, they wanted to give me seven years
16 for stealing some Pampers at a Walmart.

17 So that life is over. It's a different life
18 now. And I wanted, like I said, I wanted to get the
19 card just to have extra income to spend and lavish on my
20 grandkids. That's it.

21 ACTING CHAIRMAN FLYNN: Okay. Any questions
22 from the Board?

23 BOARD MEMBER NADEAU: No.

24 ACTING CHAIRMAN FLYNN: Okay. Any public
25 comment on this case?

1 Okay. I'll entertain a motion.

2 BOARD MEMBER NADEAU: Mr. Chair?

3 ACTING CHAIRMAN FLYNN: Yes.

4 BOARD MEMBER NADEAU: I'd move that the
5 registration denial for Randall Graves be sustained.

6 ACTING CHAIRMAN FLYNN: Okay. Do I have a
7 second?

8 BOARD MEMBER COLBERT: Second.

9 ACTING CHAIRMAN FLYNN: Okay. I have a motion
10 and a second. Any comments from the Board?

11 Okay. I'll call for a vote. All those in
12 favor of the motion?

13 (Board members said "aye.")

14 ACTING CHAIRMAN FLYNN: Any opposed?

15 Okay. Motion carries. Okay. Mr. Graves, I'm
16 sorry.

17 MR. GRAVES: Can I ask you why he wanted to
18 sustain it?

19 ACTING CHAIRMAN FLYNN: Unfortunately, you
20 cannot.

21 Okay. Number 59, Tijuan Robertson.

22 Is Tijuan Robertson here?

23 I take it, not up north. All right. We'll
24 trail this one.

25 Number 60, Quincy Mathieu. Did I pronounce

1 that correct?

2 MR. MATHIEU: Yes.

3 ACTING CHAIRMAN FLYNN: Okay. Sir, we need to
4 swear you in.

5 MR. MATHIEU: Quincy Mathieu.

6 MR. KANDT: Do you swear under penalty of
7 perjury to tell the truth, the whole truth, and nothing
8 but the truth?

9 MR. MATHIEU: Yes.

10 ACTING CHAIRMAN FLYNN: Okay. Tell us why
11 you're here.

12 MR. MATHIEU: Because I made an appeal to the
13 Board to have my guard card.

14 ACTING CHAIRMAN FLYNN: Okay. I understand you
15 had one arrest. It was more than 20 years ago. Did you
16 disclose it?

17 MR. MATHIEU: Yeah.

18 ACTING CHAIRMAN FLYNN: Okay. What are you
19 doing these days?

20 MR. MATHIEU: Merchant Marine. I worked Navy
21 eight years and then went to the private sector, worked
22 for a major cruise line, chief firefighter and safety
23 manager.

24 ACTING CHAIRMAN FLYNN: Thank you for your
25 service. Are you still on ships now?

1 MR. MATHIEU: Yeah, but cruise ships now.

2 ACTING CHAIRMAN FLYNN: Okay. All right. Who
3 was the investigator?

4 MR. BATCHELOR: Investigator --

5 ACTING CHAIRMAN FLYNN: Let me guess. Okay.
6 Doesn't anybody else work down there? Okay.

7 MR. BATCHELOR: I have nothing further to add.
8 What he said was correct.

9 ACTING CHAIRMAN FLYNN: Okay. All right. Any
10 questions from the Board?

11 BOARD MEMBER NADEAU: No.

12 ACTING CHAIRMAN FLYNN: Any public comment?

13 I'll entertain a motion.

14 BOARD MEMBER NADEAU: Mr. Chair?

15 ACTING CHAIRMAN FLYNN: Yes.

16 BOARD MEMBER NADEAU: I'd move that Quincy
17 Mathieu be -- that the denial for the registration be
18 reversed and he be issued a registration card.

19 ACTING CHAIRMAN FLYNN: Okay. Do I have a
20 second?

21 BOARD MEMBER COLLINS: Second.

22 ACTING CHAIRMAN FLYNN: Any comments from the
23 Board?

24 MR. INGRAM: You want to put on the record why.

25 ACTING CHAIRMAN FLYNN: Do we have to?

1 MR. INGRAM: It would be best.

2 ACTING CHAIRMAN FLYNN: A person keeps
3 whispering in my ear and wants you to put it on the
4 record why.

5 BOARD MEMBER NADEAU: Absolutely. In contrast
6 to some of our previous folks, there's time, time and
7 distance on the charges, and he was honest and he
8 disclosed it.

9 ACTING CHAIRMAN FLYNN: And I would add, what
10 you've done with your life since.

11 BOARD MEMBER NADEAU: Does that work?

12 ACTING CHAIRMAN FLYNN: That works perfect.
13 And I added another comment on what he's done with his
14 life since.

15 Okay. Call for a vote. All those in favor?

16 (Board members said "aye.")

17 ACTING CHAIRMAN FLYNN: Any opposed?

18 Motion carried. Congratulations.

19 MR. MATHIEU: Thank you.

20 ACTING CHAIRMAN FLYNN: Good luck to you.

21 All right. Number 61, Matthew Richardson. Are
22 you here?

23 Okay. Applied for registration, was denied.
24 Mr. Richardson is appealing the decision to the Board
25 pursuant to NRS 648. For possible action.

1 We need to swear you in, sir.

2 MR. RICHARDSON: My name's Matthew Richardson.

3 MR. KANDT: Do you swear under penalty of
4 perjure -- excuse me, penalty of perjury to tell the
5 truth, the whole truth, and nothing but the truth?

