

PRIVATE PROTECTIVE SERVICES **NEWSLETTER**

North Carolina Private Protective Services Board

July 2012

Director's Comments

This newsletter contains information regarding actions taken by the Private Protective Services Board (PPSB), as well as important industry information. When unlicensed activity is reported to the PPSB, the matter is investigated by the field staff and a report is generated. When there is credible evidence that an unlicensed individual or a company is providing PPS services or advertising that they can provide such services without being licensed, PPSB issues a Cease and Desist Order and notice of Hearing is sent to the violator.

Grievance Committee

The Grievance Committee is made up of 7 members of the Board to review complaints, audits and activities that violate North Carolina General Statute 74C and the administrative rules. The Board conducts an investigation and the Committee holds an informal hearing to review the report and to allow the licensee to respond. The Committee then makes a preliminary decision and recommends whether the case should be closed or whether some action is warranted. The licensee may appeal the recommended decision and a formal hearing will then be held in the Office of Administrative Hearings. It is important to note that the Committee is merely making an informal recommendation and the decision is not final until all appeals have been completed.

The Grievance Committee made the following recommendations to the Private Protective Services Board (PPSB) during the December 15, 2011 Board meeting:

Consent Agreement

Case Number: 2010-PPS-013A
Cleveland Lamar Bridges
American Citadel Guard, Inc.

Allegation: Violation of G.S. 74C-11(a), 12 NCAC 07D .0701(a), 12 NCAC 07D .0706(a)
Recommendation: Mr. Cleveland Lamar Bridges and American Citadel Guard, Inc. enter into and pay a consent in the amount of \$6,732.00 for 66 registration violations.

Cease and Desist

Case Number: 2010-PPS-046
Terrance Edwards, Executive Off
Duty Security

Allegation: Violation of G.S. 74C-2(a), 74C-11(a), 74C-12(a)(6), 74C-12(a)(15), 74C-12(a)(31), 74C-12(a)(32), 74C-12(a)
Recommendation: Issue a Cease and Desist for providing security guard and patrol services without being properly licensed.

Revocations

Not listed
Currently under appeal

The Grievance Committee made the following recommendations to the Private Protective Services Board (PPSB) during the February 23, 2012 Board meeting:

Consent Agreement

Case Number: 2009-PPS-038
Barry Samuel Echols
Guardsmark, LLC

Allegation: Violation of G.S. 74C-11(a)
Recommendation: Mr. Barry Echols and Guardsmark, LLC enter into and pay a consent in the amount of \$3,570.00 for 35 registration violations.

Case Number: 2011-PPS-018
Daniel A. Bellino
Allegiance Industries, Inc.

Allegation: Violation of G.S. 74C-11(a), 12 NCAC 07D .0701, 12 NCAC 07D .0706(a)

Recommendation: Mr. Daniel Bellino and Allegiance Industries, Inc. enter into and pay a consent in the amount of \$1,122.00 for 11 registration violations.

Case Number: 2011-PPS-028
Lucien Guy Morin II
Guard-One Protective Services, Inc.

Allegation: Violation of G.S. 74C-11(a), 74C-13(a), 12 NCAC 07D .0701, 12 NCAC 07D .0801, 12 NCAC 07D .0806.

Recommendation: Mr. Lucien Guy Morin II and Guard-One Protective Services, Inc. enter into and pay a consent in the amount of \$5,120.40 for 49 registration violations.

Cease and Desist

Case Number: 2011-PPS-001
Daniel Walker
Light House Resort Services, LLC

Allegation: Violation of G.S. 74C-2(a)

Recommendation: Issue a Cease and Desist for providing private protective services without being properly licensed.

Case Number: 2011-PPS-005
Thomas Kutch
CK Security Group

Allegation: Violation of G.S. 74C-2(a)

Recommendation: Issue a Cease and Desist for providing private protective services without being properly licensed.

Case Number: 2011-PPS-038
Charles Eugene Marie
Ranger Nite Patrol Service

Allegation: Violation of G.S. 74C-2(a)

Recommendation: Issue a Cease and Desist for providing security guard and patrol services without being properly licensed

The Grievance Committee made the following recommendations to the Private Protective Services Board (PPSB) during the April 26, 2012 Board meeting:

Consent Agreement

Case Number: 2011-PPS-041A
Lynn Allen Hoosier
Metro Security & Investigative Services, Inc.

Allegation: Violation of G.S. 74C-11(a), 12 NCAC 07D .0701, 12 NCAC 07D .0706, 74C-13(a), 12 NCAC 07D .0801, 12 NCAC 07D .0806.

Recommendation: Mr. Lynn Allen Hoosier and Metro Security & Investigative Services, Inc. enter into and pay a consent in the amount of \$3,162.00 for 25 registration violations.

Case Number: 2011-PPS-042A
David Ray Bailey
Premier Protective Services, Inc.

Allegation: Violation of G.S. 74C-11(a), 12 NCAC 07D .0701, 74C-13(a), 12 NCAC 07D .0801, 12 NCAC 07D .0806.

