

Agenda

SECURITY SERVICES LICENSING BOARD

April 23, 2015-9:00 a.m.
Room 474 - 4th Floor
Heber M. Wells Building
160 E. 300 S. Salt Lake City, Utah

This agenda is subject to change up to 24 hours prior to the meeting.

ADMINISTRATIVE BUSINESS:

1. Call Meeting to Order
2. Introduction of Jana Johansen
3. Sign Travel Form
4. Approve Minutes for February 26, 2015

DISCUSSION ITEMS

5. Tracy Naff, Compliance
6. Proposed Rule Change R156-63a-609

APPOINTMENTS

9:10 Siamak Darvish, Probation Review

9:15 Hannah Houston, Probation Review

9:20 Citadel-Chapman Security, LLC, Clayton Langston: QA

NEXT SCHEDULED MEETING:

June 11, 2015

Note: In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify, Carol Inglesby, ADA Coordinator, at least three working days prior to the meeting. Division of Occupational & Professional Licensing, 160 East 300 South, Salt Lake City, Utah 84115, 801-530-6628 or toll-free in Utah only 866-275-3675.

R156-63a-613. Operating Standards - Standards of Conduct.

(1) Licensee employed by a contract security company:

- (a) pursuant to Title 58, Chapter 63, a licensed armed or unarmed private security officer arrested, charged, or indicted for a criminal offense above the level of a Class C misdemeanor shall notify the licensee's employing contract security company within 72 hours of the arrest, charge, or indictment;
- (b) within 72 hours after such notification by the employee, the employing contract security company shall notify the Division of the arrest, charge or indictment in writing; and
- (c) the written notification shall include the employee's name, the name of the arresting agency, the agency case number, the date and the nature of the criminal offense.

(2) A licensed armed private security officer shall notify the division immediately if they are in violation of 18 U.S.C. Chapter 33, 922(g) 1-9.

- (a) Upon receiving information that a licensed armed private security officer is in violation of 18 U.S.C. Chapter 33, 922(g) the division shall immediately revoke the licensee's armed security license in accordance with Federal Code.

(23) Licensee not employed by a contract security company:

- (a) pursuant to Title 58, Chapter 63, a licensed armed or unarmed private security officer who is not employed by a contract security company shall directly notify the Division in writing within 72 hours of any arrest, charge or indictment above the level of a Class C misdemeanor; and
- (b) the written notification shall meet the requirements of Subsection (1)(c).

R156-63a-302f. Qualifications for Licensure - Good Moral Character - Disqualifying Convictions.

(1) In addition to those criminal convictions prohibiting licensure as set forth in Subsections 58-63-302(1)(h), (2)(c) and (3)(c), the following is a list of criminal convictions which may disqualify a person from obtaining or holding an unarmed private security officer license, an armed private security officer license, or a contract security company license:

- (a) crimes against a person as defined in Title 76, Chapter 5, Part 1;
- (b) theft, including retail theft, as defined in Title 76;
- (c) larceny;
- (d) sex offenses as defined in Title 76, Chapter 5, Part 4;
- (e) any offense involving controlled dangerous substances;
- (f) fraud;
- (g) extortion;
- (h) treason;
- (i) forgery;
- (j) arson;
- (k) kidnapping;
- (l) perjury;
- (m) conspiracy to commit any of the offenses listed herein;
- (n) hijacking;
- (o) burglary;
- (p) escape from jail, prison, or custody;
- (q) false or bogus checks;
- (r) terrorist activities;
- (s) desertion;
- (t) pornography;
- (u) two or more convictions for driving under the influence of alcohol within the last three years; and
- (v) any attempt to commit any of the above offenses.

(2) Where not automatically disqualified pursuant to Subsections 58-63-302(1)(a), (2)(c) and (3)(c), applications for licensure or renewal of licensure in which the applicant, or in the case of a contract security company, the officers, directors, and shareholders with 5% or more of the stock of the company, has a criminal background shall be considered on a case by case basis as defined in Section R156-1-302.

