

MINUTES

PRIVATE INVESTIGATORS LICENSING BOARD

MARCH 22, 2006

MEMBERS PRESENT:

EDWARD GONZALEZ: BOARD MEMBER

JAMES NADEAU: BOARD MEMBER

DANIEL CRATE: BOARD MEMBER

OTHERS:

BOB AUER: ACTING CHAIRMAN (Carson City)

SUSAN LEE: BOARD COUNSEL (Carson City)

MECHELE RAY: EXECUTIVE DIRECTOR

RENE BOTELLO: SENIOR INVESTIGATOR

ELAINE TRENT: ASSISTANT

BRANDI KING: ASSISTANT (Carson City)

ABSENT:

DAVID SPENCER: BOARD MEMBER

KEITH MARCHER: CHAIRMAN

APPROVAL OF MINUTES:

ACTING CHAIRMAN AUER called the meeting to order. He explained that he was chairing the meeting on behalf of Keith Marcher. He asked if there were any comments on the December 7, 2005 minutes.

There were no comments, so the chair accepted a motion. Board Member Nadeau moved to accept the minutes.

Board Member Gonzalez seconded the motion, which carried.

FINANCIAL REPORT: Executive Director Ray provided copies of the financial report to the Board for review. She stated that the year-to-date collections, funds spent year-to-date, and the balance remaining.

There were no further comments on the financial report.

SWEARING IN: Acting Chairman Auer swore in all those present in both Carson City and Las Vegas who were to testify during the course of the meeting.

STAFF REPORT: Senior Investigator Botello reported that he had provided both a current quarterly report and a quarterly report for the same time in 2005 for comparison. He reported on pending complaints, 120 pending complaints (113 previous year), 52 new complaints (28 last year), 43 closed complaints (64 last year), 8 citations issued this quarter (3 last year), and 39 cease and desist letters (27 last year). He stated that Ms. Ray conducted 9 audits and issued 9 notices of violation.

Senior Investigator Botello then reported that the Board is current on completed backgrounds at this time. He reported that 39 applications were received during the 1st quarter of 2006, compared to 12 received during the same time period in 2005. Senior Investigator Botello stated that the number of applicants and complaints were growing substantially. He noted that backgrounds for 27 entities had been completed (many of which had multiple officers, so the actual number of backgrounds completed exceeded 27 for the quarter).

There were 3 backgrounds rejected for the 1st quarter of 2006. None were withdrawn. He said there were 23 applications pending (compared to 19 for the

same time in 2005). He further stated that previously the process had taken up to a year for applicants to appear before the Board and now the process has been shortened to 3-4 months. He credited the progress to the hard work of his assistant, Brandi King.

Senior Investigator Botello said that the office was embarking on new areas of enforcement that had previously not been encountered—primarily in the area of convention work with regards to the private patrolman sector. He said entities from around the world were calling the office to make sure they were in compliance with Nevada laws.

Acting Chairman Auer asked if there were any questions or comments on Senior Investigator Botello's report.

Board Member Crate asked about the number of complaints. He said the total pending complaints were 120 and asked about the status of the other 25 complaints.

Senior Investigator Botello said that the pending complaints include new complaints and 25 complaints had carried over from 2005.

Board Member Nadeau asked if there was a breakdown of north and south for the pending complaints.

Senior Investigator Botello said that less than 5% of the complaints were from Northern Nevada and 95% were from the Las Vegas area.

There was no further discussion on the Senior Investigator's report.

CONSENT ITEMS:

Acting Chairman Auer inquired if any Board members wished to pull any items off the consent list for specific discussion.

No one wished to do so.

Acting Chairman Auer read the names on the Consent Items list: DeBecker Investigations, Inc., Numark Investigations, LLC, NSA Inc., Integrity Investigations, LLC, and INS Investigations Bureau, Inc.

Acting Chairman Auer asked if any audience members had any comments regarding any of the Consent Items list.

As there were no comments, he entertained a motion.

Board Member Crate moved that Items 6-10 be approved for licensing and/or new officers as posted in the agenda.

Board Member Gonzalez seconded the motion, which carried.

PRESENTLY LICENSED CORPORATIONS REQUESTING NEW QUALIFYING AGENT:

US PROTECT, License #1282 requested qualifying agent status for JAMES BREEN and, if approved, asked that the Board allow him to put his individual license in abeyance, subject to all statutory and regulatory requirements.

Acting Chairman Auer asked Mr. Breen for a brief background.

He said he represented US Protect, located in Silver Spring, Maryland. He said they specialize in government protection work and their clients included the Social Security Administration, Department of Homeland Security, and Alcohol, Tobacco and Firearms. His personal background was that he had been with US Protect for 2 years and 4 months. He retired from the Navy as an officer.

Board Member Nadeau asked Mr. Breen what his work entailed while he was in the Navy. He said he was the regional security director at Pearl Harbor for 3-4 years and oversaw 450 employees.

Board Member Gonzalez noted that Mr. Breen had made several long-distance moves in his career.

Acting Chairman Auer asked for a motion.

Board Member Gonzalez moved that James Breen be granted an individual Private Patrolman license to be placed into abeyance and the he become the qualifying agent for US PROTECT, License #1282, subject to all statutory and regulatory requirements.

Board Member Nadeau seconded the motion, which passed.

THE ADVANTAGE GROUP, License #631, 631a and 631b, requested qualifying agent status for ROBERT SCHMIDT, and, upon approval, grant him a n individual Private Investigator, Private Patrolman and Process Server license.

Mr. Schmidt stated that The Advantage Group is a licensed Private Investigation firm. He said Mr. Isenberg had left the company to go back to law enforcement.

Mr. Schmidt had started working for the company in August, 2005. He had retired from the Sparks Police Department. He had extensive police work in his background.