Recommendation: Mr. David Ray Bailey and Premier Protective Services, Inc. enter into and pay a consent in the amount of \$14,688.00 for 144 registration violations.

Suspension

Case Number: 2011-PPS-040
Joshua Garcia Ruiz
Majestic Security Services, Inc.

Allegation: Violation of 12 NCAC 07D .0911

Recommendation: Mr. Joshua Garcia Ruiz Unarmed Guard Trainer Certification is suspended for 90 days for allowing an uncertified employee to teach the unarmed guard course.

Case Number: 2011-PPS-041
Lynn Allen Hoosier
Metro Security & Investigative Services, Inc.

Allegation: Violation of G.S. 74C-12(a), 12 NCAC 07D .0109, 12 NCAC 07D .0707, 12 NCAC 07D .0807, 12 NCAC 07D .0909, 12 NCAC 07D .0911

Recommendation: Mr. Lynn Allen Hoosier Security Guard and Patrol license be suspended for 120 days

for allowing uncertified employee to teach unarmed and armed guard course. Suspension is stayed pending outcome of audit that will be conducted after June 25, 2012.

Letter of Reprimand

Case Number: 2011-PPS-041
Jason Patrick Speller
Metro Security & Investigative Services, Inc.

Allegation: Violation of G.S. 74C-12(a), 12 NCAC 07D .0109, 12 NCAC 07D .0707, 12 NCAC 07D .0807, 12 NCAC 07D .0909, 12 NCAC 07D .0911

Recommendation: Mr. Jason Patrick Speller is issued a letter of reprimand for teaching unarmed and armed classes prior to being certified or attending the unarmed guard trainer course.

The Grievance Committee made the following recommendations to the Private Protective Services Board (PPSB) during the June 28, 2012 Board meeting:

Consent Agreement

Case Number: 2011-PPS-026
James Corbin Stevens Sr.
Allegiance Security Group, LLC

Allegation: Violation of G.S. 74C-11(a), 74C-13(a), 12 NCAC 07D .0701, 12 NCAC 07D .0801, 12 NCAC 07D .0806

Recommendation: Mr. John D. Nail and Allegiance Security Group, LLC enter into and pay a consent in the amount of \$6103.20 for 67 registration violations.

Cease and Desist

Case Number: 2012-PPS-006
William Roberts

Allegation: Violation of G.S. 74C-2(a)

Recommendation: Issue a Cease and Desist for representing or holding oneself out as providing private investigative services without being properly licensed. Send a copy of the C & D to the Swain County DA and the Sheriff's department.

Letter of Reprimand

Case Number: 2011-PPS-044
Christopher Sean Murray
Murray Investigations

Allegation: Violation of G.S. 74C-12(a)(7)

Recommendation: Mr. Christopher Sean Murray is issued a letter of reprimand for willfully failing or refusing to render to a client service as agreed between the parties and for which compensation has been tendered in accordance with the agreement of the parties.

Case Number: 2012-PPS-007
Reinaldo Wilson
Regal Protective Services, Inc.

Allegation: Violation of G.S. 74C-10(h)

Recommendation: Mr. Reinaldo Wilson is issued a letter of reprimand for failing to maintain a certificate of insurance in full force and effect with the Board.

Note: To read more about disciplinary action taken go to www.ncdoj.gov/PPS.aspx. Click meetings and minutes and read the Grievance and/or Screening report of your choice.

For Your Information

Private Investigator Applicant:

The Private Protective Services Board has adopted the following resolution:

That any applicant for a private investigator license who cannot meet the required three years of experience of conducting investigations as defined in Board rules may transfer such application and application fee to an application for private investigator associate license if the transfer is completed before or within sixty (60) days of denial by the Board of the private investigator license application and a new fingerprint card and fingerprint card fee is submitted to the Board within that sixty (60) day period; and

That any applicant for a private investigator associate license who fails to procure his or her license from the Board office within ninety (90) days after notification due to the negligence of his

or her sponsor may procure the license from the Board office after the ninety (90) day period has expired.

T & E Committee: At the February 2012 Private Protective Services Board meeting, the PPSB voted to accept the recommendation of the Training and Education Committee that for all future PPSB firearms trainer courses, personnel who wish to attend the course must first attend a pre-qualification course. The pre-qualification course will be required before the candidate is invited to attend the full firearms trainer course. Failure to qualify will prohibit acceptance into the next firearms trainer course.

All candidates will be required to attend the pre-qualification course on a day prior to the beginning of the first day of the scheduled firearms trainer class. All applicants must shoot a 90%, 2 out of 3 times on both day and night courses in order to attend the full firearms trainer course.

Candidates for pre-qualification may only attend upon invitation by the PPSB Training Officer. Candidates will be notified of a date and time to attend. If a candidate fails to qualify at a pre-qualification course, the candidate must complete a Request for Training Services form before they can be invited to attend another pre-qualification course.

