

BSIS ADVISORY COMMITTEE

Meeting Date: 12/6/2010

Location: Sacramento, CA

Committee Members in Attendance

Roy Rahn, California Assn. of Licensed Security Agencies, Guards & Associates (CALSAGA)

Patty O'Ran, 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)

David G Herrera, Professional Investigators of California (PICA)

Steve Reed, Proprietary Private Security Officers

Jon Sargent, California Alarm Association (CAA)

Chris Wilson, California Association of Licensed Repossessors

Dennis Sebenick, Customer Protection Services

Jim Zimmer, California Association Licensed Investigators

David Chandler, California Association of Training Facilities

Rick Von Geldern, Professional Investigators of California Association

Committee Members Absent

Steve Leibrock, Sacramento Sheriffs Department

Jimmy Hunt, California Association of Licensed Repossessors (CALR)

Department of Consumer Affairs, Executive Staff

Michael Santiago, Legal Counsel

BSIS Staff in Attendance

Jeff Mason, Chief

Connie Trujillo, Deputy Chief

Vicky Heibeck, Licensing Manager

George Paddeck, Enforcement Manager

Lamont Dukes, Bureau Representative

Welcoming Remarks and Introductions

Jim Diaz called the meeting to order at 9:05 am at which time everyone recited the Pledge of Allegiance and a vote was then ordered for the election of the Committee Chair and Vice Chair. Mr. Diaz gave an overview of the Committee's role and thanked everyone for attending. The vote results for Chair and Vice Chair resulted as Jim Diaz and Roy Rahn respectively. Committee members and Bureau staff then introduced themselves.

Bureau Updates

Jeff Mason began by stating that the Bureau regulates the security industry, issues licenses for each industry it regulates and processes background checks. The guard card account for 85% of the Bureau's business and 15% is comprised of company licensing (Private Patrol Operators (PPO), Repossessors, and Private Investigators). Chief Mason then provided the Committee with a statistical update of some of the different types of transactions processed by Bureau employees during 2010: 69,000 applications processed; 40,000 address changes keyed; 109,000 renewals keyed; and 250,000 phone calls taken. Chief Mason commended the Bureau staff for their impressive work.

The Bureau continues its effort against unlicensed activity by working with local law enforcement and utilizing ad-hoc methods of scanning company web pages, looking on Craigslist, etc.

Next year, the Bureau will implement a new license as the result of SB 741, Proprietary Private Security Employers. The Bureau will continue to work closely with industry partners to monitor changes in the industry. BSIS can be reached by phone, on Facebook, Twitter, and the Bureau website. Chief Mason concluded by stating that he looks forward to working with the committee in 2011.

Legislative Update

The Bureau has no legislative updates at this time.

Committee Member Updates

David Chandler, California Association of Training Facilities, started by stating that Mr. Steve Caballero had planned to give a presentation regarding training facilities, but due to a family illness he was unable to attend. He informed the committee of the importance of training facilities to the PPO. Mr. Chandler stated that training facilities try to educate the PPO's and the public on how important it is for the security officers to be well trained. Mr. Chandler commended Deputy Chief Connie Trujillo's efforts to continue to strengthen the Bureau's enforcement efforts. Mr. Chandler concluded by saying he appreciates all the efforts of the Bureau's Enforcement Unit and that Deputy Chief Trujillo has done a wonderful job with enforcement/training issues.

Jon Sargent, past president of the California Alarm Association (CAA), informed the committee of CAA's continued partnership with the California Peace Officer Association to reduce or eliminate false alarms. CAA is actively working with different cities and counties to put a program together to avoid false alarms from occurring.

Mr. Sargent stated that CAA wants to focus more on consumer protection. He went on to inform the committee that this has been another year of door to door burglar alarm salesmen misrepresenting their services. The salesmen tell customers they are there to perform an upgrade to their system to get inside the customer's house. The salesmen then proceed convince the residence to sign a contract with them and allow them to remove the customer's existing alarm control panel and replace it with a different

company's alarm panel. It is only when the customer receives a bill from both alarm companies that they realize no "upgrade" was performed. Mr. Sargent stated that this practice has been going on for several years and as CAA finds out about each incident they notify the Bureau's Enforcement Unit and report it to law enforcement. Mr. Sargent expressed the need for people to be cautious when it comes to unsolicited services being rendered to their alarm systems and further stated that this information needs to be shared with the enforcement team at BSIS.