Acting Chairman Auer noted that Mr. Schmidt had 41,000 hours of Private Patrolman experience.

Acting Chairman Auer asked for a motion as there was no further discussion.

Board Member Nadeau moved that ROBERT SCHMIDT be approved as qualifying agent for The Advantage Group, to grant him an individual Private Investigator license, an individual Private Patrolman license, and a Process Server license, and that his licenses be placed in abeyance (License #631, 631a, 631b), and that FRANK TORRES be approved as a corporate officer, subject to all statutory and regulatory requirements.

Board Member Crate seconded the motion, which passed.

PRIVATE INVESTIGATOR:

PHOTOFAX INC requested a corporate Private Investigator license.

KAREN DEBOER stated that she had been the owner/president of Photofax, Inc. since 1988. She said she had performed many investigations, starting with domestic investigations. She said she now focuses on Workmen's Comp. She also is in charge of the administrative duties, including payroll and record-keeping.

Board Member Nadeau said he was confused by the term "foreign corporation" .in the information provided.

Executive Director Ray clarified for the Board that Photofax had been licensed previously, had failed to renew the license in 2004, and then re-applied with Karen as the qualifying agent.

Board Member Nadeau asked if the same license number would be issued and Executive Director Ray said Photofax, Inc. would receive a new license number.

Acting Chairman Auer asked for any discussion, there was none, and he entertained a motion.

Board Member Gonzalez moved to grant PHOTOFAX INC a corporate Private Investigator license and to grant KAREN DEBOER an individual Private Investigator license, to recognize her as the qualifying agent for PHOTOFAX INC and that KAREN DEBOER also be recognized as a corporate officer, subject to all statutory and regulatory requirements.

Board Member Nadeau seconded the motion, which passed unanimously.

Board Member Crate asked about placing her license in abeyance. Acting Chairman Auer said it was implicit in the motion that her license must be placed in abeyance in order for her to become the qualifying agent. He asked Ms. DeBoer if she understood that fact and she stated she did.

The motion carried.

LISA BENTKOWER requested an individual Private Investigator license.

She said her background included 13 years working as an insurance claims adjuster, with an emphasis on insurance fraud. She had worked in both southern California and Las Vegas.

There were no further Board questions or audience comment, so Acting Chairman Auer asked for a motion.

Board Member Crate moved that LISA BENTKOWER be granted an individual Private Investigator license, subject to all statutory and regulatory requirements.

Board Member Gonzalez seconded the motion and it passed.

JAMIE HOLT applied for an individual Private Investigator license.

Mr. Holt said he was employed with Acxiom in Little Rock, Arkansas. He said Acxiom was a data services and data products company. He said one division of the company was Acxiom Information Security Services. It provided new hire background screening, criminal background checks, and employment checks. He had been employed with Acxiom for 6 years. Prior to working for Acxiom, he worked for the United States Department of Justice. He had 14 years of investigative experience.

As there was no further discussion, Acting Chairman Auer asked for a motion. Board Member Gonzalez moved that JAMIE HOLT be granted an individual Private Investigator license, subject to all statutory and regulatory requirements. Board Member Crate seconded the motion, which carried.

Acting Chairman Auer asked about the status of STEVEN MORGAN. Executive Director Ray said she believed that he had sent a fax to the Central Office. Acting Chairman Auer said the fax stated that Mr. Morgan wished to be removed from the agenda for March and added to the scheduled meeting in June 2006.

Board Member Nadeau moved that Item 16 be continued to the next meeting. Board Member Crate seconded the motion, which carried.

JOHN ROSA II applied for an individual Private Investigator license.

Mr. Rosa said he was a state trooper for the past 25 years. He had worked in the traffic division for 10 years. He worked in the accident division where he performed investigations with accidents and injuries. He had also been assigned to the commercial division for 11 years. He also worked in the audit division based in Carson City for 17 months. He was a lead investigator and ran 212

background investigations for pre-employment. He was currently working in the commercial division once again. He stated that he wished to place his license in abeyance since he would still be employed as a state trooper until July 2006. Executive Director Ray said that Mr. Rosa could activate his license upon his retirement.

Board Member Gonzalez asked when Mr. Rosa planned to retire and he said that date would be July 15, 2006. He asked Mr. Rosa if he was in agreement that his license, if granted, would be placed in abeyance. Mr. Rosa said he agreed with that process.

ACTING CHAIRMAN AUER asked if there were any questions, and there were none.

Board Member Gonzalez moved that JOHN ROSA II be granted an individual Private Investigator license and that it be placed in abeyance until the retirement from the Nevada Highway Patrol on July 15, 2006, subject to all statutory and regulatory requirements.

Board Member Nadeau seconded the motion, which carried.

ERIK HOLMAN dba HOLMAN INFORMATION SERVICES applied for an individual Private Investigator license.

Mr. Holman said he had performed investigative work for the past 14 ½ years. He had worked 9 years for the U.S. Department of Labor. He was currently working for Clark County Human Resources as a senior analyst in labor investigations. His job was to prevent the county from being sued.

Mr. Holman said he had just wrapped up a case that had been dismissed.

Board Member Crate moved that Erik Holman be granted an individual Private Investigator license, subject to all statutory and regulatory requirements.

Board Member Nadeau seconded the motion, which passed.

FREEMAN GROUP INC applied for a corporate Private Investigator license, PAMELA PENNINI applied for an individual Private Investigator license, and WILLIAM FREEMAN to be approved as a corporate officer.

Ms. Pennini said The Freeman Group was a consulting firm for the hospitality and tourism industry. She said the two divisions of the company were training and mystery shopping. She said she was currently the executive director of the mystery shopping division. She said she had been with the company for almost 6 years. She anticipated working at the MGM Grand performing mystery shopping, who had informed her she needed a license to mystery shopping in Nevada.