Armed Registration/T & E: The Training and Education Committee ruled that if an applicant is renewing his/her armed registration and PPS does not receive the armed registration prior to the expiration of the current registration, the applicant would be required to complete the 20 hour armed registration course.

Application for Licenses Rule Update: 12 NCAC 07D .0201(a) (6) has been amended to require applicants for licenses to submit an **Equifax** credit check. The credit check must have been run within thirty days of the application submission date.

The rule requires the credit check for the initial application. There is no requirement for the renewal of the license. Furthermore, the rule applies to those individuals applying for a license only. Credit checks **are not** required for individuals applying for unarmed or armed registrations or instructor certifications. The applicant must review, sign and date the Equifax credit check verifying its authenticity and the applicant's approval of items listed on the credit check.

Private Investigator Associate (PIA) Continuing Education

Requirements: In accordance with G.S.74C-22, The Board may require individuals holding a license, registration, certificate, or permit to complete continuing education courses approved by the Board before renewal. Therefore, PIAs are required to have the 12 credit hours of continuing education training during their two year renewal period per 12 NCAC 07D .1302.

Armed Guards: In accordance with Administrative Rule 12 NCAC 07D .0801 armed guards shall be at least 21 years of age.

Qualifying Agents: The PPSB must approve all request to become a Qualifying Agent for more than one company.

Private Investigator Badge: On October 27, 2011, the Board addressed the issue of whether or not a Private Investigator Associate is allowed to wear the Private Investigator badge. The Board voted that only a fully licensed private investigator is authorized to carry the badge.

Continuing Education Credits: For the latest updates on issues regarding Continuing Education Credits please refer to our website at www.ncdoj.gov/PPS.aspx. Click Training to the left of your screen and access PPS Continuing Education to view information on the program.

Fingerprint Cards: Fingerprint cards are being rejected by the State Bureau of Investigation (SBI) for a host of reasons that include, fingers not fully rolled from nail to nail, fingerprint impressions missing (make a notation why one or more fingers were not printed, i.e. amputated or deformed). Images are blurred due to too much ink used (too dark) or too light (insufficient ink used). Fingers have to be in sequence on the card and the slaps (left four fingers and right four fingers) have to be in their correct box (left on left side—right on right side) and clear. You should be able to look at the slaps and clearly tell that the fingers in the slaps match the single ten print impressions. Also impressions are smudged, multiple images in boxes and lastly information on card is not legible or complete.

Board Resolution – The PPSB

adopted the following Resolution at the June 28, 2012 meeting: That any applicant for a private investigator license who cannot meet the required three years of experience of conducting investigations as defined in Board rules may transfer such application and application fee to an application for private investigator associate license if the transfer is completed before or within sixty (60) days of denial by the Board of the private investigator license application and a new fingerprint card and fingerprint card fee is submitted to

the Board within that sixty (60) day period; and

That any applicant for a private investigator associate license who fails to procure his or her license from the Board office within ninety (90) days after notification due to the negligence of his or her sponsor may procure the license from the Board office after the ninety (90) day period has expired.

Unlicensed Activity: In accordance with 74C-2(a), no private person, firm, association, or corporation shall engage in, perform any services as, or in any way represent or hold itself out as engaging in a private protective services profession or activity in this State without having first complied with the provisions of the Private Protective Services Act.

2012 Board Meeting Dates

The PPS Board has set the following dates and locations for its regularly scheduled meetings through December 2012:

<u>Date</u>	<u>Location</u>
Feb 22-23	Raleigh
April 25-26	Raleigh
June 27-28	Asheville
August 29-30	Raleigh
October 24-25	Raleigh
December 12-13	Raleigh

2012 Board CEU Training Dates

<u>Date</u>	<u>Location</u>	<u>Time</u>
Mar 14	Greensboro	9:00a.m.
June 28	Asheville	1:00p.m.
Aug 1	Concord	9:00a.m.
Sept 5	Greenville	9:00a.m.
Dec 13	Raleigh	1:00p.m.

2013 Board Meeting Dates

The PPS Board has set the following dates and locations for its regularly scheduled meetings through December 2013:

<u>Date</u>	<u>Location</u>
Feb 20-21	Raleigh
April 17-18 (to be announced)	Eastern NC (to be announced)
June 19-20	Raleigh
August 21-22	Asheville
October 23-24	Raleigh
December 11-12	Raleigh

Website

The PPS Board can be located at www.ncdoj.gov/PPS.aspx.

The website is a valuable tool in fulfilling the mission of Private Protective Services, as it enables us to improve our outreach and provides PPS professionals with detailed information. The website also contains important board information such as, meeting schedules, minutes and reports, as well as registration and licensing information to include applications and fee amounts. The website also facilitates the search for specific disciplinary actions taken by the Private Protective Services Board. Feel free to explore the Website and review all its valuable resources. Staff is constantly working with the Department's Information Technology Office to upgrade and enhance the site to keep you informed of upcoming PPS issues.

The e-mail address for PPS is PPSASL@ncdoj.gov and should be utilized for general information. Any requests and/or questions will be forwarded to the appropriate person or persons for response.

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