



# North Carolina Department of Public Safety

## Private Protective Services Board

Roy Cooper, Governor  
Erik Hooks, Secretary

Pamela Cashwell, Chief Deputy Secretary  
Paul Sherwin, Director

**MINUTES OF THE  
TELEPHONE CONFERENCE AND IN PERSON  
PRIVATE PROTECTIVE SERVICES BOARD MEETING  
OCTOBER 15, 2020  
3101 INDUSTRIAL DRIVE SUITE 104  
RALEIGH, NC 27609**

### **BOARD MEMBERS PRESENT**

Ron Burris  
John Aldridge  
Nada Lawrimore  
David Stephens  
Gerry Stickl  
Samuel Russell  
Debra Duncan  
Steve Johnson  
Tamara Rabenold  
Kim Heffney  
Bud Cesena  
Jerry Pitman  
Gregory Scott

### **BOARD MEMBERS ABSENT**

Stacy Buff

### **STAFF PRESENT**

Paul Sherwin – Director  
Amanda Rolle- Deputy Director  
Jeff Gray – Attorney  
Kim Odom – Field Services Supervisor  
Garcia Graham – PPS Board Secretary

**MAILING ADDRESS:**  
3101 Industrial Drive, Suite 104  
Raleigh, NC 27609



[www.ncdps.gov/pps](http://www.ncdps.gov/pps)  
An Equal Opportunity employer

**OFFICE LOCATION:**  
3101 Industrial Drive, Suite 104  
Raleigh, NC 27609  
Telephone: (919) 788-5320  
Fax: (919) 715-0371

## **GUESTS PRESENT**

Nickolas Scott Chatham- in person

## **CALL TO ORDER**

Chairman Cesena called the October 15, 2020, Private Protective Services Board meeting to order at 1:10 p.m. Mr. Johnson led the group in the reciting of the Pledge of Allegiance followed by roll call.

## **STATE ETHICS LAW**

Attorney Jeff Gray explained the State Ethics Act, which addresses the ethics of public officials. This Act states specifically that if any Board member has any conflict of interest, potential conflict of interest, or the appearance of a conflict, he or she should remove themselves from deliberation and vote on that matter and so state on the record.

## **FINAL AGENCY DECISION**

Dionne Maurice Gretsinger – 19 DOJ 00890 was deferred until the next Board meeting.

Nickolas Scott Chatham – 19 DOJ 00487. Mr. Chatham was present in person. This case was heard by Administrative Law Judge Donald W. Overby on February 25, 2020. This case involved the denial of the Petitioner's application for Private Investigator Associate license based on a lack of good moral character and temperate habits as evidenced by an unfavorable employment history.

**MOTION BY MR. BURRIS TO ADOPT THE ADMINISTRATIVE LAW JUDGE'S DECISION AND DENY MR. CHATHAM'S PRIVATE INVESTIGATOR TRAINEE APPLICATION; SECONDED BY MR. ALDRIDGE; MOTION CARRIED ON ROLL CALL VOTE.** (Recused: Mr. Stephens, Ms. Lawrimore, Mr. Heffney, Mr. Russell, Ms. Duncan and Mr. Buff [absent])

## **MINUTES**

**APPROVAL OF THE AUGUST BOARD MEETING MINUTES.**

**MOTION BY MR. ALDRIDGE TO ACCEPT THE AUGUST 20, 2020 MINUTES; SECONDED BY MR. STICKL; MOTION CARRIED ON ROLL CALL VOTE.**

## **GRIEVANCE COMMITTEE REPORT**

Mr. Burris reported that the Grievance Committee met on Wednesday, October 14, 2020 from 9:06 a.m. to 2:20 p.m. and heard a total of 10 cases. This was a closed meeting. The Committee members included Mr. Burris, Mr. Johnson, Ms. Rabenold, Mr. Aldridge, Ms. Lawrimore and Mr. Stickl. Mr. Burris read the report for the record.

**MOTION BY MR. RUSSELL TO ACCEPT THE GRIEVANCE COMMITTEE REPORT; SECONDED BY MR. JOHNSON; MOTION CARRIED ON ROLL CALL VOTE.**

**TRAINING & EDUCATION COMMITTEE**

Mr. Johnson reported that the T & E Committee reviewed and discussed a continuing education course that was submitted by Mr. Steve Wilson. He stated that the committee thought the course was adequate to provide the necessary training for a North Carolina Private Investigator and the committee recommends approving the application.

Analyzing Police Reports course- 2.0 hrs.