Acting Chairman Auer asked Senior Investigator Botello if he was satisfied with her accumulation of hours, and he said that he was.

Board Member Crate asked Ms. Pennini why she didn't request qualifying experience for her years of education. He noted that her degree was in marketing.

Ms. Pennini stated that she had graduated in June 2000 from Texas Tech University and agreed that her education was not related to private investigator work. After graduation, she immediately began working as a mystery shopper with the Freeman Group. In September 2003 she took over a position vacated by an employee who was laid off from the company.

Board Member Crate asked her to clarify that she had been a mystery shopper trainer and why she would wish to perform that work with a degree.

Ms. Pennini said she became a mystery shopping trainer after September 2003 and the attraction was the ability to travel.

Board Member Crate asked how she quantified hours of experience for mystery shopping.

She said she had worked for 5 years and had accumulated 10,000 hours.

Board Member Crate then asked how Ms. Pennini would calculate mystery shopping hours for one of her employees.

Ms. Pennini said employees accumulated hours spent during jobs at properties.

She further stated that she didn't have an actual count of hours, but did feel her qualifying hours had been met.

Acting Chairman Auer asked Ms. Pennini to explain mystery shopping.

Ms. Pennini said mystery shoppers were sent anonymously to evaluate services at properties (check-in, rooms, amenities, etc.) during a 2-night stay.

Acting Chairman Auer asked if personnel performance or theft issues were evaluated.

Ms. Pennini said that some integrity checks could be performed, but mostly the focus was on the facilities and the mystery shopper's narrative from checking into the facility to checking out, along with a check list created by the mystery shopper.

PETER MAHEU commented that he maintained that mystery shopping experience alone should not qualify a person for a private investigator license.

He objected to the accumulation of hours and said it was impossible to certify 10,000 hours in 6 years and that he felt it would be impossible for Ms. Pennini to acquire those hours coupled with office duties. He also questioned if the Freeman Group had worked in Nevada prior to their application for a license. Acting Chairman Auer said that mystery shoppers must be licensed in the private investigator category and there had been much discussion on the topic over the years.

Mr. Maheu said that mystery shoppers had requested to be excluded from falling under NRS 648 on three separate occasions during three separate sessions, but the legislature had not done so.

Acting Chairman Auer said there was a dilemma that, though mystery shoppers were to be licensed under the private investigator license, they were not qualified to undertake all the possible job descriptions under that license.

Mr. Maheu again stated he would never certify 10,000 hours of experience for mystery shopping.

Senior Investigator Botello said that Ms. Pennini “had been engaged in the business of mystery shopping” and, therefore, as a full-time employee, she should be able to claim full-time credit for her hours, whether she was performing the mystery shopping or setting up others to do that work.

Mr. Maheu said he had nothing against the Freeman Group or Pamela Pennini personally. He said the Board should define private investigator work.

Acting Chairman Auer said that the Board must abide by the rules currently in place. He further stated that, historically, the mystery shoppers were licensed

and regulated by the Board. He said the points made by Mr. Maheu would need to be addressed by the legislature.

Board Member Gonzalez asked if the Freeman Group had sought contracts from any businesses in Las Vegas.

Ms. Pennini said they had been approached by the MGM Grand to perform training and to mystery shop. She said they had done work in Jackpot, Nevada about 3 years ago and did not know at the time that a license was required. Ms. Pennini said the Freeman Group had performed training for the MGM Grand, but no mystery shopping had taken place. She said they were in negotiation with MGM Grand, but the first question they had been asked was if they had a license to perform mystery shopping.

Board Member Nadeau said the situation did pose a dilemma.

Board Member Crate said that Ms. Pennini did report the work done in Jackpot and asked if there had been any complaints filed.

Senior Investigator Botello said there were none.

Board Member Crate asked if Ms. Pennini understood the concern regarding private investigative work and the license she was requesting.

Ms. Pennini said she had no intentions of performing any private investigative work with her license, but would use it solely for mystery shopping.

Acting Chairman Auer asked Ms. Pennini if she agreed to restrict the license to mystery shopping only, to which Ms. Pennini agreed.

Board Member Crate noted that private investigators had, in the past, lodged a number of complaints against the mystery shopping industry before the matter

had been brought before the legislature. The Board began citing the mystery shopping companies and asking for licensure.

CHUCK KENNERSON said that Ms. Pennini had admitted she was not a private investigator and should not be licensed as such. He felt that companies like the Freeman Group should contract to work in Nevada with companies such as his. Acting Chairman Auer asked for a motion.

Board Member Crate moved that Pamela Pennini be granted an individual Private Investigator license restricted to mystery shopping to be placed in abeyance so she could be the qualifying agent for Freeman Group, Inc., to grant a corporate Private Investigator license to Freeman Group, to approve William Freeman as the corporate officer, subject to all statutory and regulatory requirements.

Board Member Gonzalez seconded the motion as presented by Board Member Crate.

Senior Investigator Botello raised the question about the limit of restriction on the license. He wanted to know that if the company should perform an investigation regarding insurance questions, for example, the Board would then issue them a citation for that activity.

Acting Chairman Auer said that matter would be dealt with as needed.

Board Member Crate said it was the Board's duty to restrict licenses as necessary.

The motion then carried.

STERLING TESTING SYSTEMS INC applied for a corporate Private Investigator license and WILLIAM GREENBLATT applied for an individual Private Investigator license.

William Greenblatt said he was the chief executive officer of Sterling Testing Systems Inc., which performed employment screenings involving background checks, reference checking, education searches, and the like. He had been checking references and performing searches for nearly 30 years.

