



MINUTES

Ohio Private Investigation & Security Services Commission Committee: Legislative Committee Meeting

JULY 30, 2012– 1:00 P.M.

Location: Ohio Dept. of Public Safety
1970 W. Broad St.
DPS Conference Room
Columbus, OH 43223

Committee Members Present:

Mike Moran, OASIS – Committee Chair
Gregg Hollenbaugh, Cal Crim, Inc.
Jim Silvania, Silvania Investigative Services, LLC
Blair Staud, Ohio Support Services
Steve Cotner, Corporate Intelligence Consultants, Inc.
Gary Burkholder, Northcoast Research, Inc.

Committee Members Absent:

Brian Simms, Franklin County Prosecutor's Office

Also Attending:

Anne Vitale, Legal Counsel, ODPS
Robert Booker, Exec. Dir., OIU
Andrew Spencer, ODPS
Irwin "Mike" Cohen
Paul Rapp, PISGS
Arnie Schrop, PISGS

Call to Order - The meeting was called to order at 1:15 p.m.

Roll Call - Completed by Chairman Moran

Approvals of Minutes - Minutes from the May 31, 2012, meeting were reviewed for approval. Amendments are:

1. Add a . in the Investigating Applicants section.

A motion to approve the minutes with the noted changes was made. The vote was taken and the motion carried. Minutes for the May 31, 2012 meeting were approved with the noted corrections.

Welcome and Introduction –

Changes in staff at PISG: Arnie Schropp has replaced Earl Mack as the Deputy Director of PISG, Aleta Dodson as Administrative Manager, Paul Rapp as the Enforcement Supervisor, and Julie Faulconer as the Administrative Assistant to PISG.

Old Business-

Review and Changes of Legislative Committee Discussion Draft-Points of discussion were:

Changes made to ORC 4749.01-Definitions:

(C) Change “Security Guard Provider” to “Security Provider”

(D) “Business of security services” means furnishing, for hire, watchpersons, security officers, security guards, guard dogs, armored motor vehicle security guard services, private patrol officers, or other persons whose primary duties are to protect persons or property from injury or harm or for any other purpose, including, but not limited to deterring, observing, detecting or reporting incidents or activities for the purpose of preventing theft, the unlawful taking, conversion, concealment or misappropriation of goods, wares, merchandise, or any valuable instrument; or to deter, observe, detect or report incident and activities for the purpose of preventing any unauthorized access, entry, violation of organizational rules or unlawful activity.”

(2) Persons holding a professional license under the laws of this state, when such person is providing services pursuant to the authority granted to that profession by law.

(3) Any local, state or federal law enforcement officer engaged in his or her official duties, including mutual aid as defined in chapter 2744 of the Ohio Revised Code or when performing special duty security activities authorized and approved by the law enforcement officer’s authorized superior, within the law enforcement officer’s territorial jurisdiction or, outside the law enforcement officer’s territorial jurisdiction through requested mutual aid or pursuant to advance authorization from the chief law enforcement officer of the outside jurisdiction.

(4) Attorneys at law or any expert retained by an attorney at law for consultation or litigation purposes **and who qualifies as an expert under the Federal Rules of Evidence or the Ohio Rules of Evidence.**

(6) An employee in the regular course of the employee’s employment, engaged in investigating matters pertinent to the business of the employee’s employer or protecting the employer’s employees and/or business invitees or property in the possession of the employee’s employer, provided the employer is deducting all applicable state and federal employment taxes on behalf of the employee and neither the employer nor the employee is employed by, associated with, or acting for or on behalf of any private investigator or security guard provider.

(7) Persons engaged solely in the remote monitoring of audio, video and other event/alarm signals and then dispatching law enforcement or security personnel when needed.

Changes to ORC 4749.021 – Commission:

Remove commission should have authority to approve the licensing exam constructed by director.

Changes to ORC 4749.03 License requirement:

Group agreed to renewal every two years with a renewal fee of \$550.00.

Changes to ORC 4749.04-Disciplinary actions:

(2) Anne Vitale (ODPS Legal) will draft changes.

(3) Knowingly making a false report with respect to any matter with which the licensee or registered employee is employed; or knowingly falsify any business records

(6) Revoke a license. The business and/or trade name of a revoked license may not be utilized by any other entity for one year following the revocation.

Changes to ORC 4749.05 Notice of change of address - report of presence to local law

(B) Committee agreed to delete this section in its entirety. No rules have been adopted in 8 years at ODPS and there have not been any issues which have arisen, so it is unnecessary.

Changes to ORC 4749.06 Registration of employees:

Committee agreed to compare changes with the Training Committee.

Changes to ORC 4749.09 Effect of municipal regulation – fees:

Anne Vitale (ODPS Legal) will come up with more language for this section.

Changes to ORC 4749.12 Nonresident licenses:

(C) A person who is a resident of another state and is validly licensed and in good standing in that state as a private investigator and/or security provider, may conduct temporary assignments in the State of Ohio for up to 30 days annually, subject to the following limitations. First, the out of state licensee may not solicit business in the state of Ohio. Second, the business or contract served must have originated outside of the State of Ohio

Other Issues to discuss next meeting- Process servers

The Next Meeting - The next Legislative Committee meeting is scheduled for August 23, at 1:30 P.M. in the ODOT B Conference Room.

Meeting Adjourned at 3:30 p.m.