

## Board Meeting April 24, 2023 – Minutes

### Private Investigators Licensing Board

The Board meeting was held via telephone conference.

Chair Tammy Nixon called the meeting to order at 9:05am and asked Executive Director (ED) Kevin Ingram to conduct the roll call of Board Members.

Chair Tammy Nixon and board members Timothy Bezick, Rick Brown and Katherine Cortez were all present and board member Robert Gronauer was not present.

ED Ingram then conducted a roll call of members of the public on the conference call. During the public roll call board member Robert Gronauer announced his presence. The following people were also present on the call:

Jennifer Knight, James Cameron, Michael Spriggs, Mark Zane, Gilbert Reyes, Matthew Clay, Theresa Jones, Paula Ludwig, Antonio Guadagni, Michael Conti, Jonathan Alvarez, Tim Bryant, Miesha Anthony, Evette Alva, Paul Kemppainen, Allen Almeda, Rhonda Eidson and Lori Irizarry

Chair Nixon asked for public comment in the north and south and there was no public comment.

Chair Nixon gave an overview of why the special Board meeting was scheduled and stated that it was called to present the report that was going to be sent to the Governor's Executive pursuant to Executive Order 2020-003 for possible action. She stated that as part of the Executive Order, the PILB held a public workshop to discuss all proposed regulation changes and that all public comments, both positive and negative, were taken and are reflected in the report. Chair Nixon informed everyone that if it was decided to move forward with any of the proposed regulations that additional steps would need to be taken to include additional public workshops, Legislative Counsel Bureau (LCB) legal review, Board Meeting of Notice to Act on a Regulation and then a hearing before the LCB where additional public comment would be taken prior to them voting on the proposed changes.

Chair Nixon asked if the board members had all reviewed the report and if there were any questions from the Board.

Board member Gronauer asked if public comment was going to be taken for each of the proposed regulations and Chair Nixon replied saying public comment had been taken during the workshop and that this meeting was for the Board to review the report and not each individual regulation. Board member Gronauer stated he was confused because the note following the public comment overview stated that in addition to public comment taken at the beginning and end of the meeting, public comment may be accepted after each agenda item prior to Board taking action. Counsel Harris clarified that it stated the Board "may" accept public comment and that they were not required to do so.

Board member Gronauer requested that each proposed amendment to all regulations be reviewed individually, and Chair Nixon started reading the report into the record verbatim.

1. NAC 648.140 Chair Nixon reviewed the proposed change/modification. There were no questions or comments from the Board.
2. NAC 648.260 Chair Nixon started reading into the record and Board member Brown suggested only highlighting the actual changes to speed up the review and board member Cortez agreed. Chair Nixon asked board member Gronauer if he was okay with that, and he agreed. Chair Nixon reviewed the proposed change/modification. There were no questions or comments from the Board.
3. NAC 648.265: Chair Nixon reviewed the proposed change/modification. Board Member Cortez stated that she loved the addition. No other comment from the Board. No questions from the Board.
4. NAC 648.310: Chair Nixon reviewed the proposed change/modification. No question/comment from the Board.
5. NAC 648.330: Chair Nixon reviewed the proposed change/modification. No question/comment from the Board.
6. NAC 648.338: Chair Nixon reviewed the proposed change/modification. Board member Gronauer expressed concern with these changes not pertaining to application with the current executive director, but with future executive directors. No other comment. No question from the Board.
7. NAC.648.3385: Chair Nixon reviewed the proposed change/modification. No questions, however, board member Gronauer stated he was in agreement with the proposed changes.
8. NAC 648.341: Chair Nixon reviewed the proposed change/modification. No question/comment from the Board.
9. NAC 648.342: Chair Nixon reviewed the proposed change/modification. No question/comment from the Board.
10. NAC 648.343: Chair Nixon reviewed the proposed change/modification. Chair Nixon and board members Cortez and Brown commented that they like these changes. No other question/comment from the Board.
11. NAC 648.3435: Chair Nixon reviewed the proposed change/modification. No question/comment from the Board.

