

**BUREAU OF SECURITY AND INVESTIGATIVE SERVICES**

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**SB ADVISORY COMMITTEE MEETING MINUTES**

**Meeting Date:** 4/22/09

**Location:** Sacramento

**Committee Members in Attendance**

Roy Rahn, California Assn. of Licensed Security Agencies, Guards & Associates (CALSAGA)  
Cathy Kester, Department of Justice (DOJ)  
Tom Rankin, Southern California Security Association (SCSA)  
Joe Valenzuela, Sacramento Police Department  
Jim Diaz, California Institute for Professional Investigators (CIPI)  
Glenn Younger, California Locksmith Association (CLA)  
Steven Wachtel, Professional Investigators of California (PICA)  
Robert J. Del Mese, Public Member  
Steve Reed, Proprietary Private Security Officers  
Francine Koehler, California Association of Licensed Investigators (CALI)  
Jon Sargent, California Alarm Association (CAA)

**Committee Members Absent**

Steve Leibrock, Sacramento Sheriff's Department  
Jimmy Hunt, California Association of Licensed Repossessors (CALR)

**Department of Consumer Affairs Staff in Attendance**

Patricia Harris, Acting Director  
Michael Santiago, Legal Counsel

**BSIS Staff in Attendance**

Connie Trujillo, Acting Chief  
Vicky Heibeck, Licensing Manager  
George Paddeck, Enforcement Manager  
Diana Cuccia, Review Unit Manager  
Rolando Taeza, Bureau Representative  
Noreene DeKoning, Bureau Representative  
Inez Cortez, Bureau Representative  
Mitch Kojima, Bureau Representative  
Jennifer Rosillo, Bureau Representative  
Patricia Ojeda, Bureau Representative  
Iran Borgman, Bureau Representative  
Phyllis Scott, Bureau Representative

**Welcoming Remarks and Introductions**

Jim Diaz called the meeting to order at 9:10 am; everyone then recited the Pledge of Allegiance. Mr. Diaz gave an overview of the committee's role and thanked everyone for attending. Committee members and Bureau staff introduced themselves.

## **Chair Report**

Mr. Diaz informed the Committee that the rewriting of the private investigator and private patrol operator exams has been completed and they are now in use. He thanked the staff of the Office of Professional Examination Services for their assistance in the development of the new exams. The alarm company and reposessor exams are now in the process of being rewritten.

## **Bureau Updates**

Acting Chief Connie Trujillo stated that unlicensed activity continues to be a big concern with all industries. As a result, the Bureau created an Unlicensed Activity Action Unit (UAAU) in February 2009. The Unit will concentrate on enforcement with continuing efforts on outreach and education visits. Ms. Trujillo informed the committee that both the Locksmith and Private Investigator Acts have been revised due to recent legislative changes. They are available on the Bureau's Website along with the new complaint form for unlicensed activity.

## **Legislative Update**

Brian Warren, Legislative Analyst for the Department of Consumer Affairs, provided an update on SB 741, registration of Proprietary Private Security Employers (PPSE). The bill passed the Senate Business and Professions Committee and is on its way to the Senate Appropriation's Committee. Mr. Warren stated that SB 666 is in the final stages of the regulatory process. Once approved, it will provide a training syllabus that requires the proprietary private security officer to complete 16 hours of training within the first six months of receiving their registration or starting a security job. It also requires the proprietary private security officer (PPSO) to complete two hours of continued education training annually.

## **Committee Member Update**

**Cathy Kester**, Department of Justice (DOJ), stated that submissions of fingerprints from all areas were down from last year. (The Bureau's submissions have also decreased in most industries, however, there was an increase in reposessor submissions.) This overall decrease has severely impacted DOJ's budget. Since they have a reduced amount of fees coming in, there will not be enough staff to process incomplete Livescan applications.

As a condition of license renewal, AB 389, which is being sponsored by DCA, requires licensees who have not previously been fingerprinted to now complete a background check. The Bureau's licensees/registrants have been required to undergo background checks since 1970 and will most likely not be affected.

**Roy Rahn**, California Association of Licensed Security Agencies, Guards & Associates (CALSAGA), informed the committee that SB 741, sponsored by DCA and supported by CALSAGA, passed the Senate Business and Professions Committee. Mr. Rahn added that he will continue to work with the groups who have an interest in SB 741 and keep an open line of communication with them as SB 741 moves forward.

**Tom Rankin**, Southern California Security Association (SCSA), informed the committee that SCSA maintains both a newsletter and a Website. Both contain information regarding alarm companies, employee registration and licensing requirements. He also stated that a reference list is available to the public that shows every company that is a member and qualified to provide the service the consumer is requesting.

**Captain Joe Valenzuela**, Sacramento Police Department (SPD), stated that his staff worked with the Bureau's staff to produce a training video that can be used in concert with the Bureau's pocket guide. Unfortunately, progress has been halted on the video until further discussions with the Bureau. Mr. Valenzuela stated that due to the current budget crisis, their department is reviewing priorities with a focus on responding to crimes that involve public safety. Mr. Valenzuela concluded by saying he is looking at the Bureau for support with enforcement efforts since the District Attorney is not prosecuting very many misdemeanor cases.