6 MR. RICHARDSON: I do.

7 MR. KANDT: Thank you.

8 ACTING CHAIRMAN FLYNN: Okay. Please have a
9 seat. Tell us why you're here.

10 MR. RICHARDSON: I'm appealing the denial of my
11 PILB card.

12 ACTING CHAIRMAN FLYNN: Okay. And the denial
13 was for what?

14 MR. RICHARDSON: A weapons charge in 1996.

15 ACTING CHAIRMAN FLYNN: All right. Tell us
16 about that.

17 MR. RICHARDSON: I was working two jobs at the
18 time. I had a gun that was in pawn. And I went to pick
19 it up from the pawnshop one day. And I didn't have time
20 between my two jobs to go home and drop it off. It was
21 in the case. The case wasn't locked, because the
22 pawnshop wouldn't allow that, because they didn't want
23 to keep track of the key. And I had it in the case.
24 There was no bullets in the gun, no bullets in the car.
25 And I took it to my second job.

1 And the guy got fired that day. And the guy
2 from L.A. that I worked with always carries a gun. The
3 one guy calls up and tells P.D. that there is somebody
4 there pointing a gun at people. So they show up before
5 the L.A. guy gets there, and they get my gun and think I
6 was. So they took it.

7 ACTING CHAIRMAN FLYNN: I know this was quite
8 some time ago, but what did they do after your
9 conviction?

10 MR. RICHARDSON: I had probation and -- I had
11 this probation, informal probation.

12 ACTING CHAIRMAN FLYNN: Okay. What are you
13 doing these days?

14 MR. RICHARDSON: I'm a locksmith. I'm applying
15 for the PILB card because the company I work for has
16 security guards, so they require all their employees to
17 have the PILB card.

18 ACTING CHAIRMAN FLYNN: And how long have you
19 been a locksmith?

20 MR. RICHARDSON: Over 20 years.

21 ACTING CHAIRMAN FLYNN: Okay. Who's the
22 investigator on this one?

23 MR. BATCHELOR: Investigator Batchelor.

24 ACTING CHAIRMAN FLYNN: Okay.

25 INVESTIGATOR BATCHELOR: What he said was

1 correct. And he did disclose it.

2 ACTING CHAIRMAN FLYNN: Okay. Any questions
3 from the Board?

4 BOARD MEMBER NADEAU: I have a question.

5 ACTING CHAIRMAN FLYNN: Yes.

6 BOARD MEMBER NADEAU: Mr. Richardson, was what
7 it, a felony or misdemeanor?

8 MR. RICHARDSON: It was a misdemeanor.

9 BOARD MEMBER NADEAU: Thank you.

10 ACTING CHAIRMAN FLYNN: Any public comment on
11 this one?

12 Okay. I'll entertain a motion.

13 BOARD MEMBER COLLINS: I'll take it, Mr. Chair.

14 ACTING CHAIRMAN FLYNN: Yes, please.

15 BOARD MEMBER COLLINS: I make a -- I move to
16 restore Michael Bryner's guard card.

17 ACTING CHAIRMAN FLYNN: Okay. I got a motion.

18 BOARD MEMBER NADEAU: Wasn't this Richardson?

19 MR. RICHARDSON: Yeah.

20 BOARD MEMBER COLLINS: Oh, I'm sorry. Thank
21 you. Matthew Richardson. I'm off. Matthew Richardson.
22 I'm sorry. I move to restore his guard card, reverse
23 the denial.

24 ACTING CHAIRMAN FLYNN: Okay. Do I have a
25 second?

1 BOARD MEMBER NADEAU: I'll second.

2 ACTING CHAIRMAN FLYNN: Ms. Collins, for
3 consistency, do you want to state why you're reversing
4 the decision, your motion is?

5 BOARD MEMBER COLLINS: Due to the amount of
6 time that has passed since the incident occurred and his
7 clear history of no criminal activity since that time.

8 MR. RICHARDSON: Just traffic tickets.

9 ACTING CHAIRMAN FLYNN: All right. I got a
10 motion. I got a second. I'll call for a vote. All in
11 favor?

12 (Board members said "aye.")

13 ACTING CHAIRMAN FLYNN: Any opposed?

14 Motion carried. Congratulations.

15 MR. RICHARDSON: Thank you, sir. You guys have
16 a good day.

17 ACTING CHAIRMAN FLYNN: You too now.

18 Okay. Number 62, Michael Bryner applied for
19 registration, was denied. Mr. Bryner is appealing the
20 decision to the Board pursuant to NRS 648. For possible
21 action.

22 We need to swear you in, sir.

23 MR. KANDT: State your name for the record.

24 MR. BRYNER: Michael Bryner, B-R-Y-N-E-R.

25 MR. KANDT: And do you swear under penalty of

1 perjury to tell the truth, the whole truth, and nothing
2 but the truth?

3 MR. BRYNER: I do.

4 MR. KANDT: Thank you.

5 ACTING CHAIRMAN FLYNN: Please have a seat,
6 please.

7 MR. BRYNER: Thank you.

8 ACTING CHAIRMAN FLYNN: All right. Tell us why
9 you're here.

10 MR. BRYNER: To appeal my -- the decision of
11 the -- I guess, the Board for the denial of my PILB
12 card.

13 ACTING CHAIRMAN FLYNN: All right. Okay. And
14 they denied you why?

15 MR. BRYNER: Because of a -- being arrested
16 back in 1990 for carrying a concealed weapon and
17 possession of stolen property, which was the gun.

18 ACTING CHAIRMAN FLYNN: All right. Can you
19 tell us what happened?

20 MR. BRYNER: I was helping a friend move. It
21 was inside the glovebox in my pickup truck at the time.
22 Metro came and arrested me because I didn't have the --
23 any paperwork or anything concerning the owner, being
24 the owner of the weapon, and it was inside the glovebox
25 with the door shut.