12. NAC 648.344: Chair Nixon reviewed the proposed change/modification. No question/comment from the Board.
13. NAC 648.345: Chair Nixon reviewed the proposed change/modification. No question/comment from the Board.
14. NAC 648.346: Chair Nixon reviewed the proposed change/modification. No question/comment from the Board.
15. NAC 648.350: Chair Nixon reviewed the proposed change/modification. No question/comment from the Board.
16. NAC 648.431: Chair Nixon reviewed the proposed change/modification. No question/comment from the Board.
17. NAC 648.433: Chair Nixon reviewed the proposed change/modification. No question/comment from the Board.
18. NAC 648.439: Chair Nixon reviewed the proposed change/modification. No question/comment from the Board.
19. NAC 648.530: Chair Nixon reviewed the proposed change/modification. Board member Cortez referenced Jonathan Alvarez's comments and concerns about costs from the workshop. While she agrees with Mr. Alvarez, she does not agree with his suggestion for grandfathering.

Board member Gronauer expressed concerns with the costs, especially if law enforcement changes their uniforms frequently and stated that LVMPD has a large number of different uniforms as well. He also has concerns with including this section in the report and expressed concerns that the Executive Director's (ED) comments relating to concerns and conversations with LVMPD were not accurate and wanted to see actual numbers and facts from LVMPD. He felt that the Board office and ED has not done enough data gathering and was concerned that the ED was trying to push these changes through quickly without adequate workshops and review to determine if these changes are appropriate and he thought it was "suspect".

ED Ingram reassured the Board that the report is not an immediate regulation change and that follow up workshops will take place; He stated that we are just trying to meet the deadline for the report.

Chair Nixon asked Board Counsel Harris if a further review of NAC 648.530 could be agendaized for a future Board meeting.

Counsel Harris said yes, and Chair Nixon recommended more discussion at the next Board meeting regarding this regulation including additional clarification from LVMPD, research, and complaints from the last five (5) years. No other question/comment from the Board.

Chair Nixon moved on the second part of the report and the Board reviewed each regulation recommended for removal, including any public comments provided from prior workshop:

1. NAC 648.235: Chair Nixon reviewed the proposed regulation omission. No question/comment from the Board.
2. NAC 648.320: Chair Nixon reviewed the proposed regulation omission. No question/comment from the Board.
3. NAC 648.325: Chair Nixon reviewed the proposed regulation omission. No question/comment from the Board.

Board member Cortez moved to approve the report as written. Board member Brown seconded. Board member Gronauer opposes. Motion passed 4-1.

Chair Nixon called for public comment following the vote and the following comments were made by the public:

Matthew Clay: Mr. Clay, employed by Blackstone Security Services, license number 2755, was concerned that there were no actual guidelines on what would happen should local law enforcement change their uniforms in the future. He felt that if this happened the license holders once again would have to incur the cost of change.

Miesha Anthony: Ms. Anthony, a concerned citizen, expressed extreme concern with softening the look of security. She stated she managed 1000's of properties throughout the nation and she liked the way the officers look in Nevada. She said that it is very helpful as it is hard to get metro out and/or they never come. She wanted to stress how much changing their uniforms would impact her.

Evette Alba: Ms. Alba, a concerned citizen, agreed with previous comments. She stated that she travels through the valley every day. She said that she liked security looking like police or sort of like the police because it made her feel more comfortable and safer. She said it gave the presence of giving the public that these are individuals that will be doing something to protect the public. She also stated the public needs to be heard. She said that security matters in Nevada and that if security looks like customer service people will ask, what can these people do for me? She stated that she has seen security companies wearing shorts and flip flops and that she feels more comfortable with a law enforcement presence or security.

Paul Kemppainen: Mr. Kemppainen, Qualifying Agent for SISU Enlightened Protection, license number 4026, stated that there is a small networking group put together of license holders. He stated that a number of license holders are not aware of the proposed amendments and financial impact on their companies.

Board member Gronauer: Mr. Gronauer stated once again that he would like to see actual data from the Las Vegas Metropolitan Police Department and not just anecdotal comments from the board. He stated that the changes are complex and will hurt some vendors.

James Cameron: Mr. Cameron, Qualifying Agent for Security Concepts Group, License number 1576, agreed with Mr. Kemppainen and stated that he did not receive an email in regard to the workshop or board meeting. He said that he didn't know if his email got lost, and that he thinks that needs to be shored up a little bit. He stated he understood that there is a concern with security being confused with law enforcement, but the other part is that it is a visible deterrent.

Rhonda Eidson: Ms. Eidson, employed by Protective Force International, license number 2687, stressed that the uniforms her company uses are distinctive and that it is their brand. She said that they are a visual deterrent and that they are known and trusted. She stated that they had been approved previously by the Board and the Las Vegas Metropolitan Police Department and that the changes are being made with very little or no notice at all. She stated that this would be a huge financial burden.