Mr. Stephens reported that the ad hoc committee that was appointed by Chairman Cesena met twice via zoom. He stated that during the meeting they discussed topics such as training issues related to licensees and how to use the Board training grant money for the benefit of licensees through the community colleges system. Also, staff is requested to develop and implement a training course for Private Investigator licensees. Mr. Stephens stated that the T & E Committee recommends to the Board the adoption of the following:

1. The PPS Board pursue the delivery of training for Board licensees through the community college system using Board training grant funds.
  - a. A grant solicitation be developed by staff and the Board attorney to be offered to all North Carolina community colleges.
  - b. The Board, upon recommendations from staff, will select from proposals received, a number of community colleges to provide training and be given scholarship funding. The schools should be geographically dispersed across the state to reduce travel for licensees.
  - c. The Board, upon recommendation from staff, will determine the amount of grant funding to be allocated to each community college with the goal of getting the maximum use of these allocated funds.
  - d. Scholarships may be offered for full or partial tuition for each student.
  - e. Staff will monitor the use of these funds to ensure they are properly allocated and used by each of the community colleges.
2. The Board select recommended topics on which the community colleges receiving scholarship funds will develop and deliver training.
3. The staff develop and deliver training for PI licensees related to requirements for contracts, PI Associate licensee record-keeping, reporting to clients, and the carrying of firearms by licensed PIs. This training would be delivered at least twice a year during staff training following Board meetings (in lieu of security guard and patrol registration training) or offered by staff online.

**MOTION BY MS. DUNCAN TO APPROVE THE RECOMMENDATION BY THE TRAINING & EDUCATION COMMITTEE; SECONDED BY MR. STICKL; MOTION**

**CARRIED ON ROLL CALL VOTE.**

Mr. Johnson stated that the T & E Committee discussed and approved the firearm recertification course. He stated that the Committee recommends that the Board approve a thirty (30) round day and night course due to a shortage of ammunition. This course will be reevaluated again at the April 2021 Board meeting to determine whether it should continue or end.

**MOTION BY MS. DUNCAN TO APPROVE BOTH THIRTY ROUND DAY AND NIGHT COURSES; SECONDED BY MR. HEFFNEY; MOTION CARRIED ON ROLL CALL VOTE.**

**MOTION BY MS. DUNCAN TO ACCEPT THE REPORT BY THE TRAINING AND EDUCATION COMMITTEE; SECONDED BY MS. RABENOLD; MOTION CARRIED ON ROLL CALL VOTE.**

**LAW AND RULES COMMITTEE**

Mr. Johnson reported that the Committee met and discussed the proposed amendments to the administrative rules: 14B NCAC 16 .0105, 14B NCAC 16 .0110, 14B NCAC 16 .0113, 14B NCAC 16 .0201, 14B NCAC 16 .0203, 14B NCAC 16 .0204, 14B NCAC 16 .0404, 14B NCAC 16 .0405, 14B NCAC 16 .0602, 14B NCAC 16 .0701, 14B NCAC 16 .0703, 14B NCAC 16 .0707, 14B NCAC 16 .0708, 14B NCAC 16 .0801, 14B NCAC 16 .0807, 14B NCAC 16 .0808, 14B NCAC 16 .0902, 14B NCAC 16 .1203, 14B NCAC 16 .1301 and 14B NCAC 16 .1407. The Committee recommends to the Board approval to include any changes made to the proposed administrative rules.

**MOTION BY MR. ALDRIDGE TO ACCEPT THE PROPOSED ADMINISTRATIVE RULES TO INCLUDE ANY CHANGES; SECONDED BY MR. RUSSELL; MOTION CARRIED ON ROLL CALL VOTE.**

**SCREENING COMMITTEE REPORT**

Ms. Duncan stated that the Screening Committee met on Thursday, October 15, 2020 from 8:07 a.m. to 12:47 p.m. to review a total of 46 applications. This was a closed meeting. The Committee members included Mr. Buff, Mr. Scott, Mr. Stephens, Mr. Russell, Mr. Heffney, and Ms. Duncan. Ms. Duncan read the report for the record.

**MOTION BY MR. JOHNSON TO ACCEPT THE SCREENING REPORT WITH THE EXCEPTION OF #39, #40 AND #41 ADAM TRANUM; SECONDED BY MS. RABENOLD; MOTION CARRIED ON ROLL CALL VOTE.**

**MOTION BY MS. RABENOLD TO ACCEPT #39, #40 AND #41 ADAM TRANUM OF THE SCREENING REPORT; SECONDED BY MS. DUNCAN; MOTION CARRIED ON ROLL CALL VOTE.**

Mr. Stickl recused himself on #39, #40 and #41 Adam Tranum.