1 ACTING CHAIRMAN FLYNN: Okay. Mr. Batchelor,
2 throw me off, tell me it's not you.

3 MR. BATCHELOR: It's me.

4 ACTING CHAIRMAN FLYNN: Okay.

5 MR. BATCHELOR: Investigator Batchelor. What
6 Mr. Bryner said is correct. It's a misdemeanor weapons
7 conviction. And he listed it on his application.

8 ACTING CHAIRMAN FLYNN: Okay. Any questions
9 from the Board?

10 BOARD MEMBER NADEAU: No.

11 ACTING CHAIRMAN FLYNN: What are you doing
12 these days?

13 MR. BRYNER: Security. Been security for about
14 27 years.

15 ACTING CHAIRMAN FLYNN: Where?

16 MR. BRYNER: Harrah's, Lady Luck, Cauley Stop
17 (phonetic spelling), which is now Ogden Hampers
18 (phonetic spelling). I work for U.S. Security now, as
19 of about a month ago. Four Queens. I'm sorry.

20 ACTING CHAIRMAN FLYNN: No, you're fine.

21 MR. BRYNER: No, I'm just saying I forgot about
22 them. I was there for five months.

23 MR. INGRAM: What's the name of the company
24 that you're currently working?

25 MR. BRYNER: That I started about a month ago?

1 MR. INGRAM: Yeah.

2 MR. BRYNER: U.S. Security Associates.

3 ACTING CHAIRMAN FLYNN: Questions from the
4 Board?

5 Any public comment?

6 I'll entertain a motion.

7 MR. INGRAM: Mr. Chair, before, if I could
8 interject. U.S. Security Associates is a licensee of
9 ours.

10 ACTING CHAIRMAN FLYNN: Uh-huh (affirmative).

11 MR. INGRAM: And under NRS 648, NAC 648, no one
12 can be employed with them unless they have a guard card.

13 So my question is, to Mr. Batchelor, was he
14 granted a provisional?

15 MR. BATCHELOR: Yes.

16 MR. INGRAM: And then, once the fingerprints
17 came back, then -- okay.

18 MR. BATCHELOR: Denied, yes.

19 MR. INGRAM: Then he was denied. Okay. So, at
20 the time, he had been granted a provisional to allow him
21 to work with them, prior to the denial of the work card.
22 I just wanted to put that on the record.

23 ACTING CHAIRMAN FLYNN: You're good.

24 MR. BRYNER: Okay.

25 ACTING CHAIRMAN FLYNN: You don't have to

1 worry.

2 MR. BRYNER: Oh, yeah. So I told my wife,
3 said, "You have to worry for no reason."

4 ACTING CHAIRMAN FLYNN: Okay. Where was I?
5 Let's get -- I'm getting tired. My apologies.

6 Any other questions from the Board?

7 BOARD MEMBER NADEAU: No.

8 ACTING CHAIRMAN FLYNN: If I did it, I -- all
9 right. Any public comment?

10 Take a motion.

11 BOARD MEMBER NADEAU: Mr. Chair?

12 ACTING CHAIRMAN FLYNN: Yes.

13 BOARD MEMBER NADEAU: I'll move that Michael
14 Bryner be -- that his registration denial be reversed
15 and he be granted his card.

16 BOARD MEMBER COLBERT: Second.

17 ACTING CHAIRMAN FLYNN: Okay. And why are you
18 doing that?

19 BOARD MEMBER NADEAU: His conviction was 20
20 years ago.

21 ACTING CHAIRMAN FLYNN: Okay.

22 BOARD MEMBER NADEAU: And he disclosed it. It
23 was a misdemeanor.

24 ACTING CHAIRMAN FLYNN: All right. I have a
25 motion. We have a second. We've had discussion. I'll

1 call for a vote. All those in favor?

2 (Board members said "aye.")

3 ACTING CHAIRMAN FLYNN: Any opposed?

4 Okay. Motion carries. Congratulations, sir.

5 MR. BRYNER: Thank you.

6 ACTING CHAIRMAN FLYNN: Okay. Donald Williams
7 applied for registration, was denied. Mr. Williams is
8 appealing the decision to the Board pursuant to NRS 648.
9 For possible action.

10 Good afternoon, sir. We have to swear you in.

11 MR. WILLIAMS: Okay.

12 MR. KANDT: Could you raise your right hand and
13 state your name for the record, please.

14 MR. WILLIAMS: Donald Williams.

15 MR. KANDT: And do you swear under penalty of
16 perjury to tell the truth, the whole truth, and nothing
17 but the truth?

18 MR. WILLIAMS: Yes, I do.

19 MR. KANDT: Thank you.

20 ACTING CHAIRMAN FLYNN: Okay. Mr. Williams,
21 tell why is you're here.

22 MR. WILLIAMS: Appealed the decision, appeal
23 the decision of my guard card, or PILB.

24 ACTING CHAIRMAN FLYNN: M-hm (affirmative).
25 And why was that denied?

1 MR. WILLIAMS: Because of a couple of
2 convictions I have. One was a felony, and, I guess, it
3 was reduced down to a misdemeanor, and the information
4 wasn't, I guess, available at the time.

5 ACTING CHAIRMAN FLYNN: Did you disclose?

6 MR. WILLIAMS: Yes, sir.

7 ACTING CHAIRMAN FLYNN: Okay. Now, the one I'm
8 more concerned about is the recent one, 2013.

9 MR. WILLIAMS: Yes, sir.

10 ACTING CHAIRMAN FLYNN: Why don't you tell us
11 about that one.

12 MR. WILLIAMS: I was at an apartment complex,
13 well, my apartment complex, and I was outside, and I had
14 contact with the police. And after the contact, they
15 put me in the back seat of a police car, got a warrant
16 and searched the whole apartment complex, and they found
17 a weapon inside one of the rooms in the complex, and I
18 was charged with that.

