

MINUTES
UTAH SECURITY SERVICES
LICENSING BOARD
April 11, 2024
Hybrid Meeting North Conference Room

CONVENED: 9:00 a.m.

ADJOURNED: 10:04 a.m.

Bureau Manager:
Board Secretary:

Tracy Taylor
Katie Corak

Board Members Present:

Nicholas Blanchette, Chairperson
Chief Collen Jacobs
Sheriff Travis Tucker
J. Daniel Schoenfeld
Benjamin Beckes
Joshua Smith

Board Members Absent:

Sean Ricks

Guests:

Cory Green
Shane Womack
Cooper Black
Brandon Bates
Gordon Brennan
Joseph Kishpaugh
Travis Lauano
Paul Nelson, Bedrock Security
Taundria Duncan
Manuel Ortiz

DOPL Staff Present:

Bernice Palama, Compliance Specialist
L. Matthew Johnson, Legal Analyst
Bobby Main, Investigations Supervisor

TOPICS FOR DISCUSSION

ADMINISTRATIVE BUSINESS:

Approve Minutes:
Time: 3:00
(first recording)

Compliance Update:
Time: 3:27
(first recording)

DECISIONS AND RECOMMENDATIONS

Mr. Blanchette made a motion to approve the February 08, 2024 minutes, Sheriff Tucker seconded the motion. The motion passed unanimously.

Ms. Palama provided the Board with a Compliance update. Item noted with no action taken.

DISCUSSION AND ACTION ITEMS:

Outside Employment:

Time: 4:21
(first recording)

As a result of a decision the Board made regarding outside employment of qualifying agents at the February 08, 2024 board meeting, some questions have been raised regarding outside employment and if it is permitted based on how the statute is currently written. Matt Johnson, the Division's Legal Analyst provided an analysis of the statute and the Division's position on outside employment. Mr. Johnson explained that while at first glance the statute appears to prohibit all outside employment for qualifying agents of contract security companies because it states the qualifications for being a qualifying agent include, not concurrently acting as a qualifying agent or employee of another armored car company or contract security company and not being engaged in any other employment on a regular basis; but reading it in that way would be an oversimplification and would also create a superfluous provision within the statute because stating that a qualifying agent cannot be a qualifying agent or employee of another armored car or contract security company would be entirely unnecessary if outside employment was completely prohibited. The section immediately preceding list another qualification for being a qualifying agent; exercising material day-to-day authority in the conduct of the applicant's business by making substantive technical and administrative decisions and having primary employment is with the applicant (contract security company). The existence of the modifier primary in that section implies the existence of secondary or tertiary employment. The statute also prohibits a qualifying agent from being an employee of a government agency. Therefore, if outside employment was completely prohibited, those three sections would not be in the statute. Thus, the Division reads the statute as a qualifying agent can have outside employment it just cannot be another employment engagement on a regular basis (this is a sweeper statement to close out any other potential way to be employed with another security company), with another armored car or contract security company, or government agency. Reading any other way would conflict with the principles of statutory analysis and the freedom to chose your own employment. Cory Green, a member of the public, then spoke in opposition to the statutory analysis provided by

Mr. Johnson and voiced his displeasure with what he believes to be unequal enforcement of the statute in the past. Mr. Green stated he is willing be speaking with a Utah state legislator about filing a bill to change the statute to clarify the statute. Otherwise, Mr. Green believes that all qualifying agent applicants with outside employment should not be approved based on how the statute is currently written in his opinion. Mr. Johnson responded to Mr. Green's concerns and reaffirmed that the Division interprets the statute as clearly allowing outside employment as long as it is not with another armored car or contract security company, or government agency. Mr. Johnson did concede however that the statute is poorly worded and he recommend it be changed for clarification purposes. Mr. Blanchette stated he agreed with Mr. Johnson's analysis and the Board would follow the direction from that analysis going forward and be consistent when reviewing qualifying agent applicants that come before the Board. Mr. Beckes also spoke in favor outside employment adding that the security industry is not known for being the industry with the best pay, and there will be people, especially people from lower socio-economic brackets that will need to an additional job supplement their income. Mr. Beckes also agreed the statute needs to clarified to further define outside employment. Item noted with no action taken.

IASIR Conference:

Time: 19:37
(first recording)

Ms. Taylor asked the Board if they would like to use money from the Security Education and Enforcement fund to send a board memberas Utah's representative to the IASIR Conference in October 2024 in Charlotte NC Since no board members volunteered to attend, Mr. Blanchette asked that board members think about making time in their schedules to attend the conference and asked that this topic be discussed at a future board meeting.