Alan Almeida: Mr. Almeida, employed by Protective Force International, license number 2687, stated that we are going backwards from where we. He stated that if they have to change the uniforms that we will see increased crime. He stated that with the decrease of law enforcement presence that having companies that have command presence in their uniforms is the biggest deterrent. He said that when security shows up to a situation that it deters escalation. He stated that other guards that are not carrying command presence by wearing flip flops and shorts that the situation would not happen the same way.

Micaela Parisi: Ms. Parisi, employed by Protective Force International, license number 2687, stated that as an officer she could not afford to pay for new uniforms out of her paycheck. She stated that other officers and peer's live paycheck to paycheck. She stated that there was no mention of when she would have to be in compliance and asked how long she would have to save up and spend money on something so random.

Chair Nixon: Chair Nixon state that she understands changes will be a problem and that the proposed amendments are just suggested at this point. She clarified that nothing needs to change immediately.

Antonio Guadagni: Mr. Guadagni, Qualifying Agent for Alexios Security Solutions, license number 4196, asked that "Shield" be clearly defined as there are thousands of options that come up when searching online. He said that there needs to be a more definite explanation and description.

Tim Bryant: Mr. Bryant, employed by Protective Force International, license number 2687, stated that he has worked in private security and the casinos, so he is well aware of what goes on and that security officers are disrespected. He stated that taking away uniforms can put security officers in grave danger. He said that criminals have a little more respect for Metro officers, but security are often the first on the scene. He stated that by taking away uniforms that they will get less respect. He said he has spent thousands and thousands of dollars jumping through hoops to

get licensed and the many hours of training he has received and that taking that one little deterrent away to go on an apparent suicide mission that is supported by the Board. He stated that this is very detrimental to the industry and thinks it will cause many injuries and possible death by limiting the security uniforms. He also said the word star could mean a lot of things, is it a 3-point, 4-point, 5-point, 7-point and what about putting the star on the opposite side than metro. He felt that by removing uniforms that the Board is alienating and trying to destroy the industry as a whole. He stated that Metro response times are sometimes are 2, 3, possibly 4 hours and if there is an emergency situation, metro calls them and tells them to go handle it. He stated that they are doing their jobs and they tell us to call them if we need help.

Board member Brown: Board member Brown commented that the board is not taking away uniforms. He stated that if you read NAC648.530, the black language has always been there and that the new blue language is to clarify what is currently there. He stated this is not done to diminish security and that if your uniforms look like law enforcement that the public may expect you to respond accordingly when not trained to do so. He stated that the Board wants to see security wear uniforms and agreed that some clarification is needed. He asked Chair Nixon to clarify if employees are responsible for paying for their own uniforms or does the sec company provide?

Chair Nixon: Chair Nixon stated that every company different and that some provide uniforms, and some do not. She said that all of the information is good to hear and know as the Board moves forward.

Rhonda Eidson: Ms. Eidson, employed by Protective Force International, license number 2687, stated that while the language has always been there. Their uniforms had been approved before. She stated that if law enforcement changes their uniforms again in the future that it still impacts the companies and should not impact companies with existing approvals.

Michael Conti: Mr. Conti, Member for Southwest Protective Agency, license number 2194, Stated that at this time the Board should tread cautiously. He stated that there should be a time and a place for further discussion and not pushed forcefully forward for legislation so quickly. He stated that wisdom now above anything is needed, temperance, prudence in how we identify changes, not just our companies but the general public. He asked that by implementing radical changes more quickly, how would that affect the economic environment in Nevada? He asked how will this impact us if companies have to shut their doors overnight, hand everyone now is laid off and on unemployment how will that radically shape the environment of Nevada? He stated that it not only has to do with license holders but also the people. He stated that companies would have to get approvals and start all over again. He felt there needs to be more of a processed approach going forward.

Chair Nixon: Chair Nixon stated that this is not a radical change and what is in the books now. She stated that all proposed changes will go through an entire process to include more workshops before a final revision is made. She stated that no changes are being made and that the information is for the Governor's report for him to review.

Kevin Ingram: Executive Director Ingram shared that a state agency he worked for in the past went through a uniform change and that the way it was rolled out was over a period of time as to not have a significant financial impact on the agency. He stated that even if the Board decided to move forward with changes there were a lot of things that would have to be fleshed out prior to implementation. He clarified the information in the report to meet the Governor's expectations from the Executive Order.