19 ACTING CHAIRMAN FLYNN: Okay.

20 MR. WILLIAMS: Carrying a concealed weapon.

21 ACTING CHAIRMAN FLYNN: And how long was your
22 probation?

23 MR. WILLIAMS: Two years.

24 ACTING CHAIRMAN FLYNN: Mr. Batchelor?

25 MR. BATCHELOR: Yes, this one is mine. What

1 Mr. Williams is saying is correct. He did list these
2 two convictions. And on that, the 2013 receiving stolen
3 property, it was admitted and reduced in June of this
4 year when he finished his probation.

5 ACTING CHAIRMAN FLYNN: Reduced to what?

6 MR. BATCHELOR: Reduced to a misdemeanor
7 receiving stolen property.

8 ACTING CHAIRMAN FLYNN: Okay. What are you
9 current doing, sir, for employment?

10 MR. WILLIAMS: I'm a stay-at-home father. And
11 I volunteer at Gilmore of Nevada and Three Squares, in
12 my spare time.

13 ACTING CHAIRMAN FLYNN: Okay. Any other
14 questions from the Board?

15 Any public comment on this one?

16 I'll entertain a motion.

17 BOARD MEMBER COLBERT: Mr. Chair, I move that
18 Donald Williams' denial be upheld.

19 ACTING CHAIRMAN FLYNN: Okay. I have a motion.
20 Do I have a second?

21 BOARD MEMBER NADEAU: I'll second that.

22 ACTING CHAIRMAN FLYNN: Okay. Any comments
23 from the Board or discussion?

24 Mr. Williams, this for the -- is because of
25 recency. I think, we need to go a little longer on this

1 one.

2 MR. WILLIAMS: Okay.

3 ACTING CHAIRMAN FLYNN: I encourage you to come
4 back. And stay the clean life.

5 MR. WILLIAMS: Okay.

6 ACTING CHAIRMAN FLYNN: All right. I'll call
7 for a vote. All those in favor of the motion?

8 (Board members said "aye.")

9 ACTING CHAIRMAN FLYNN: Any opposed?
10 Motion carried. Sorry, sir.

11 MR. WILLIAMS: All right. Thank you.

12 ACTING CHAIRMAN FLYNN: Number 64. Shawn Kane
13 applied for registration, was denied. Mr. Kane is
14 appealing his decision to the Board pursuant to NRS 648.
15 For possible action.

16 Mr. Kane, I need you to stand.

17 MR. KANE: Oh, sorry.

18 ACTING CHAIRMAN FLYNN: No problem. We got to
19 swear you in.

20 MR. KANE: I swore in already.

21 ACTING CHAIRMAN FLYNN: Oh, you did?

22 MR. KANE: Yes, I did.

23 ACTING CHAIRMAN FLYNN: Well, we need to swear
24 you in again.

25 MR. KANE: Absolutely.

1 MR. KANDT: I'll just do it again.

2 MR. KANE: Absolutely.

3 MR. KANDT: For a clear record. State your
4 name for the record.

5 MR. KANE: Shawn Kane.

6 MR. KANDT: Okay. And, Mr. Kane, do you swear
7 under penalty of perjury to tell the truth, the whole
8 truth, and nothing but the truth?

9 MR. KANE: Yes, I do.

10 MR. KANDT: Thank you.

11 ACTING CHAIRMAN FLYNN: Okay. Mr. Kane, why
12 are you here?

13 MR. KANE: I'm here to appeal the registration
14 application that was denied for my guard card, or for my
15 work card.

16 ACTING CHAIRMAN FLYNN: And why was it denied?

17 MR. KANE: It was denied for felony
18 convictions.

19 Before we do go into this, I did request for a
20 closed hearing, formally, for the Board. So I'm not
21 sure if that can be discussed now, before that, before
22 we continue.

23 ACTING CHAIRMAN FLYNN: I'll leave that up to
24 counsel. I've never been asked that before.

25 MR. KANDT: Yeah, just to clarify for the

1 Board, the Board may close any portion of a public
2 meeting to consider the competence, mental health,
3 conduct of an applicant. But it's discretionary, it's
4 at the Board's discretion whether they want to close a
5 portion of the hearing.

6 If somebody makes a motion to, and the Board
7 acts to close a portion of the hearing on that basis,
8 then I just want to emphasize that the Board cannot take
9 any action during a closed portion of a meeting. The
10 Board would have to come out of the closed session
11 before deliberating and taking any action.

12 ACTING CHAIRMAN FLYNN: Okay. It's a new one
13 on me.

14 MR. KANE: Sorry. And I apologize. I may not
15 have understood all of that, what you just said. And so
16 I understood it differently with what you were saying,
17 from the standpoint of not mental incompetence but, I
18 want to say, extenuating circumstances, or there's --

19 MR. KANDT: Well, let me quote the exact
20 language. The statutory provision is NRS 241.030. It's
21 an exception in Nevada open meeting law that states a
22 closed session may be held to consider the character,
23 alleged misconduct, professional competence, or the
24 physical or mental health of a person, to consider an
25 appeal by the person. So --

1 BOARD MEMBER NADEAU: Yeah. Mr. Chair?

2 MR. KANDT: -- once again, it's your
3 discretion, it's your discretion as to whether to close
4 the meeting or not. Obviously, you have an applicant
5 here that's requested to have a portion of the meeting
6 closed. But they do not have a right to have the
7 meeting closed. You have the authority, should you deem
8 it appropriate, to close a portion of the meeting, once
9 again reiterating that you can only do it for the
10 limited purpose stated in the exception, and you cannot
11 take any action during the closed session.