## **OLD BUSINESS:**

None

## **NEW BUSINESS:**

Mr. Cesena stated that he and Director Sherwin met with representatives from the SBI regarding Live Scan. He states that the meeting was very informative and the ideas that were proposed could be beneficial for our agency and the industry.

## **DIRECTOR'S REPORT:**

Director Sherwin read the report for the record. He reported the Board's revenue as of July 1, 2020 thru September 30, 2020 was \$337,135.50 with expenditures in the amount of \$320,427.87, reflecting an increase to the fund balance of \$16,707.63. The total fund balance was \$1,323,782.65. He reported the Education Fund balance was \$118,370.30. Director Sherwin reported that since the last Board meeting, the total active registrations for PPS is 22,309, license holders 2,641 and certification holders 530.

Director Sherwin reported that the Private Protective Services staff continues to work mostly from home due to COVID-19 social distancing restrictions. However, effective Monday, September 28, 2020, the office is open to the public Monday through Friday from approximately 7:30 a.m. to 4:30 p.m., though the number of staff members present in the office each day will be kept to a minimum.

Director Sherwin stated that the Private Protective Services welcomes Deputy Director Amanda Rolle. Deputy Director Rolle's first day with PPS was on Monday, August 31, 2020. Amanda comes to us with experience in law enforcement and public safety, and an extensive educational background. She worked for the Raleigh Police Department for 15 years where she achieved the rank of sergeant and worked in various assignments to include patrol, crime prevention, drugs and vice, and internal affairs. From there, Amanda worked as the director of security and safety for the Metro Nashville Davidson County Juvenile Court, where for three years she supervised several armed and unarmed security guards and provided oversight for the court's internal affairs investigations. She also worked briefly as a supervisor in the San Bernardino County (California) Public Defender's Office. Most recently, Amanda worked as an undergraduate professor at the University of Rhode Island, where she continues to teach online criminal justice courses. Amanda has earned a bachelor's degree in criminal justice from N.C. State University and a master's degree and doctorate in educational human resource development from Texas A&M University. She is currently working on a second master's degree—this one in criminal justice—from the University of Houston-Downtown. Amanda also received her N.C. Private Investigator license in April 2020.

Director Sherwin stated that the Private Protective Services also recently hired Yasmine Pinchback through the State's temporary staffing firm. Yasmine will be managing front-desk

duties to include assisting walk-in customers, fingerprint result processing, mail sorting, and more. The important administrative work she performs allows other PPS staff members to focus on their primary duties such as application processing.

Mary Presley, who worked for PPS for three years and focused primarily on ASLB registration applications, resigned from her position on Friday, September 11, 2020. She accepted another job within private industry. Mr. Sherwin thanked Mary for her service to the State of North Carolina and the security industry.

Private Protective Services currently has four vacant positions:

- Hickory-based Investigator
- PPSB Secretary (hiring in progress)
- Administrative Assistant
- Registration Processor

Registration applications submitted year-to-date: 17,382

Armed: 3,484

Delivered: 2,593

Average days from submittal to delivery, new: 86

Average days from submittal to delivery, renew: 43

Approved: 327

Denied: 14

Resubmitted by QA/Designee: 74

Review Requested: 147

Order Pending Documents: 40

Payment Received: 289

Director Sherwin reported that the Private Protective Services Board licensing unit is currently operating at 50% strength, due to the resignation of the licensing assistant in June 2020. As discussed previously, PPS is in the process of hiring a second Board secretary. In the meantime, Garcia Graham, the Board's secretary, is working diligently to support licensing operations by herself. Many PPS staff members are volunteering to assist her when they are able.

License applications submitted year-to-date: 1,213

Delivered: 711 o Average days from submittal to delivery, new: 124

Average days from submittal to delivery, renew: 32

Final Payment Needed: 18

Approved: 208

Pending Investigation: 16

Payment Received: 115

Other (pending documents, withdrawn, canceled, etc.): 145

Training Officer Ray Bullard reported that new unarmed guard training manuals were recently mailed out to all unarmed guard trainers.