Mr. Diaz informed the Committee and Audience that Mr. Jon Sargent will be this year's recipient of the George A. Weinstock Award for Lifetime Achievement and Service to the Alarm Industry.

Rick Von Geldern, Professional Investigators of California Association (PICA), introduced PICA as a private investigator association with approximately 350 members in Southern and Northern California. PICA is about 8 years old, operating out of Southern California and growing in Northern California. Mr. Von Geldern stated that PICA has had excellent communication with the Bureau and he was pleased with Chief Mason and Deputy Chief Trujillo for making themselves available for PICA events. Mr. Von Geldern informed the committee that Chief Mason spoke at PICA's annual conference in Ontario and that PICA was able to publish a newsletter with 15-20 questions posed to BSIS and the responses to the questions.

The California budget crisis has changed the course of the dollars coming into the PI industry. In March of 2009, PICA purchased the Bureau's licensee address list of about 10,000 PIs and sent out a mailer to the members of the industry. Of the 10,000 mailers that were sent out only 3,000 came back. Mr. Von Geldern stated that it was an expensive project and that PICA was reassessing the way the Association keeps in contact with the licensees. Mr. Von Geldern concluded by stating that the Bureau's website has a section for the public to request to receive Bureau information.

Patty O'Ran, program manager at the Department of Justice (DOJ), stated that she oversees 40 plus technicians that process Livescan background checks and provides the resulting information back to the requesting agencies. There is a new 30-day processing time frame for responses to get back to applicant agencies; before the responses could take 120 days. Ms. O'Ran stated that the DOJ is experiencing problems with agencies calling prior to the 30 day processing time. She also stated that due to budget cuts the DOJ will not be taking status update phone calls from applicant agencies. This will cause a problem for the applicant agencies. She is hoping that this service will be restored in the near future.

Since SB 741, in 2009 the DOJ has processed 1,865 proprietary private security officer fingerprints. She also stated that during the time period from 1/1/2010 to 6/3/2010 the DOJ has processed 23,000 fingerprints for BSIS. Ms. O'Ran informed the Committee that the new custodian of records law states that any person in an applicant agency who is able to view records that come back from DOJ have to undergo a background check.

Ray Guillermo then posed the question to Ms. O’Ran on whether an individual could request a personal background check on themselves and whether that function is handled within Ms. O’Ran’s unit and if so, does the 30 day processing time still apply. Mrs. O’Ran responded by stating that her unit does not handle the sort of function Mr. Guillermo was asking about but the DOJ does have a record review program in which a person could request the required form from the Attorney General’s office or online and that the process takes 5-7 days.

Jim Zimmer, California Association Licensed Investigators (CALI) stated that CALI is offering a new continuous education for private investigators. He further stated that the corner stones of the CALI mission statement are networking, business development, education, training and Legislative Advocacy. CALI is offering a basic training program free of charge throughout the state for newly licensed PIs. The training will be offered in Sacramento during the month of March.

CALI works hard to protect consumers and businesses from fraudulent activity by tracking down, investigating, and reporting unlicensed activity to the Bureau. CALI battles online ads posted on Craigslist.org and as a result fourteen cases have been turned over to the Bureau. Mr. Zimmer refers consumers to (CALI)’s website to find licensed investigators and mentioned that CALI has created a list of small tips for investigators to follow. Mr. Zimmer commented on the fantastic communication between CALI and the Bureau and then proceeded to invite CALI legislation chair Francine Taylor and advocate Jerry Desmond to speak on what CALI has going on.

Francie Koehler highlighted CALI’s legal work with the California Legislators, different assembly members and senators. Ms. Koehler mentioned that one of the Bills CALI worked had to do with the restrictions of “service of process” for California’s private investigators. The Bill died on the floor and CALI was please at the result. A second bill AB 2479 prohibited against surveillance in which CALI submitted that some of the amendments to be removed from the bill and was able to get the language in the bill changed. Ms. Koehler stated that legislative efforts require teamwork and that private investigator’s work spills over into all other areas. CALI would like to encourage all private investigator association need to work together for the benefit of all California private investigators. Ms. Koehler stated that she is available and can be contacted at: franciek@packbell.net

Jerry Desmond Jr., stated that the bill on prospective limitations and superior restrictions on the use of consumer credit reports for employment purposes was vetoed by the governor three times in the last three years. It is CALI’s hope that with the change in administration the measure will once again be considered. Mr. Desmond concluded by stating that the CALI legislative program is based on a multi-tier effort of lobbying that involves grass root activities and an active legislative committee and board of directors.