12 ACTING CHAIRMAN FLYNN: Mr. Nadeau.

13 BOARD MEMBER NADEAU: Thank you, Mr. Chairman.
14 We have, on occasion, closed meetings, or had a closed
15 meeting for this type of purpose and at the request of
16 the applicant. So, though it's rather unusual, it's not
17 rare.

18 ACTING CHAIRMAN FLYNN: Okay. We have a
19 request. Do I have a motion?

20 BOARD MEMBER NADEAU: I'd move that we close
21 the meeting at the request of the applicant.

22 ACTING CHAIRMAN FLYNN: Do we have a second?

23 BOARD MEMBER COLBERT: Second.

24 MR. KANDT: And just is clarify once again for
25 the record, you're closing this portion of the meeting

1 pursuant to the provisions of NRS 241.030, correct?

2 BOARD MEMBER NADEAU: That's correct, thank
3 you.

4 ACTING CHAIRMAN FLYNN: And should I take
5 public comment?

6 MR. KANDT: Sure, you can.

7 ACTING CHAIRMAN FLYNN: All right. I'll take
8 public comment on this motion that's on the table.

9 Yes.

10 MR. MARTINEZ: On this matter?

11 ACTING CHAIRMAN FLYNN: Just this matter.

12 MR. MARTINEZ: Never mind. Go ahead, continue.

13 ACTING CHAIRMAN FLYNN: Okay. All right. All
14 those in favor?

15 (Board members said "aye.")

16 ACTING CHAIRMAN FLYNN: And I'm opposed. So
17 three to one. All right.

18 MR. INGRAM: So, at this time, I'm going to ask
19 Investigator Saladino if you can escort the two
20 individuals that are present and take them a little bit
21 down the hall, away from the closed doors. And please
22 make sure the doors are closed.

23 Is there anyone in the north?

24 BOARD MEMBER COLBERT: No.

25 BOARD MEMBER NADEAU: We have no, no public,

1 only PILB staff and Board members.

2 MR. INGRAM: Okay. And I would ask, are the
3 doors closed?

4 BOARD MEMBER NADEAU: They are.

5 MR. INGRAM: Okay. And if we can have
6 Investigator Woodruff just step outside the doors until
7 we open the meeting again, just to prevent anyone from
8 entering during testimony.

9 MR. KANDT: And this is counsel. One other
10 thing, just logistically, you might consider. One, I
11 don't know, in terms of the court reporter or the
12 transcript, to ensure that this is a separate transcript
13 for the closed session.

14 And, two, to the extent this is being recorded,
15 which is required by law, I don't know how easy it would
16 be to make a separate recording of the closed session.
17 That's sometimes done just to ensure that should a
18 member of the public make a request for the recording of
19 the meeting, which any member of the public may do, that
20 they only receive the recording of the public portion of
21 the meeting and do not receive a recording of the closed
22 portion of the meeting.

23 MR. INGRAM: Yeah. So, Mary, do you have a
24 separate cassette that you could pop in for this
25 portion?

1 MS. KLEMME: I don't. But I can pause it and
2 restart it, and so it will be a separate file.

3 MR. KANDT: That would be sufficient, sure.

4 MS. KLEMME: Okay.

5 ACTING CHAIRMAN FLYNN: Okay. Let us know when
6 you're ready.

7 MR. INGRAM: When you say "pause," we need to
8 have this portion of the meeting recorded.

9 MS. KLEMME: Right.

10 MR. INGRAM: Okay.

11 MS. KLEMME: If I paused it and restart it up
12 again, it will restart as a separate file.

13 MR. INGRAM: Thank you very much.

14 MR. KANDT: Yeah. Thank you.

15 ACTING CHAIRMAN FLYNN: All right. Go ahead
16 and let us know when you're ready up there.

17 (There was a brief pause.)

18 MS. KLEMME: Okay. Ready.

19 * * * * *

20 (A closed session of the meeting was held, after which
21 the meeting was then opened back up to the public and
22 resumed as follows.)

23 * * * * *

24 ACTING CHAIRMAN FLYNN: All right. We're back
25 in open session. We've had our questions. We've had

1 our answers. I will ask for a motion.

2 MR. KANDT: Pardon me. Once again, I would
3 recommend that the question about the basis for
4 nondisclosure --

5 ACTING CHAIRMAN FLYNN: Oh.

6 MR. KANDT: -- be put on the record.

7 ACTING CHAIRMAN FLYNN: Okay.

8 MR. KANDT: If I might, Mr. Chairman.

9 ACTING CHAIRMAN FLYNN: Mr. Kane.

10 MR. KANE: Yes.

11 ACTING CHAIRMAN FLYNN: Can you disclose, or
12 can you tell us why -- about the California 1203.4 and
13 how that confused you in terms of Nevada?

14 MR. KANE: Absolutely. As I mentioned, I have
15 licensing and licensure in other states, which would be
16 Florida, California, Utah, as well as my private
17 investigative license in Utah. I have my notary public
18 in Utah. I also have my concealed carry within Arizona
19 and Utah as well.

20 This incident happened back in 1993. And the
21 expungement from there, which is the 1203 dash 4, I have
22 never had to put this on any application, because of,
23 from my attorney, to my understanding, that I did not,
24 it was expunged, it was off of my record. It showed up,
25 but I didn't have to claim that I was arrested and/or

1 convicted of anything.