Complaints opened (including audits) year-to-date: 56  
Background investigations conducted year-to-date: 243

**MOTION BY MS. DUNCAN TO ACCEPT THE DIRECTOR'S REPORT; SECONDED BY MS. RABENOLD; MOTION CARRIED ON ROLL CALL VOTE.**

**ATTORNEY'S REPORT**

Attorney Gray discussed the following:

**I. CONSENT AGREEMENT, SETTLEMENT AGREEMENTS & CIVIL PENALTIES**

1. On June 20, 2019 Sione Atu Latu/Security On Call, LLC entered into a Consent Agreement with the Board in the amount of \$13,096.80 for registration violations. The temporary agreement was not signed. The signature on the return receipt for the Consent Agreement for signature is illegible and the signature date was omitted. It was not signed and returned and payment has not been received. On December 19, 2019 the full Board issued a cease and desist to Sione Latu and Security On Call, LLC for failure to pay the consent agreement in the amount \$13,096.80. At its February meeting the Board requested that I initiate civil action for failure to comply with the consent agreement. On March 5, 2020 I filed a Complaint for Money Owed. I have been able to serve the LLC through the Secretary of State's Office but have been unsuccessful in obtaining service on either of the individual Defendants.
2. On February 21, 2019 Clifton Lamont Tinnen/Integrity Protection Services entered into a Consent Agreement with the Board in the amount of \$19,461.60 for registration violations. The temporary agreement was signed by QA Clifton L. Tinnen on February 19, 2019. To be paid in three monthly installments. Payment has not been received. On June 20, 2019 the full Board voted to revoke Mr. Tinnen's license. On August 19, 2020 the Grievance Committee received the signed final Consent Agreement from Mr. Tinnen and agreed to accept it late. The Board voted to approve the Grievance Committee's recommendation. (First payment due October 16, 2020).
3. On August 20, 2020 Todd Floyd Stewart/ Show Pros Entertainment Services of Charlotte, Inc., enter into a Consent Agreement with the Board in the amount of \$40,881.60 for registration violations. The temporary agreement was signed by QA Todd Stewart on July 23, 2020. Paid (but short \$.60).
4. On August 20, 2020 Dwayne Guerrero/ Black Box Security entered into a Consent Agreement with the Board in the amount of \$7,588.00 for registration violations. The temporary agreement was signed by QA Dwayne Guerrero on August 17, 2020. Payment has not been received.

5. On August 20, 2020 Hector Falu/ Falu Security entered into a Consent Agreement with the Board in the amount of \$918.00 for registration violations. The temporary agreement was signed by QA Hector Falu on August 10, 2020. Payment has not been received.

## II. ADMINISTRATIVE RULES

a. Numerous amendments to the Board's administrative rules have been suggested and/or approved over the past 12 months but an informal "moratorium" on further rules changes imposed by staff to the Rules Review Commission prevented noticing any of these amendments. However, with the finalization of the Periodic Review of Rules process in August we are ready to resume.

Mr. Gray had collected all of the requested changes in a file and have now prepared a draft set of proposed amendments. These amendments are to be considered first by the Law & Rules Committee.

b. The legislature tasked the General Statutes Commission with studying crimes created by administrative rule or ordinance. Some months ago, Mr. Gray prepared a memorandum to the Commission setting forth which rules the Board might possibly charge as a crime. Then, in early August Mr. Gray received a request for response to an actual proposal to eliminate the language in N.C. Gen. Sta. § 74C-17(b) regarding "violating any rule promulgated to implement this statute." Since the Board has never charged anyone criminally with violating its rules -- and has rarely charged a violation of its statutes -- Mr. Gray was not concerned. Albeit, as government studies often go, the focus of the Commission abruptly expanded.

Mr. Gray received an e-mail on September 18<sup>th</sup> advising him that they were now considering eliminating the ability of all boards and commissions to assess a civil penalty (i.e. "fine.") Mr. Gray immediately responded, vehemently opposing this proposal and requested the opportunity to address the Commission at its meeting on Friday, October 2<sup>nd</sup>.

Mr. Gray did so, and the gist of my comments to the Commission can be found in my initial e-mail response to staff attached as Attachment 2. Also, a copy of the Commission's proposed draft bill was attached.

It is Mr. Gray understanding that the Commission has dropped this latter idea.

**MOTION BY MR. JOHNSON TO ACCEPT THE ATTORNEY'S REPORT; SECONDED BY MR. RUSSELL; MOTION CARRIED ON ROLL CALL VOTE.**

**MOTION BY MR. JOHNSON TO ADJOURN; SECONDED BY MR. HEFFNEY; MOTION CARRIED ON ROLL CALL VOTE.**

3:20 P.M. Adjourned

---

Paul Sherwin, Director



---

Garcia Graham, Board Secretary