(3) Applicants for an armed private security officer license or renewal of an armed private security officer license who are in violation of 18 U.S.C. Chapter 44.922; or Utah Code § 76-10-503 (1) will be denied an armed license in accordance with Federal Code.

R156-63b-607. Operating Standards - Criminal Status of Officer, Qualifying Agent, Director, Partner, Proprietor, Armored Car Security Officer or Manager of Armored Car Companies.

In the event an officer, qualifying agent, director, partner, proprietor, armored car security officer, or any management personnel having direct responsibility for managing operations of the armored car company has a conviction entered regarding:

- (a) a felony;
 - (b) a misdemeanor crime of moral turpitude; or
 - (c) a crime that when considered with the duties and functions of an armored car security company officer by the Division and the Board indicates that the best interests of the public are not served, the company shall within ten days of the conviction or notice reorganize and exclude said individual from participating at any level or capacity in the management, operations, sales, ownership, or employment of that company.
- (d) a licensed armored car security officer shall notify the division immediately if they are in violation of 18 U.S.C. Chapter 33, 922(g) 1-9
- (i) upon receiving information that a licensed armored car security officer is in violation of 18 U.S.C Chapter 33, 922(g) the Division shall immediately revoke the licensee's armored car security license in accordance with Federal Code.

R156-63b-302g. Qualifications for Licensure - Good Moral Character - Disqualifying Convictions.

(1) In addition to those criminal convictions prohibiting licensure as set forth in Subsections 58-63-302(1)(h) and (4)(c), the following is a list of criminal convictions which may disqualify a person from obtaining or holding an armored car security officer license, or an armored car company license:

- (a) crimes against a person as defined in Title 76, Chapter 5, Part 1;
- (b) theft, including retail theft, as defined in Title 76;
- (c) larceny;
- (d) sex offenses as defined in Title 76, Part 4;
- (e) any offense involving controlled dangerous substances;
- (f) fraud;
- (g) extortion;
- (h) treason;
- (i) forgery;
- (j) arson;
- (k) kidnapping;
- (l) perjury;
- (m) conspiracy to commit any of the offenses listed herein;
- (n) hijacking;
- (o) burglary;
- (p) escape from jail, prison, or custody;
- (q) false or bogus checks;
- (r) terrorist activities;
- (s) desertion;
- (t) pornography;
- (u) two or more convictions for driving under the influence of alcohol within the last three years; and
- (v) any attempt to commit any of the above offenses.

(2) Where not automatically disqualified pursuant to Subsections 58-63-302(1)(h) and (4)(c), applications for licensure or renewal of licensure in which the applicant, or in the case of an armored car company, the officers, directors, and shareholders with 5% or more of the stock of the company, has a criminal background shall be considered on a case by case basis as defined in Section R156-1-302

(3) Applicants for an armored car security officer license or renewal of an armored car security officer license who are in violation of 18 U.S.C. Chapter 44, 922; or Utah Code § 76-10-503 (1) will be denied an armored car security officer license in accordance with Federal Code.

58-63-302. Qualifications for licensure.

- (2) Each applicant for licensure as an armed private security officer shall:
- (a) submit an application in a form prescribed by the division;
 - (b) pay a fee determined by the department under Section 63J-1-504;
 - (c) have good moral character in that the applicant has not been convicted of:
 - (i) a felony;
 - (ii) a misdemeanor involving moral turpitude; or
 - (iii) a crime that when considered with the duties and responsibilities of an armed private security officer by the division and the board indicates that the best interests of the public are not served by granting the applicant a license;
 - (d) not have been declared incompetent by a court of competent jurisdiction by reason of mental defect or disease and not been restored;
 - (e) not be currently suffering from habitual drunkenness or from drug addiction or dependence;
 - (f) successfully complete basic education and training requirements established by rule by the division in collaboration with the board;
 - (g) successfully complete firearms training requirements established by rule by the division in collaboration with the board;
 - (h) pass the examination requirement established by rule by the division in collaboration with the board; and
 - (i) meet with the division and board if requested by the division or the board.
 - (j) not be prohibited from firearm possession in accordance with 18 U.S.C. Chapter 44, 922(g).