2 And so this would be the first time that I have
3 ever had to put this on any application. When
4 investigator James Batchelor --

5 ACTING CHAIRMAN FLYNN: We all know his name by
6 now.

7 MR. KANE: Yes. When he notified me of that, I
8 immediately sent him over the paperwork on it. I wasn't
9 trying to hide anything. This is not something that I
10 am trying to hide. As I mentioned, I sat on the
11 Department of Public Safety P.I. Hearing Review Board as
12 the chairman. I've sat in your position, in the sense
13 of private investigations. It's actually the Department
14 of Public Safety who governs this organization.

15 And I've not had to ever disclose this on an
16 application, for what my understanding of the
17 1203 dash 4 is, which was the expungement.

18 I do now understand and did understand
19 immediately after talking with Investigator Batchelor
20 and then contacting my attorney locally that, yes,
21 Nevada does not recognize this 1203 dash 4 statute.
22 Immediately from there, I submitted my paperwork. And,
23 As I mentioned, I gave him the actual dot matrix printer
24 of the paperwork from 1993, that I still had, that I
25 sent over to him.

1 ACTING CHAIRMAN FLYNN: Okay. I'm satisfied.

2 Any questions from the Board?

3 BOARD MEMBER NADEAU: No questions.

4 BOARD MEMBER COLBERT: No questions.

5 ACTING CHAIRMAN FLYNN: Okay. I'll entertain a
6 motion.

7 BOARD MEMBER NADEAU: Mr. Chair?

8 ACTING CHAIRMAN FLYNN: Yes.

9 BOARD MEMBER NADEAU: I would move that Shawn
10 Kane's registration denial be reversed and he be issued
11 the registration card. And if there's a second, I'll
12 explain my justification.

13 BOARD MEMBER COLBERT: Second.

14 BOARD MEMBER COLLINS: Second. Oh, okay.

15 ACTING CHAIRMAN FLYNN: Okay. Ms. Collins
16 seconded first, so we'll take hers.

17 Go ahead, Mr. Nadeau.

18 BOARD MEMBER NADEAU: This is a 1993 case,
19 long, 20 years plus, ago. There's been no additional
20 stuff and no additional interaction with law
21 enforcement.

22 Additionally, this Board is well aware of the
23 complications created by 1203.4. And so with that,
24 that, with that, our understanding of that, the
25 nondisclosure is understood.

1 ACTING CHAIRMAN FLYNN: Okay.

2 MR. KANE: Thank you.

3 ACTING CHAIRMAN FLYNN: I have a motion. I
4 have a second. We've had discussion. I'll call for a
5 vote. All those in favor?

6 (Board members said "aye.")

7 ACTING CHAIRMAN FLYNN: Any opposed?

8 Motion carried. Congratulations, sir.

9 MR. KANE: Thank you very much. I appreciate
10 your time.

11 ACTING CHAIRMAN FLYNN: All right. Number 65,
12 Board comment and future agenda items for possible
13 action.

14 BOARD MEMBER NADEAU: Mr. Chair, we trailed
15 several.

16 ACTING CHAIRMAN FLYNN: Yes.

17 BOARD MEMBER NADEAU: May we go ahead and --

18 ACTING CHAIRMAN FLYNN: Oh, you know what, we
19 did. We did. Thank you. I appreciate it. I need to
20 call them.

21 All right. We trailed several. Yeah, number
22 44. Is Edward Hickman here or up north?

23 Number 48. Is Joanna Calhoun here or up north?

24 We'll probably do these as a block.

25 Number 49, Danny Elliott. Here, up north?

1 Number 53, Juan Frias. Is he here or up north?

2 And number 59, Tijuan Robertson. Is he here or
3 up north?

4 MR. INGRAM: Investigator Saladino, there's
5 nobody in the hallway?

6 MR. SALADINO: There's not.

7 MR. INGRAM: Thank you.

8 ACTING CHAIRMAN FLYNN: I'll entertain a
9 motion.

10 BOARD MEMBER NADEAU: Mr. Chair?

11 ACTING CHAIRMAN FLYNN: And I'm not sure. Can
12 we do these, can we do these as a block?

13 MR. KANDT: I believe so.

14 ACTING CHAIRMAN FLYNN: Okay.

15 BOARD MEMBER NADEAU: Mr. Chair, I'd move
16 that --

17 MR. KANDT: As long as you're very clear,
18 clear, what you're doing in the motion. That's all that
19 matters.

20 ACTING CHAIRMAN FLYNN: Go ahead.

21 BOARD MEMBER NADEAU: Mr. Chair, I would move
22 that number 44, Edward Hickman, number 48, Joanna
23 Calhoun, number 49, Danny Elliott, number 53, Juan
24 Frias, and number 59, Tijuan Robertson, that their
25 registration denials be upheld.

1 BOARD MEMBER COLBERT: Second.

2 ACTING CHAIRMAN FLYNN: Okay. I have a motion.
3 I have a second. Any public comment?

4 Any further discussion from the Board?

5 All those in favor of the motion?

6 (Board members said "aye.")

7 ACTING CHAIRMAN FLYNN: Any opposed?

8 Okay. Motion carries.

9 Okay. Number 65, Board comment and future
10 agenda items.

11 Director?

12 MR. INGRAM: I have nothing.

13 ACTING CHAIRMAN FLYNN: I only have one thing.

14 I mean this 1203.4 keeps coming up. And I'm just

15 throwing this out for discussion, because I don't know.

16 Could we create a piece of paper, a note, or whatever,

17 or explain to applicants that California expungement

18 does not count in Nevada, or words to that effect, after

19 we get it approved by our legal counsel?

20 MR. INGRAM: Well, one of the things that we've

21 looked into is 1203.4 is the California Penal Code that

22 addresses this. There are similar laws in just about

23 every state.

24 So to -- we've been trying to brainstorm, as

25 Board staff, on how to capture something like that on

1 our application. And I keep coming back to that it
2 doesn't ask about convictions. It asks about listing
3 all arrests as well as the convictions. And they're two
4 separate points of the application.