Board Member Nadeau moved to grant a corporate Private Investigator license to Sterling Testing Systems, Inc., an individual Private Investigator license to William Greenblatt to be placed in abeyance so he could become the qualifying agent and also to approve him as the corporate officer, subject to all statutory and regulatory requirements.

Board Member Gonzalez seconded the motion, which carried.

PRIVATE PATROLMAN:

APA SECURITY NV INC applied for a corporate Private Patrolman license and BYRON BISHOP applied for an individual Private Patrolman license and to be recognized as the qualifying agent and corporate officer.

Executive Director Ray stated that Mr. Bishop was not present at the meeting, had not yet paid an outstanding balance, and the request couldn't be considered until the June 2006 meeting.

Board Member Gonzalez moved to continue the request until the June 2006 meeting.

Board Member Nadeau seconded the motion.

Board Member Crate questioned the staff that Mr. Bishop had postponed his appearance before; Executive Director Ray and Senior Investigator Botello said that was true.

Board Member Gonzalez said he wanted to restate his motion, that APA Security NV and Mr. Bishop be granted one further extension.

Board Member Nadeau seconded the motion, which carried.

DOUBLE L SERVICES LLC applied for a corporate Private Patrolman license and MARTIN LITTLEJOHN applied for an individual Private Patrolman license so that he could be the qualifying agent and sole corporate officer.

Martin Littlejohn said his background was in private security and training. He said he was currently a firearms instructor with the Board. He said he was in the Marine Corps from 1989 to 1993. He had also been a policeman for 3 years and had a POST certificate. He had begun as a site supervisor and had worked his way up to manager status at both Great Western Security and Securitas in a 7-year period.

Board Member Crate asked Mr. Littlejohn who provided the certificate of experience for him.

Mr. Littlejohn said he also had an associate degree in criminal justice.

Board Member Crate again asked Mr. Littlejohn who signed his experience and qualification documents.

Mr. Littlejohn said the current manager of Securitas, Richard Stemple, signed the document. K. C. Mayers also signed a document in support of his experience who had contracted with Securitas.

Board Member Crate asked what services were provided for Mr. Mayer and Mr. Littlejohn said the services involved standard security service (employee problems of theft, rules compliance, etc.). He also stated that Mr. Stemple was not his direct supervisor at Securitas, but was aware of Mr. Littlejohn's length of service and his job performance.

Board Member Gonzalez asked if Mr. Littlejohn would be on the road more or less if he obtained his license, to which Mr. Littlejohn said he would probably be on the road less.

Board Member Gonzalez asked if there were any outstanding warrants or citations for Mr. Littlejohn regarding his driving record, and he said there had been none for a year.

Board Member Crate inquired if Mr. Littlejohn had the required general liability and worker's comp. insurance in place, and he said that he did.

Board Member Nadeau moved to grant Double L Services LLC a corporate Private Patrolman license, to grant Martin Littlejohn an individual Private Patrolman license to be placed in abeyance and also to approve him as the qualifying agent and corporate officer, subject to all statutory and regulatory requirements.

Board Member Crate seconded the motion, which passed.

GUARD MANAGEMENT INC applied for a corporate Private Patrolman license and LAURENCE ABRAMS applied for an individual Private Patrolman license and approval of LAURENCE ABRAMS, BEN CORDOVA, ERIC FRIZ, BARRY WILLIAMSON, PAUL CONDIE, and KURT LESTER as corporate officers.

Mr. Abrams stated that he became president and chief executive officer of Guard Management, Inc. in 1992. He also had experience in San Diego, Los Angeles County, Riverside and Orange County, California with high-rise facilities, manufacturing facilities and retail security. He worked for his father from 1988 to 1992 for GMI Security in San Diego and performed tasks from standing post to operational management. He said he was currently the qualified manager for the corporation in California.

As there were no questions, Board Member Gonzalez moved to grant Guard Management Inc. a corporate Private Patrolman license, to grant Laurence Abrams an individual Private Patrolman license and to place it in abeyance, and to approve all the corporate officers, subject to all statutory and regulatory requirements.

Board Member Nadeau seconded the motion and it carried.

ALL AMERICAN SECURITY CORPORATION applied for a corporate Private Patrolman license, MICHAEL FISHER applied for an individual Private Patrolman license so he could be recognized as the qualifying agent and approval of corporate officers, RICHARD TALLENT and WILLIAM CORRY.

Michael Fisher said he was a retired Cedar City police officer. He had spent 11 years as a patrol sergeant. For the past 3 years, he had been a corporate member of AASC. He had been a responding officer for AASC with the state of Utah and had accumulated many hours of experience.

Acting Chairman Auer asked if Mr. Fischer wished to continue living in Utah upon receiving his Nevada license.

Mr. Fischer said he might move to Nevada in the future.

Acting Chairman Auer said Mr. Fischer would be responsible for any activity the company would undertake in Nevada.

Board Member Gonzalez inquired about the Certificate of Good Standing which was still needed by the Board.

William Corry brought the corporate documents from the Secretary of State's office.

Board Member Gonzalez asked the Board staff if the requirements for licensure had been met and Senior Investigator Botello said they had.

Board Member Crate moved to grant All American Security Corporation a corporate Private Patrolman license, to grant Michael Fischer an individual Private Patrolman license to be placed in abeyance, and to approve the corporate officers, subject to all statutory and regulatory requirements.

Board Member Gonzalez seconded the motion and it passed.

AMERICAN GUARD SERVICES INC. applied for a corporate license, SHERIF ASSAL applied for an individual license so that he could be recognized as the qualifying agent and he also asked to be approved as a corporate officer along with SHERINE ASSAL.

Mr. Assal stated that he had been involved in security work since 1991. His previous employment had dealt with federal contracts in 13 states and managed 1,300 employees. He had opened and operated a company with his sister in 1997. The company was currently operating in Alaska, Florida, California and

Puerto Rico. He had much experience with security guards and wished to expand into Nevada.