58-63-302. Qualifications for licensure.

- (4) Each applicant for licensure as an armored car security officer shall:
- (a) submit an application in a form prescribed by the division;
 - (b) pay a fee determined by the department under Section 63J-1-504;
 - (c) have good moral character in that the applicant has not been convicted of:
 - (i) a felony;
 - (ii) a misdemeanor involving moral turpitude; or
 - (iii) a crime that when considered with the duties and functions of an armored car security officer by the division and the board indicates that the best interests of the public are not served by granting the applicant a license;
 - (d) not have been declared incompetent by a court of competent jurisdiction by reason of mental defect or disease and not been restored;
 - (e) not be currently suffering from habitual drunkenness or from drug addiction or dependence;
 - (f) successfully complete basic education and training requirements established by rule by the division in collaboration with the board;
 - (g) successfully complete firearms training requirements established by rule by the division in collaboration with the board;
 - (h) pass the examination requirements established by rule by the division in collaboration with the board; and
 - (i) meet with the division and board if requested by the division or the board.
 - (j) not be prohibited from firearm possession in accordance with 18 U.S.C. Chapter 44, 922(g).

Proposed modifications to the Security Personnel/Armored Car Security Personnel Qualifying Questionnaire:

4. Have you ever been declared by any court to be incompetent by reason of mental defect or disease and not restored or have you ever been committed to a mental institution?
5. Have you ever had a documented case in which you were involved as the abuser in any incident of verbal, physical, mental, or sexual abuse, or are you the subject of a current protective order?

Proposed modifications to the Security Personnel/Armored Car Security Personnel Qualifying Questionnaire:

4. Have you ever been declared by any court to be incompetent by reason of mental defect or disease and not restored or have you ever been committed to a mental institution?

5. Have you ever had a documented case in which you were involved as the abuser in any incident of verbal, physical, mental, or sexual abuse, or are you the subject of a current protective order?

18 U.S.C. Chapter 44, 922 (g) 1-9

FEDERAL FIREARMS PROHIBITIONS FROM POSSESSION

1. Convicted in any court of a crime punishable for a term exceeding one year, (Felony);
2. Fugitive from Justice;
3. Unlawful user or addicted to controlled substance;
4. **Adjudicated as mental defective or committed to a mental institution;**
5. Illegal or unlawfully in the United States as an alien;
6. Discharged from the armed forces under dishonorable conditions;
7. Having been a citizen of the United States, renounces his/her citizenship;
8. **Subject of a protective order;** or
9. **Convicted of a misdemeanor crime of domestic violence.**

MINUTES

**UTAH
Security Services Licensing Board
MEETING**

02/26/2015

**Room 474 – 4th Floor – 9:00 a.m.
Heber Wells Building
Salt Lake City, UT 84111**

CONVENED: 9:07 A.M.

ADJOURNED: 12:05 A.M.

Bureau Manager:

Kristina Bean

Board Secretary:

Yvonne King

Board Members Present:

John Tinsley, Chair
Sheriff Todd Richardson
Jack Gardner
Perry Rose
Chief Gary Giles

Board Members Absent

Deborah Smith
Keith Conley

Guests:

Joe Chapman, USA
Alofameni Togiai, USSA
Jacob Penrod, Peak ISPS
Paul Nelson, Bedrock
Robert Anderton, PACSCO
Derek Evans, CBI Security
Hanah Houston, Applicant
Eric Catmull, Applicant

DOPL Staff Present:

Tracy Naff, Compliance

ADMINISTRATIVE BUSINESS:

Approval of the December 11, 2014 Board Meeting Minutes:

Sheriff Richardson seconded by Mr. Rose made a motion to approve the December 11, 2014 Board Meeting Minutes as written. The motion carried unanimously.