5 So in that regard, we're asking them to provide
6 any arrests. 1203.4 comes after a conviction.

7 ACTING CHAIRMAN FLYNN: No, I understand that.
8 And I'm familiar, with a close friend here in Nevada,
9 and I'm not saying the person received proper legal
10 advice --

11 MR. INGRAM: Right.

12 ACTING CHAIRMAN FLYNN: -- but received legal
13 advice stating that after their expungement here, they
14 didn't have to report anybody to anybody anytime.

15 MR. INGRAM: Right.

16 ACTING CHAIRMAN FLYNN: So what I'm saying is
17 that folks are coming forward, thinking they're doing
18 the right thing. And I only know this through personal
19 experience --

20 MR. INGRAM: Right.

21 ACTING CHAIRMAN FLYNN: -- here in my own home
22 state. That maybe to alert them.

23 You know, we're not going to solve it today.
24 Kick it around, run it through legal. But it just, this
25 just keeps coming up, and up, and up. And my gut

1 feeling is that the overwhelming majority of people are
2 being sincere, based on what someone told them, whether
3 it might have been in court, it might have been their
4 counsel, it might have been, you know, legal aid. But
5 they're getting that from somewhere. Because I've seen
6 it here, in one particular instant.

7 MR. INGRAM: What we could do, as Board staff,
8 as soon as we are assigned our new legal counsel --

9 ACTING CHAIRMAN FLYNN: M-hm (affirmative).

10 MR. INGRAM: -- I can put that on a priority to
11 discuss that with them and see if we can't get some
12 input on how we might be able to address that. And
13 then, at a future Board meeting, I can agendize that to
14 provide you input on what was discussed and what was --
15 is that --

16 ACTING CHAIRMAN FLYNN: Yeah, that's all is I'm
17 asking, is to kick it around. And if you tell me we
18 can't, we can't. But I'd to kick it around and see if
19 we can try to do something.

20 MR. INGRAM: You got it.

21 MR. KANDT: And if I may add, we could come up
22 with some broad and clear disclosure language. And
23 certainly we can also consult with some the other
24 regulatory boards that license and regulate professions
25 in this state, because the same applies there.

1 All of these boards, including your Board, are
2 charged with protecting health, safety and welfare of
3 the public. And that's why you require disclosure of
4 any prior arrest and why an expungement, a dismissal,
5 sealing of the records, none of those absolve the
6 applicant from the responsibility to disclose.

7 So we'll work to get you some language.

8 MR. INGRAM: That sounds great. Thank you.

9 ACTING CHAIRMAN FLYNN: Thank you.

10 Anything else? Anything up north?

11 MR. KANDT: Mr. Chair, if I may, as Board
12 counsel, and I know it's been a long day, but I wanted
13 to bring this to your attention. I think, it is
14 important. That's a bill that's been proposed by the
15 Governor for consideration in the next legislative
16 session next spring. That's Senate Bill 69. It would
17 apply to all regulatory boards, including this Board.
18 It would do several things.

19 Just briefly, one, it would authorize the
20 Governor, in the instance that the Governor determines
21 that there's a critical shortage of licensees in a
22 particular profession, to direct the board that licenses
23 and regulates that profession to act on pending
24 applications within a time specific to the executive
25 order.

1 It enacts, to the extent a board does not
2 already have statutory provisions for what I'll call
3 reciprocity, for lack of a better term, from other
4 states, of boards to enact provisions for reciprocity.

5 And next, it establishes term limits for
6 members of regulatory boards.

7 Next, it prohibits regulatory boards from
8 entering into contingent fee legal contracts.

9 And then it imposes some additional reporting
10 requirements in terms of the activities of the
11 regulatory body in terms of applications, time taken to
12 process and take action on applications.

13 And then, finally, it's got some language.
14 It's difficult to explain. I guess, I'll just read it.
15 Requires a regulatory body to exercise its authority
16 over an occupation or profession for the expansion of
17 economic opportunity, promotion of competition and
18 encouragement of innovation.

19 So, anyhow, that's a piece of legislation that
20 will be considered, that's proposed by the Governor,
21 that I know will directly affect this Board and the
22 other Title 54 boards that our office represents. So I
23 wanted you to be aware.

24 ACTING CHAIRMAN FLYNN: Can we get a copy of
25 that?

1 MR. KANDT: Certainly.

2 ACTING CHAIRMAN FLYNN: Okay. I'm more of a
3 reader than a listener.

4 MR. KANDT: Certainly. I will provide a link
5 to the bill to staff, and we'll get that disseminated.

6 ACTING CHAIRMAN FLYNN: That would be great.
7 Thank you.

8 MR. INGRAM: And then we'll be actively
9 watching that.

10 ACTING CHAIRMAN FLYNN: Does the legal thing
11 apply to you guys, what we have to reimburse you? Or is
12 this for new contracts in private sector?

13 MR. KANDT: Well, last session, the Legislature
14 actually enacted some statutory provisions limiting our
15 office's ability to retain outside counsel on a
16 contingency fee basis.

17 ACTING CHAIRMAN FLYNN: Okay.

18 MR. KANDT: And, I think, this may have been a
19 follow-up to that.

20 Some of the boards have the authority. I don't
21 know that your Board does. But some of the boards
22 actually have authority to hire their own outside
23 counsel. And, I think, this was an effort to ensure
24 that to the extent a board exercises that authority, it
25 does not hire outside counsel on a contingency fee

1 basis.

2 ACTING CHAIRMAN FLYNN: Okay.

3 MR. KANDT: So I don't know that it directly
4 affects, that piece of this legislation would affect
5 your board.

6 MR. INGRAM: And our Board does not have the
7 provision in our statutes. We are to be represented by
8 the Attorney General's Office. We don't have the
9 ability to hire outside counsel.