Acting Chairman Auer asked Mr. Assal about his relationship with Sherine Assal. Mr. Assal stated that she was his sister. He said she was the President/CEO of the company.

Board Member Gonzalez moved to grant American Guard Services Inc a corporate Private Patrolman license, to grant Sheriff Assal an individual Private Patrolman license to be placed in abeyance so he could be the qualifying agent, and to approve the two corporate officers, subject to all statutory and regulatory requirements.

Board Member Nadeau seconded the motion, which passed.

RAHMAN BLACK dba ALL CODE – 4 SECURITY applied for an individual license.

Mr. Black said he had spent 6 years providing services as a police officer, a deputy sheriff, a security officer, airport policeman and was currently a field supervisor. He had worked for Wackenhut initially as a security officer and worked his way up to field supervisor. He said he had received his private patrolman license from California in November 2005. He said he wished to provide excellent service for Nevada.

Board Member Crate asked about his relationship with Nannie Zaratha Banks.

Mr. Black said she was his fiancée.

Board Member Crate asked Mr. Black to explain his experience, dating back to the early 1990's, that had been verified by Ms. Banks.

Mr. Black said from February 1992 to December 1994 he had been an Explorer with the Los Angeles County Sheriff's Department. He had then become a deputy sheriff.

Board Member Crate asked about his termination during probation from December 1994 to December 1995. Mr. Black said the reason given was that he was not performing the job to a satisfactory standard.

Board Member Crate asked about experience performed at Pacific Protection. Mr. Black said he had provided the certification from his fiancée.

Board Member Crate asked Senior Investigator Botello if any attempts to follow up on Mr. Black's work history at Pacific Protection had been made, and he said he had done so and had received a verification letter from them.

Senior Investigator Botello said he had received an employment verification form from Wackenhut and confirmed 1997-1998 and since November 2004.

Board Member Crate asked about Mr. Black's termination from the airport police department in Los Angeles.

Mr. Black said the reason given was that he was not meeting the standard but no specific reasons were given.

Board Member Crate noted that 1 ½ years exceeded the usual probationary term.

Mr. Black said he was asked to leave 2 months before his probation ended and he had worked there for 16 months.

Board Member Crate asked Senior Investigator Botello if credit for experience was given for the gas company for 2000-2001 and he said it was not.

Mr. Black said he had listed all employment and not just qualifying employment time.

Mr. Black further stated that he had earned an Associate's Degree (Science) in Administration of Justice from Los Angeles City College. He had participated in the graduation ceremony in 2002, but needed a physical education class to be completed in order to be issued a diploma. He had completed the class, but had not received credit at that time. He had gone to an official at the school 4 months ago, who stated that all requirements had been met for his diploma.

Board Member Crate moved, subject to confirmation of educational time by staff, to grant Rahman Black an individual Private Patrolman license, subject to all statutory and regulatory requirements.

Board Member Nadeau seconded the qualified motion, which passed.

Acting Chairman Auer told Mr. Black to furnish documentation of the educational experience to the Board.

PROCESS SERVER:

PARADIGM ATTORNEY SERVICE INC applied for a corporate process server license and CRAIG BURTON requested qualifying agent status and asked if approved requested an individual Process Server license to be placed into abeyance.

Craig Burton stated that he began working for Numark Investigations on July 1, 2005 as a process server. Prior to that, he had served process from April 1998 to May 16, 2005 at June's Legal Service, where he had also been the general manager.

Board Member Nadeau asked Mr. Burton about the arrest which took place in 2001.

Mr. Burton said a police officer had questioned him about something he had witnessed and the officer said that Mr. Burton was lying about his phone number.

Mr. Burton then told the officer to have the detective call him, but was never contacted. Mr. Burton said the incident was not related to his employment. Mr. Burton had pled no contest, was not arrested but was cited, and paid the fine. He said there had been no physical altercation.

Acting Chairman Auer asked if Mr. Burton was in Las Vegas at that time and he said he was.

Board Member Crate mentioned that there was no support of experience/qualification for Mr. Burton's support of experience for Numark and noted that Paul Fava was in attendance and could testify to hours worked there. Mr. Burton said that he began working at Numark after he had already begun completing his license application.

Board Member Nadeau moved to grant Paradigm Attorney Service Inc a corporate process server license, to grant Craig Burton an individual Process Server license, to place that license in abeyance so he could become the qualifying agent, and to approve Mr. Burton as a corporate officer, subject to all statutory and regulatory requirements.

Board Member Gonzalez seconded the motion, which passed.

JAMES MASTER applied for an individual Process Server license.

His experience included employment at the law office of Shawn P. Hillman where he had been a legal process server for the past 2 years. He had also worked at Citigroup for 2 years and at Harrah's for 12 years.

Board Member Gonzalez asked who had suggested the name of Desert Moon and Mr. Master said it was his idea.

Board Member Crate asked for clarification of hours of experience and Mr. Burton stated he had worked for Sean P. Hillin since June of 2004.

Acting Chairman Auer asked if Mr. Master prepared court documents; he said that he did not. He explained that his job was to receive prepared documents, deliver those documents to the proper parties and return the documents to the office.

Board Member Gonzalez moved to grant James Master dba Desert Moon an individual Process Server license, subject to all statutory and regulatory requirements.

Board Member Nadeau seconded the motion, which carried.

REPOSSESSOR:

SCOTT POLETTO applied for an individual reposessor license.

Mr. Poletto said he lived in Las Vegas and had worked for 5 ½ years with Rapid Recovery. He had spent 2 years as branch manager.

Acting Chairman Auer asked if Mr. Poletto possessed enough qualifying hours, and Senior Investigator Botello said that he did.