DISCUSSION ITEMS:

Tracy Naff, Compliance

Ms. Naff gave a brief review on the probationary

report.

Licensing Fines/Citation Authority:

Ms. Bean reviewed R156-63a-503-Administrative Penalties and the 58-1-502 under the Umbrella Act licensing fines and citation authority.

Ms. Bean stated that most of these fines would be for probation violations.

Proposed Rule Change for R156-63a-609

Ms. Bean presented a proposed rule change with regards to R156-63a-609, Operating Standards proposing a change in the rule allowing a government issued identification card or a current state issued drivers license.

Mr. Gardner seconded by Sheriff Richardson made a motion to approve the change in R156-63a-609 as stated. The motion carried unanimously.

HB 235

HB 235 was discussed regarding training with all professions. The Board stated that they were against HB 235.

APPOINTMENTS:

Alofamoni Togia

Mr. Togia appeared before the Board for his initial probationary review. Ms. Naff reviewed his probationary status which she stated was compliant. The Board noted that Mr. Togia would not need to meet with the Board unless he becomes noncompliant.

Jacob Penrod

Mr. Penrod appeared before the Board for his probationary review. Ms. Naff reviewed his probationary status which she stated was compliant.

Derek Evans, QA for Confidential Background Investigations

Mr. Evans appeared before the Board for his scheduled appointment. Ms. Bean reviewed his application. Mr. Evans was applying to be the replacement qualifying agent for Confidential Background Investigations.

Chief Giles seconded by Sheriff Richardson made a motion to approve Mr. Evans as the new qualifying agent for Confidential Background Investigations. The motion carried unanimously.

Hannah Houston

Ms. Houston appeared before the Board for her scheduled appointment. Ms. Bean reviewed her

application which included criminal history. Ms. Houston is seeking licensure as an Armed Security Officer and explained the circumstances which led to her criminal history.

Sheriff Richardson seconded by Mr. Gardner made a motion to deny Ms. Houston licensure as an Armed Security Officer but approved her as an Unarmed Security Officer on a probationary status for 18 months. The motion carried unanimously.

Eric Catmull

Due to the character, professional competence, or mental health of an individual the meeting will be closed.

10:38 a.m. Mr. Rose seconded by Sheriff Richardson made a motion to close the meeting. The motion carried unanimously.

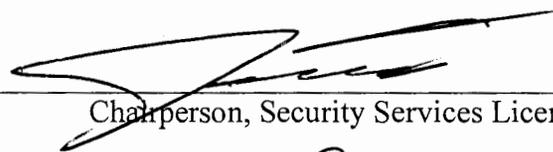
11:31 a.m. Mr. Gardner seconded by Mr. Rose made a motion to reopen the meeting. The motion carried unanimously.

Mr. Rose seconded by Chief Giles made a motion to deny Mr. Catmull licensure as an Unarmed Security Officer. The motion carried unanimously.

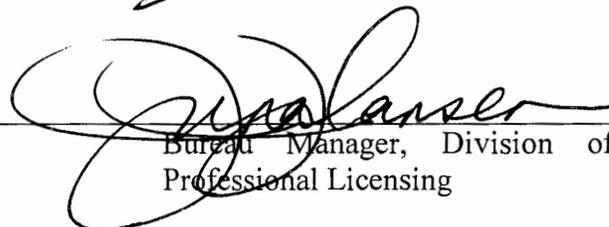
Change in meeting for April

Due to changes for most of the Board members schedules, the next Board meeting has been changed from Thursday April 9, 2015 to Thursday April 23, 2015.

4/23/15
Date Approved


Chairperson, Security Services Licensing Board

4/23/15
Date Approved


Bureau Manager, Division of Occupational & Professional Licensing