Captain Joe Valenzuela, Sacramento Police Department (SPD), stated that he is a liaison to this advisory board and that local law enforcements main issue is private security companies that go beyond security duties and get into the capacity of law

enforcement. Captain Valenzuela continued by informing the committee that SPD would go after local companies that are problematic and advertise their services as being comparable to law enforcement to sell a contract. Captain Valenzuela advised the committee to educate the consumers to question the private security company's duties, responsibilities, and license status. SPD has been trained by BSIS and Captain Valenzuela expressed that he is pushing for the committee to educate the District Attorney's offices through out the state because the DAs assist law enforcement with enforcement action on the unlicensed. Captain Valenzuela concluded his comments by stating that firearm and baton training should be continuous and updates should be standard and are needed for licensees to be proficient.

Steve Reed, Proprietary Security Group, works for the Macerich Company and has been head of their security at Arden Fair mall for the past 11 years. Mr. Reed stated that his company promotes law enforcement and private security partnerships; it keeps people secure and teaches guards how to stay within the security guide lines.

Mr. Reed updated the committee on the license plate reader technology which uses inferred cameras that scan license plates at the mall, and then access the Sacramento Police Department's database to get stolen vehicle hits. Since 2009, 44 stolen vehicles were recovered, 36 individuals were directed to law enforcement, and 500 lost or stolen plates were detected. Mr. Reed lastly updated the committee of the customer service counters located within Arden Mall and stated that last year 81,000 customers received assistance and this year that number rose to 93,000 customers assisted.

Roy Rahn, CALSAGA (California Association of Licensed Security Agencies, Guards, and Associates), stated that CALSAGA had a good last half of the year. For the last few months, CALSAGA tried to expand their membership into the proprietary area. Walt Disney Park is now a member of CALSAGA, and CALSAGA is currently in the process of developing a proprietary private security officer training program.

Mr. Rahn updated the committee on the 2011 first quarter, CALSAGA plans to host a seminar directed at the proprietary organization to explain the new law and answer questions. On the legislative side it was a quiet year, CALSAGA supported the Emmerson Bill which extends meal and rest breaks reform.

Tom Rankin, Southern California Security Association (SCSA), had a very good year. Mr. Rankin informed the committee that SCSA members are having a tough time competitively with new and existing unlicensed businesses. Another problem Mr. Rankin mentioned was that of companies who possess a PPO or C10 license but who do not have an alarm company license but perform the duties that require an alarm company license.

Mr. Rankin stated that SCSA tries to add members to the Association to educate them to make sure everyone has the right license type. SCSA also educates both the commercial and residential consumer to make sure they don't fall prey to receiving a new contract when they are still under the terms of their current contract.

Chris Wilson, California Association of Licensed Repossessors (CALR), stated that they provide members and law enforcement with a book they put together to keep them updated on industry laws. The book reviews the vehicle recovery codes and laws that regulate the industry, and contains a list of all the licensed reposessor agencies in the state. Mr. Wilson stated that CALR does safety seminars 2-4 times a year that are a compilation of the Association's 50 years of experience in the industry and explains how to be conflict free. Mr. Wilson further stated that the Bureau regulates what CALR knows as far as regulations, laws, rules and testing for licenses in the area. Mr. Wilson went on to state that there is a lack of training for field agent reposessors but that CALR has its own training manual. Unlicensed activity is also a problem within the industry but Deputy Chief Connie Trujillo is doing an excellent job on combating unlicensed activity. The third issue Mr. Wilson discussed was brokers outside of California, who are not required to be licensed in their state, soliciting for recovery in California and concluded by stating that better screening was still needed and reiterated that a reposessor license is required when doing business within the state.