Board Member Nadeau moved to grant Scott Poletto dba as Reliable Recovery

an individual reposessor license, subject to all statutory and regulatory requirements.

Board Member Gonzalez seconded the motion, which carried.

PRIVATE INVESTIGATOR AND PRIVATE PATROLMAN:

DEAN PENNOCK applied for an individual Private Investigator license and an individual Private Patrolman license.

Mr. Pennock said he had been working in the security and loss prevention field since 1991. He had also worked in law enforcement as a chief of police. He said he had begun security work in California standing post. He had then moved to Nevada and had performed work in the casino industry and law enforcement work in Nye County for 5 years. He had worked for the Station Casino. He left there and worked for Walker River and left there as lieutenant. He then had worked for the state and was currently working with Norton Consulting.

Board Member Gonzalez moved to grant Dean Pennock dba AAA Consulting and Investigations an individual Private Investigator license and an individual Private Patrolman license subject to all statutory and regulatory requirements.

Board Member Crate seconded the motion and it passed.

SECURITY MANAGEMENT GROUP applied for a corporate Private Investigator license, a corporate Private Patrolman license, JOHN GIMPLE applied for an individual Private Investigator license and an individual Private Patrolman license so that he could be recognized as the qualifying agent, and for corporate officer approval for John Gimple, James Schmidt, Paul Johnston and John Severini.

Acting Chairman Auer explained that the Office of the Attorney General was involved in prosecutorial and possible investigatory role with the Security Management Group and SOC-SMG and he would not be voting on the topic. Mr. Gimple said 2 licenses were being sought for 2 corporations and that Mr. Severini was in attendance on behalf of SOC-SMG. He said he had been hired by San Luis Obispo County Sheriff's Office in 1987. He retired in 1995. He had worked as a corrections officer. His duties included investigative work on cases as well as patrol duties. He had obtained a private investigator license in California after his retirement. He had performed insurance investigations for Comprehensive Insurance Investigations from August 1995 to July 1997. He then worked for American Protective Services as an account manager. He then became the manager of investigations for IPSA International. He then became director of operations for both investigations and protection for that company. The company then dissolved. In February 2001, he began a security group in California with three others and was in charge of investigations and protection for clients who had previously been served by the now defunct IPSA. He moved to Nevada July 2004 on the advice of his tax attorney.

Board Member Crate asked if Comprehensive Surveillance and Investigations was shown on the initial application.

Mr. Gimple said it was not, as that company had been bought out and eventually dissolved. Since he could not locate the previous owner, he had not included the information in his application documents.

Board Member Crate asked about the status of his California private investigator license.

Mr. Gimple said the renewal form had been sent to an old address and he didn't learn that until he received Senior Investigator Botello's report. He stated he had sent a renewal check on March 13, 2006.

Board Member Crate asked how often licenses were renewed and Mr. Gimple replied that it was every 2 years.

Board Member Crate asked when the license expired.

Mr. Gimple said it was in December 2005.

Board Member Crate asked if the company had been operating without a license.

Mr. Gimple said the current private patrol license would expire in 2008. He further explained that his personal private investigator license was the one that was delinquent on payment. He explained that he had been the qualifying agent for the private patrol branch and not the private investigator sector of the business.

Board Member Crate asked if Security Management Group had started in March 2001 and Mr. Gimple said it had.

Board Member Crate then asked if Mr. Gimple had been employed with Security Management Group since its inception and he said that was correct. He then asked Mr. Gimple if he had been employed at SOC-SMG.

Mr. Gimple said he had been approached in July 2003 to provide force protection in Iraq and that SOC-SMG had been formed for that purpose in September 2003.

Board Member Crate asked what became of the Security Management Group LLC.

Mr. Gimple said it held stand-alone status and continued to do business in California as a foreign corporation.

Board Member Crate asked if the business had ever advertised that it could do work in Nevada, to which Mr. Gimple replied that the company had never represented that. He said they had used sub-contractors to do work in Nevada.

Board Member Crate asked if SOC-SMG had performed any work other than administrative business in Nevada.

Mr. Gimple said it had not.

Board Member Crate asked about High Desert Special Operations Center and Mr. Gimple said it was their training center in Hawthorne, Nevada.

Board Member Crate asked if the training center was initiated.

Mr. Gimple said it was started the latter part of 2004.

Board Member Crate asked if the center was formed as a result of business initiated by SOC-SMG, to which Mr. Gimple agreed was correct.

Board Member Crate asked if there had been a training center prior to High Desert Training Center for SOC-SMG in Nevada.

Mr. Gimple said there had not been a prior training facility.

Board Member Crate asked if training had been conducted from September 2003 to August 2004, and Mr. Gimple said none had taken place.

Board Member Crate asked if Mr. Gimple was aware that San Luis Obispo County had stated his experience was related to private patrol only.

Mr. Gimple said he was aware of the fact.

Board Member Nadeau asked if Mr. Gimple could give a reason Mr. Ches had not responded to Senior Investigator Botello's inquiries.

Mr. Gimple didn't know why Mr. Ches could not be reached for questioning concerning the forms completed by him.

Board Member Nadeau wanted to know why Mr. Ches would not be reached by Senior Investigator Botello.

Board Member Gonzalez asked Senior Investigator Botello if he was satisfied with the hours of qualifying experience.

Senior Investigator Botello explained that police work hours should be broken down between patrol and investigation. Senior Investigator Botello could not obtain a commitment as to time. He said employment verifications were used to further assist in calculating the hours of experience. The deputy sheriff stated that Mr. Gimple had at no time acted as an investigator at any point during his time with the San Luis Obispo force. Senior Investigator Botello further stated that he did not know if those hours could count toward qualifying investigative experience.

Board Member Gonzalez asked Senior Investigator Botello if he was awaiting feed-back on the matter of hours.