Board member Gronauer: Board member Gronauer stated that he understood the proposed changes were suggestions, but that the justifications were listed as inherent risk to public safety and thought that that was a broad range there. He referenced a caller earlier had talked about risk for public perception. He feels that we are looking at a narrow view as a board and that the public people talked about safety and what they feel and that needs to be considered as well. He stated that the Board needs to take into consideration what the public wants especially with the terrible times we are faced with. He said that security throughout Nevada and especially in Southern Nevada, we don't call them security officers anymore and that Metro and Henderson Police Departments don't call them security officers anymore and that they call them security professionals, because that is how far this industry has come. He stated that he agreed that if these changes go through that we would be heading backwards. He stated that it looks like there is a whole lot coming from the Board and the Executive Director to try to push it in one direction. He stated that is his perception and that he would rather have it on the record than having someone say, "oh you talked behind my back", because he is not going to talk behind anybody's back. He stated that if we don't look at what the public wants rather than our small Board and small office thinks about there is a bigger deal. He stated he would much rather have law enforcement put their 2 cents in and not just "well we had discussions". He stated that when he heard a lady say it takes so long for Metro to respond, he wanted people to understand Metro and their empirical data, their response times to answer felony calls are unbelievably long. He went on to say that so without have a professional looking security company, he felt we have some problems.

Kevin Ingram: Executive Director Ingram stated that if Mr. Gronauer feels like that is who he is and that he is trying to push something through, that he would tender his resignation. He stated that he was tired of continued accusations being made against him on the record by Mr. Gronauer.

Chair Nixon: Chair Nixon interjected and stated that emotions were running high and that the Board needed to move forward with the meeting.

Jonathan Alvarez: Mr. Alvarez, Qualifying Agent for Protective Force International, license number 2687, stated that he attended the April 14<sup>th</sup> workshop and there weren't many others, so he thinks what the Board is seeing is a major backlash from an office that was unable to communicate what the proposed changes were going to be ahead of time. He stated that a lot of owners were not informed of the proposed changes through emails. Mr. Alvarez suggested the Board remove the uniform portion of the report.

Chair Nixon: Chair Nixon asked Board counsel Chricy Harris if public notice was done properly and in compliance with the Statutes and Regulations. Chair Nixon also asked if it was a requirement for the Board to email every license holder to notify them of workshops or meetings.

Deputy Attorney General Harris: DAG Harris stated that proper notice was given pursuant to and that the Board is not required to email license holder of upcoming workshops or meetings.

Chair Nixon: Chair Nixon stated that as DAG Harris noted the Board followed all protocols and there is no requirement to email each licensee to notify them. She stated that it is the licensee's responsibility to monitor.

Jonathan Alvarez: Mr. Alvarez, Qualifying Agent for Protective Force International, license number 2687, stated he agreed with it being the licensee's responsibility to monitor, however he still felt that the Board was suspiciously pushing for the changes without any type of research.

Chair Nixon: Chair Nixon asked Executive Director Ingram if the workshop was posted correctly.

Executive Director Ingram: Executive Director Ingram stated that it was, and that the agenda specifically stated that the documents could be requested by contacting him specifically.

Chair Nixon: Chair Nixon asked DAG Harris if she could ask the Board to review and take another vote on the report based on the public comment.

Deputy Attorney General Harris: DAG Harris stated that if the Board didn't have any issues with the previous vote that they could request by a motion, however she would not recommend it.

Evette Alba: Ms. Alba, a concerned citizen and business owner, expressed public concern and agreed with Board member Gronauer that it should not be put forward.

Chair Nixon: Chair Nixon asked to agendize a review of NAC 648.530 for a future agenda, for further discussion include all complaints or concerns about uniforms or impersonating a police officer, for the last 5 years, to include written documents or a showing of law enforcement to hear from them and the potential for change of their uniforms in the near or future.

Chair Nixon: Chair Nixon stated that if there were no more questions or concerns that the meeting be adjourned.

Board member Gronauer: Board member Gronauer stated he had a Board comment. He stated that the passion that got involved that he felt very, very saddened and that he loved him like a brother. He said the fact that he disagreed that he didn't want it to get to an accusation as it was taken. He stated that while people were on the phone he wanted apologize in public to Kevin for that type of feeling from his statement and that he would try to be much better with his words in the future.

Chair Nixon: Chair Nixon thanked Board member Gronauer and asked if there were any other concerns or questions and after hearing none, she adjourned the meeting and thanked everyone for their time, passion, and dedication to the field of security and that the Board appreciated it.