Dennis Sebenick, representing small and medium security guard companies, stated that the playing field between the big guy and the little guy will never happen; however, the little guy should make sure to provide quality services to their clients so the client is less inclined to take their business to a bigger security company. Mr. Sebenick stated he joined CALSAGA ten years ago when they just started using Livescan technology. Mr. Sebenick commended the last two BSIS administrations by stating he's learned a lot; Jeff, Paul, Connie, and Rolando have kept his company informed on any changes regarding the industry and overall the Bureau continues to improve. Mr. Sebenick further advised individuals to join a group for support and commented on the timeliness in which he receives licenses for his guards: 5 day guard cards with online, credit card payment registrations and 10 days by mail due to payment processing.

Glenn Younger, California Locksmith Association (CLA), stated that CLA contains companies that are purely business to business and other companies that are primary business to consumer. Mr. Younger stated how much the customer protection element is needed and that generally locksmith in the state of California are required to have licenses from two different agencies, California Contractor's State Licensing Board (CSLB) for fire alarm companies and the Bureau of Security and Investigative Services (BSIS) for burglar alarm companies.

Mr. Younger told the committee that the locksmith industry is the most open in terms of law and least regulated. He stated that the industry's current criteria to receive a locksmith license are the \$75 application and initial licensing fee and an acceptable background. CLA would like to work towards an experience requirement, photo identification cards and testing in the future. Mr. Younger continued by stating that CLA's biggest issue is people from out of state conducting business without a proper license. Mr. Younger stated that the practice is unfair competition to legitimate locksmith businesses and that CLA tracks false companies, fraudulent addresses, false phone numbers, and individuals who are unlicensed. Mr. Younger reminded the

Committee that in 2009 the law was updated to allow for the removal of fraudulent addresses that were not tied to a valid license, as well as Google tightening up its search engine's algorithm. In conclusion Mr. Younger informed the committee of enforcement actions taken by other states to combat fraudulent advertising on social media as a recent addition to enforcement efforts.

Public Speakers

Michael Hahn, Firearm & Baton Training Industry

Mr. Hahn stated that the local law enforcement agencies, Sacramento Police Department and Sacramento County Sheriff's Department, sent out information to the local private patrol operator with information regarding information on the duties of a security guard and the private patrol operators who hire them. They also included the new information regarding the proprietary private security employer and their security employees, security guards and/or proprietary private security officers. This information provided a new view of the security guard and the proprietary security officers and the training syllabuses and the courses they are required to take to maintain their registrations. His company forwarded this information to other neighboring cities and county officials. These other counties were very receptive of the information.

Mr. Hahn stated that he was a licensed executive training manager in the State of Oregon. He said that Oregon provides information to their security companies regarding recent arrest and convictions of their employees. He asked if California could provide the same type of services. Chief Mason replied that California does not have the authority to provide employer's with arrest and conviction information because BSIS does not track which company a guard is employed with; therefore, we do not know where or who to send the information to. Chief Mason also stated that California does receive subsequent rap sheets on all licensees and can take action at the Bureau level on licensees who receive convictions after they are initially licensed or registered. Mr. Hahn further stated that some of his guards had experienced problems with the repossession of vehicles and expressed the opinion that law enforcement should be called in when this action was going to take place. Chris Wilson and Joe Valenzuela responded that unless there is a report of a problem the law does not allow a peace officer to interfere, only to maintain the peace. Mr. Hahn thanked the Committee for the ability to state his concerns.

Jay Claxton, Marriott Vacation Club

Mr. Claxton stated that his proprietary company would like to see the availability of the On Line Registration expanded to include the proprietary private security officer registration. He had been told that this method is much faster and the need to get their offices registered is a necessary to his company to insure protection for the consumer, and guests at their establishments. Chief Mason responded that he is aware of the need and is trying to expand this service as soon as possible.

Vajra Granelli, Code Enforcement Inspector for the City/County of San Francisco

Mr. Granelli commended the Bureau for the standardization regarding training for gun, baton and pepper spray/mace. He was concerned regarding his interaction with security guard and PPSO and their use of force in some situations. He stated that he would like to see some standardization regarding training courses that address the use of force and the de-escalation of force. He stated that anything the Bureau could do to remedy this would be appreciated.

Ray Guillermo, Private Investigator

Mr. Guillermo made the suggestion that the Private Investigators Act be reviewed and brought up to more modern standards. He stated that he felt it was antiquated and in need of review. David Herrera, PICA responded that it was something that his association was looking at.

Adjournment

Jim Diaz thanked everyone for attending and adjourned the meeting at 12:45 pm.