Senior Investigator Botello said Mr. Brooks did return a phone call to him and had authored an additional CSEQ. He also said that hours worked by Mr. Gimple at the Minden facility was equal to unlicensed activity.

Mr. Gimple said Mr. Brooks had been president of Security Management Group International since 2003 and was attesting to the time of experience for

Mr. Gimple. He said that, not including the Minden hours, he still had enough hours of qualifying experience.

Board Member Crate stated that the Board had only received the memo regarding SCI that same morning of the Board meeting.

Mr. Gimple said there were still enough qualifying hours.

Board Member Crate said that the accumulation of 20,000 hours was next to impossible in the time claimed.

Mr. Gimple said many of the hours he had accumulated were during the time worked for IPSA International, which was prior to the time he had formed his own company.

Board Member Nadeau said the 7,000 hours with IPSA were unverified and the person who completed the form could not be contacted.

Senior Investigator Botello added that the employment verification had not been returned and that the company was out of business.

Board Member Nadeau said the forms were notarized and had been attested.

Senior Investigator Botello said the Board was concerned with the need to verify that both the information given in the CSEQ's and the notary seal are true and valid.

Board Member Nadeau said that if the person who was an employee had returned the letter as requested, the hours would then have been verified and the point would be moot.

Senior Investigator Botello agreed.

Frank Petrasich said that income tax documents could be used to verify hours.

Acting Chairman Auer said comments must be specific to the agenda topic.

John Severini stated that he had been vice-president of operations at the same time Mr. Gimple had headed up investigations manager for IPSA International. He said Mr. Gimple reported to Mr. Ches. Mr. Severini said he could verify several items concerning Mr. Gimple's employment at IPSA. He said Mr. Gimple had worked for CIS or CSI (Mr. Severini did not know the exact name of the company). He said that company had been bought by IPSA International. Mr. Severini said the company had since been dissolved. He said Mr. Gimple had worked for sheriff's departments. During the mid-1970's, he was a "generalist" in the patrol level. He had been assigned to crimes, handled the preliminary investigations, and followed up as well. He said the point was being missed that Mr. Gimple frequently conducted investigations during his law enforcement duties.

Board Member Crate noted that the Chief of Police for San Luis Obispo had made a point to state that Mr. Gimple had never been assigned as an investigator.

Mr. Severini commented that policemen on patrol constantly perform investigations and are investigators the entire time they are in their patrol cars. Mr. Gimple said, though he was never officially assigned as an investigator, he absolutely performed investigative duties on a weekly basis.

Acting Chairman Auer recused himself and asked Board Member Crate to continue the chair duties for Item 31.

The Board discussed the verbiage of the motion. Board Counsel Susan Lee was asked for clarification of how to word the motion.

Board Member Nadeau moved to grant a corporate Private Patrolman license, to grant John Gimple an individual Private Patrolman license to be placed in abeyance, qualifying agent status for Mr. Gimple, and approve John Gimple, James Schmidt, Paul Johnston and John Severini as corporate officers, subject to all statutory and regulatory requirements.

Board Member Gonzalez seconded the motion, which carried.

Board Member Nadeau moved to table the granting of the private investigator license for John Gimple and the corporation until the June 2006 meeting to allow for the verification of qualifying hours.

Board Member Gonzalez seconded the motion, which carried.

Acting Chairman Auer abstained from taking part in the voting process for Item 31.

SOC-SMG INC applied for a corporate Private Investigator license and a corporate Private Patrolman license, JOHN SEVERINI applied for an individual Private Investigator license and an individual Private Patrolman license so that he could be recognized as the qualifying agent and that James Schmidt, Paul Johnston and John Severini be approved as corporate officers.

Mr. Severini said he was a retired police captain and had worked from the 1960's to the 1990's. He retired in 1993. He then began working in the private sector at American Protection Services. He focused on workplace violence prevention program for 6 ½ years. He had thousands of hours of experience in both

investigation and private patrol. He had received an undergraduate degree and POST certification. He stated that SOC-SMG had 50 employees and was located in Minden, Nevada. They had 140-150 people in Iraq and Afghanistan and over 600 additional employees who were nationals.

Acting Chairman Auer again recused himself and asked Board Member Crate to continue to conduct the current portion of the meeting.

Board Member Crate asked about a pending civil action on application.

Mr. Severini said it was a frivolous lawsuit and Board Member Crate asked for an overview on the matter.

Mike Johnson, the applicant's attorney, said the dispute was of a contractual nature and there was a tremendous amount of documentation.

Board Member Crate asked for an assurance that the lawsuit had nothing to do with the company's operation in Nevada and the lawsuit dealt with services done outside Nevada. Mr. Johnson concurred with that statement.

Board Member Crate also noted that Mr. Severini had over 32 years of experience, which exceeded the required hours for licensure.

Board Member Nadeau moved to grant SOC-SMG INC a corporate Private Investigator license, a corporate Private Patrolman license, John Severini an individual Private Investigator license and an individual Private Patrolman license to be placed in abeyance so he could be the qualifying agent, and to approve JAMES SCHMIDT, PAUL JOHNSTON and JOHN SEVERINI as corporate officers, subject to all statutory and regulatory requirements.

Board Member Gonzalez seconded the motion, which carried.

Acting Chairman Auer abstained from the voting process for Item #32.

ADMINISTRATIVE BUSINESS:

JOHN THEEL of SOA SECURITY and WILLIAM CALLAGHAN of CENTURY SECURITY MANAGEMENT requested an exemption for the JCK Jewelry Show.

Mr. Callaghan was not present.