APPOINTMENTS:

Shane Womack-QR

Time: 20:57
(first recording)

Mr. Womack attended his appointment with the Board. Mr. Womack provided a summary of his experience and job history to the Board. Sheriff Tucker made a motion to approve Mr. Womack as the Qualifying Agent for Nickel Operating Group Co LLC. Mr. Beckes seconded the motion. The motion passed unanimously.

Cooper Black-QR

Time: 23:39
(first recording)

Mr. Black attended his appointment with the Board. Mr. Black provided a summary of his experience and job history to the Board. Chief Jacobs made a motion to approve Mr. Black as an additional Qualifying Agent for Secure Source Guards. Sheriff Tucker seconded the motion. The motion passed unanimously.

Gordon Brennan-QR

Time: 25:39
(first recording)

Mr. Brennan attended his appointment with the Board. Mr. Brennan provided a summary of his experience and job history to the Board. Mr. Blanchette made a motion to approve Mr. Brennan as the Qualifying Agent for Priority Protection Group LLC. Sheriff Tucker seconded the motion. The motion passed unanimously.

Brandon Bates-QR

Time: 28:26
(first recording)

Mr. Bates attended his appointment with the Board. Mr. Bates provided a summary of his experience and job history to the Board. Sheriff Tucker made a motion to approve Mr. Bates as the qualifying agent for Safe and Sound Event Staff. Mr. Beckes seconded the motion. The motion passed unanimously.

Travis Lauano-HR

Time: 32:03
(first recording)

Mr. Lauano attended his appointment with the Board. Mr. Blanchette reviewed Mr. Lauano's history with the Board. Mr. Lauano answered questions from the Board. Sheriff Tucker made a motion to deny Mr. Lauano's application for licensure as an Unarmed Private Security Officer due to the dishonesty demonstrated by Mr. Lauano and it being contrary to the security industry. Sheriff Tucker encouraged Mr. Lauano to reapply after he completes probation. Mr. Schoenfeld seconded the motion. The motion passed unanimously.

Gregory K. Harris-HR

Time: 40:07; 47:36
(first recording)

Mr. Harris did not attend his appointment with the Board. Mr. Blanchette made a motion to deny Mr. Harris' application for licensure as an Unarmed Private Security Officer. Mr. Smith seconded the motion. The motion passed unanimously.

Closed Meeting:

Time: 51:00
(first recording)

Mr. Blanchette made a motion to close the meeting to discuss the character, professional competence, or physical or mental health of an individual. Chief Jacobs seconded the motion. The motion passed unanimously.

Reopen Meeting:

Mr. Blanchette made a motion to reopen the meeting. Sheriff Tucker seconded the motion. The motion passed unanimously.

Taundria Duncan-HR

Time: 0:06
(second recording)

After the meeting reopened, Mr. Blanchette made a motion to deny Taundria Duncan's application for an unarmed private security officer license due to the multiple criminal incidents and threats made against the Division. Sheriff Tucker seconded the motion. The motion passed unanimously.

Manuel Ortiz-HR

Time: 40:04
(first recording)

Mr. Ortiz attended his appointment with the Board. Mr. Blanchette reviewed Mr. Ortiz's history with the Board. Mr. Ortiz answered questions from the Board. Sheriff Tucker made a motion to approve Mr. Ortiz's application for licensure as an Unarmed Private Security Officer. Chief Jacobs seconded the motion. The motion passed unanimously.

Kadie Denise Richard-HR

Time: 45:55; 48:26
(first recording)

Ms. Richard did not attend her appointment with the Board. Mr. Blanchette made a motion to deny Ms. Richard's application for licensure as an Unarmed Private Security Officer license. Mr. Beckes seconded the motion. The motion passed unanimously.

Denzel Dewayne Gibson-HR

Time: 46:15; 49:50
(first recording)

Mr. Gibson did not attend his appointment with the Board. Mr. Blanchette made a motion to deny Mr. Gibson's application for licensure as an Unarmed Private Security Officer license. Mr. Smith seconded the motion. The motion passed unanimously.

Abubacar Gary-HR

Time: 46:35
(first recording)

Mr. Gary did not attend his appointment with the Board. Mr. Blanchette made a motion to deny Mr. Gary's application for licensure as an Unarmed Private Security Officer. Sheriff Tucker seconded the motion. The motion passed unanimously.

ADJOURN:

Adjourned at 10:04 a.m.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

Date: 06/13/2024

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X: Nicholas Blanchette
Security Services Licensing Board Chairperson

X: 
Bureau Manager, Division of Professional Licensing