**Glenn Younger**, California Locksmith Association (CLA), informed the Committee that AB 2592, which recently went into effect, has raised the fine for unlicensed activity from \$1,000 to \$10,000. He concluded by stating that he is working on amending the existing laws to require locksmiths to take a proficiency examination. He is also requesting the Bureau research and obtain an occupational analysis in order to formulate a locksmith examination for locksmith applicants.

**Steve Reed**, Public Member, stated that his entire security staff at Arden Fair Mall, who are considered proprietary private security officers, are required to obtain guard cards along with supplemental training hours. Mr. Reed informed the Committee that his organization is privileged to have been able to forge a working relationship with local law enforcement. They have partnered with the Sacramento Police Department and the California Department of Justice to run license plate checks on cars parked at Arden Fair Mall. This has resulted in recovering stolen vehicles and prosecuting several individuals involved in criminal acts.

**Steven Wachtel**, President of the Professional Investigators of California Association (PICA), thanked Acting Chief Connie Trujillo for keeping the Advisory Committee active. Mr. Wachtel stated that unlicensed activity is a major problem along with the inability to verify the required experience of a private investigator applicant. He acknowledged awareness that the Bureau is working on regulations for unlicensed activity. He continued by stating that the mandatory continuing education bill was vetoed in the last legislative session by the Governor. The introduction of a new bill, SB 202, has brought about much discussion, both pro and con, within the industry. Mr. Wachtel concluded by stating he is traveling around the state conducting seminars to discuss SB 202 and the value of continuing education.

**Francine Koehler**, California Association of Licensed Investigators (CALI), expressed appreciation with the direction the Bureau is going regarding unlicensed activity and the development of the Unlicensed Activity Action Unit (UAAU). Ms. Koehler stated that CALI supports the continuing education bill, which requires 12 hours of continuing education for every two year period. CALI has been negotiating with the Peace Officers Research Association of California (PORAC) on amendments to SB 202. Three were adopted. One is for the renewal period of a PI license placed on inactive status, one is for an exemption of active law enforcement officers, and one is for pre-approval of the Commission on Peace Officer Standards and Training's courses. Ms. Koehler expressed concern with private investigator employees who are currently exempt from licensure/registration with the Bureau. She inquired about the possibility of legislation that would address this.

**Jon Sargent**, California Alarm Association (CAA) applauded the Bureau for the creation of the Unlicensed Activity Action Unit and the actions to curtail unlicensed activity. Mr. Sargent informed the committee that the major task of his association is working on false alarm reductions. The CAA has worked with several cities in California to develop ordinances that will help to reduce false alarms and benefit cities, consumers, and the industry.

**Jim Diaz**, California Institute for Professional Investigators (CIPI) stated that there is a lack of registration requirements within the Private Investigators Act for employees of private investigators. CIPI is looking at obtaining an author to put forward a bill to address this problem since employees of private investigators have access to private information that could be misused. CIPI is looking for additional support from other industry associations. Mr. Diaz expressed his concerns regarding the need for verification of criminal background checks for private investigator employees and validation of required time frames regarding work experience to qualify for the private investigator exam.

## **Public Comments**

**John Brueggeman**, former president of the California Locksmith Association (CLA), stated that due to a "Key Code" bill that passed a couple of years ago, California has been used as a model for the country in the processing of background checks. Automobile dealerships in California can now release the key code information to licensed locksmiths. One dealership was in possession of 10,000 key codes and was marketing them illegally. The person who was doing this was detained. Mr. Brueggeman made the suggestion that BSIS visit licensees to make sure they are in compliance with California's requirements. If they are in compliance, a list could be developed and posted on the Bureau's Website as an "Atta Boy". Mr. Brueggeman was a crucial person in the rewrite of the Locksmith Act.

**Robert C. Smith**, President and CEO of Nightclub Security Consultants, stated that currently there are loopholes with the required initial and subsequent training for security guards. There are no checks and balances. In addition, SB 741 does not provide the Bureau with enough enforcement authority. More enforcement authority needs to be added to SB 741.

**Eric Nelson** of Nelson Locksmith in Elk Grove offered his services and support to other locksmiths in California.

**Patrick Alexander**, who possesses licenses as a private investigator, private patrol operator, and firearm and baton instructor, stated that the Bureau's pocket guide needs a reference stating that private investigator employees are not required to be licensed under the Private Investigator Act. He stated that there are local law enforcement agencies that are not aware of this and think that employees of private investigators must be licensed. This information needs to be included on the Bureau's pocket guide for law enforcement. The Private Investigators Act does not specifically address these employees. Mr. Alexander noted a need for the Private Investigators Act to address the fact that the private investigator employee is not required to be registered. He concluded by stating he is in favor of registering private investigator employees.

**Michelle Hylton** from the Public Safety Training Association (PSTA), commended the Bureau for the formation of the Unlicensed Activity Action Unit. Ms. Hylton inquired if the Bureau will have any laws or regulations to regulate licensees who provide 40 hours of on-line training for security officers in one day.

## **Adjournment**

Jim Diaz thanked everyone for attending and adjourned the meeting at 12:40 pm.