Mr. Theel said he had appeared before the December 2005 Board meeting asking for a variance to employ off-duty law enforcement officers for an upcoming event, but had withdrawn the initial request during the meeting before a vote was taken. He said the JCK Show was a \$40 to \$50 billion dollar show. They were allowed to hire police officers for a traveling show in most cities, but not in Las Vegas. He said they preferred to bring trained officers to the upcoming show in Las Vegas at the Sands Convention Center. Mr. Theel said he had asked Las Vegas Metro if they could provide an adequate amount of officers to work at the show. He said Metro had informed him that the show was outside their scope and they could not supply the number of officers needed by JCK for the Las Vegas show. Mr. Theel said the same qualifications were needed for the show as required by security guards working in Nevada. He said taxes would be taken out of the paychecks and each person would be required to obtain a sheriff's card.

Acting Chairman Auer asked when the show was to occur.

Mr. Theel said it would be held from May 27 to June 10, 2006.

Board Member Crate moved, consistent with NAC 648.338, to grant an exemption to SOA of Nevada and Century Security Management from one week prior to one week after the JCK Jewelry Show as requested by the petitioner.

Board Member Nadeau seconded the motion.

Board Member Crate stated that the exemption applied to out-of-state employees registered and paid for by SOA.

Board Member Nadeau said that SOA was instructed to insure that the employees knew they had no law enforcement powers in the state of Nevada and could only perform duties as outlined by statute.

The motion then carried.

Executive Director Ray stated that there was no report available for Item 34 because the subcommittee meeting had been cancelled.

DAN ROY of BIOMETRICA was not present to make a request of the Board.

Executive Director Ray explained that Biometrica had been licensed in June 2005 and the qualifying agent had since resigned. She further stated that the Board had not changed its position that Biometrica still needed to hold a private investigator license to conduct business in Nevada.

Acting Chairman Auer asked for clarification on Biometrica's field of work.

Senior Investigator Botello said the company was technology-based and was part of Viisage. He said the companies shared information (facial recognition) to assist businesses in recognizing and dealing with patrons who may be cheaters or card counters. He said that Biometrica could photograph a person's face as he or she was approaching the property and determine very quickly if that person

was a cheater or advantage player. The security staff would then be notified that the person was on the property.

Acting Chairman Auer asked why Item 35 was being discussed given that Dan Roy was absent.

Board Member Crate said the company needed a qualifying agent to maintain their private investigator license.

Board Member Nadeau said he was concerned that the company had 120 days to find a qualifying agent, that their time would expire if they did not meet the deadline, and the problem would fall between Board meetings when no action could be taken.

Executive Director Ray said Biometrica had named an Acting Qualifying agent and the application was forthcoming.

Acting Chairman Auer said no further discussion was necessary.

Executive Director Ray said that the approval of language regarding a proposed regulation for scope of practice for licensees was to have been discussed at the subcommittee meeting which had been cancelled.

She said the matter was concerned with the Board's limiting the scope of practice. The Legislative Counsel Bureau said the Board had the statutory authority to limit the scope of practice.

Board Member Crate said that Mr. Marcher had rendered the opinion that limiting the scope of practice was already allowed for under statute and that clarification may be needed under a regulation. Board Member Crate further stated that 2

options for possible language had been provided by Counsel Marcher and that the LCB had already said the Board had the authority to implement either option. Executive Director Ray said the LCB had not seen the suggested language that had been drafted by counsel.

Board Member Crate reiterated that the LCB had stated that the Board had the authority to limit the scope of practice. He said he preferred the language offered in Option 1.

Acting Chairman Auer asked the Board if another workshop was warranted.

Board Member Crate and Board Member Nadeau said another workshop should be scheduled.

MIKE KIRKMAN said he thought it was improper to allow a person who was granted a conditional license at this meeting today by using the changes currently being discussed.

Board Member Crate said his point was well taken and that the NAC was needed to clarify what the NRS already stated the Board had the authority to undertake. He said it would be beneficial to schedule the workshop in time to finalize the language in time for license renewal and the next Board meeting in June 2006.

Acting Chairman Auer said a workshop and public hearing should be scheduled and changes could be adopted at that time.

Board Member Crate moved to schedule a workshop and public hearing to discuss possible language for scope of practice.

Board Member Nadeau seconded the motion.

Board Member Crate said both proposals would be discussed at the future workshop.

The motion carried.

Executive Director Ray said there was a possible regulation change for NAC 648.338; specifically, changing the word “will” to “may” in Section 2.

Acting Chairman Auer said the matter could also be referred to a future workshop.

Board Member Nadeau moved to hold a workshop and public hearing for the potential adoption of language.

Acting Chairman Auer asked if the workshop and public hearing could be held at the next Board meeting in June 2006, to which Board Member Nadeau agreed.

Board Member Crate seconded the motion, which carried.

PUBLIC COMMENT:

AL KAPLAN spoke on his own behalf and wanted to know if the Board needed to continue with the partial qualification for licensing.

Acting Chairman Auer said the Board must use the rules that are in place at the time to approve or deny businesses a license on a case-by-case basis. He said the Board must abide by the rules in existence and could fine-tune the regulations as needed.

Mr. Kaplan said the Board could decide not to change the regulation with respect to the scope of licenses.

Board Member Nadeau said the Board could make specific changes to fine-tune the regulations at the workshop.

FRANK PETRASICH, BlueTree, said the previous workshop had been cancelled. He wanted to know about adding a corporate license or having multiple licenses for discussion at the next workshop. He said he had submitted a request to the Board to allow a licensed sole proprietorship to represent multiple organizations. He said he was referring to the many mystery shopping companies, background screeners who are required to be licensed. He thought it would serve the interests of Nevada by allowing a licensed investigator to represent more than one company. He said few investigators would be willing to give up his own business in order to represent another company.

Acting Chairman Auer said the public comment portion of the agenda was concluded. He said the next part of the meeting was a public hearing on a regulation. He called for a recess until 1:00 p.m.