10 ACTING CHAIRMAN FLYNN: Okay. Any questions up
11 north?

12 Mr. Director, anything else?

13 MR. INGRAM: Not from me.

14 ACTING CHAIRMAN FLYNN: Okay. Number 66,
15 public comment. Members of the general public may
16 comment on matters appearing on the agenda and may bring
17 matters not appearing on the agenda to the attention of
18 the Board. The Board may discuss the matters not
19 appearing on the agenda, but may not act on the matters
20 of this meeting. If the Board desires, the matters may
21 be placed on a future agenda for action. Public
22 comments may be limited to five minutes per person at
23 the discretion of the Chairman but will not be
24 restricted according to viewpoint.

25 Okay. I'm going to impose five minutes. And

1 do we have any public comment up north?

2 BOARD MEMBER NADEAU: None.

3 ACTING CHAIRMAN FLYNN: Do we have any public
4 comment down south?

5 Yes, sir. Please come forward. State your
6 name for the record. You can have a seat if you want.

7 MR. MARTINEZ: Yeah. Awesome. I've been
8 sitting down all day.

9 All right. My name's Joshua Martinez. I'm
10 here to kind of speak up for the people of Nevada and,
11 also, defend the principle of liberty and the
12 constitution.

13 I'm not claiming any more rights other than the
14 rights that were dealt to me by my creator, and those
15 rights are protected by the U.S. Constitution, the same
16 constitution that you swore an oath to uphold. I'm sure
17 that some of you on the Board will claim that your oath
18 is only for the Nevada constitution, bounded by the
19 statutes imposed thereof.

20 Let me remind you of Article 1, clause 2 -- I'm
21 sorry, Article 1, Section 2, clause 2, of the Nevada
22 Constitution, a part you may have overlooked, and it's
23 purpose of government, paramount allegiance to the
24 United States: All political power is inherent in the
25 people. Government is instituted for the protection,

1 security and benefit of the people, and they have the
2 right to alter or reform the same whenever the public
3 good may require it. But the paramount allegiance of
4 every citizen is due to the federal government in the
5 exercise of all of its constitutional powers as the same
6 have been or may be defined by the Supreme Court of the
7 United States, and no power exists in the people of this
8 or any other state of the federal union to dissolve
9 their connection therewith or perform any act tending to
10 impair, subvert, or resist the supreme authority of the
11 government of the United States.

12 That shows where your oath belongs to. My --
13 I'm protected by the U.S. federal government.

14 The PILB has ignored the supreme law of the
15 land, and it's time that you are corrected. You do not
16 have the right to infringe on the private citizen who
17 seeks to contract his or her time with a private
18 company. We have the right to work. We have a right to
19 contract our skill, our labor, our time of life as we
20 see fit, every single person here.

21 How can you judge someone, who has already paid
22 their dues for what they've done, and then deprive them
23 of a right? Is that not a violation of double jeopardy?
24 Is this not a violation of due process? Where does our
25 belief to work come from? It most certainly does not

1 come from you.

2 My right to make a living and to be left alone
3 should be respected. I am here to demand that you
4 respect the rights of the people of Nevada. I stand on
5 my constitutional rights as Hale v. Henkel states that
6 that is my right to do so. An individual may stand upon
7 his constitutional rights as a citizen. He is entitled
8 to carry on his own private business in his own way.
9 His power to contract is unlimited. He owes no duty to
10 the state or to his neighbor to divulge his business or
11 to open his doors to an investigation.

12 So, Murdock v. Pennsylvania states no state
13 shall convert a right into a privilege and issue license
14 and be therefor.

15 Shuttlesworth v. City of Birmingham, Alabama,
16 373 U.S. 262, 1963. If the state converts a right into
17 a privilege, the citizen can't ignore the license, and
18 gave him the right with impunity, because you can't
19 punish them.

20 So I'm here demanding that the PILB recognize
21 our paramount allegiance and honor the U.S.
22 Constitution.

23 I also want to leave this rose here for Boyd
24 Minnikin, who was murdered fighting tyranny. Even
25 though he's dead, his words live on through the people.

1 The people. We the people. His words have an endurance
2 that knows no end.

3 But I'm also going to leave you the U.S.
4 Constitution so you all can read that and understand
5 where your oath belongs to. Because no more will I
6 allow somebody to tell me what I can and cannot do.

7 Thank you.

8 ACTING CHAIRMAN FLYNN: Thank you.

9 Okay. With that being said, any other public
10 comment?

11 All right. We're in adjournment. Thank you
12 all.

13 * * * * *

14 (The meeting adjourned at 2:22 p.m.)

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REPORTER'S CERTIFICATE

I, SHANNON L. TAYLOR, a Nevada Certified Court Reporter, Nevada CCR #322, do hereby certify:

That I was present at the Office of the Attorney General, 100 North Carson Street, Mock Court Room, Carson City, Nevada, on Thursday, December 1, 2016, at 9:00 a.m., and commencing at 9:00 a.m. took stenotype notes of a meeting of the State of Nevada Private Investigator's Licensing Board;

That I thereafter transcribed the aforementioned stenotype notes into typewriting as herein appears, and that the within transcript, consisting of pages 1 through 264, is a full, true, and correct transcription of said stenotype notes of the open meeting portion of said meeting;

I further certify that I am not an attorney or counsel for any of the parties, not a relative or employee of any attorney or counsel connected with the actions, nor financially interested in the actions.

DATED: At Carson City, Nevada, this 19th day of January, 2017.

SHANNON L. TAYLOR
Nevada CCR #322, RMR