



Ohio Private Investigation & Security Services Commission (OPISSC) August 21, 2013, Minutes

Commission Meeting Date and Location: August 21, 2013, Ohio Department of Public Safety (DPS), 1970 W. Broad Street, Columbus, Ohio 43223

Commission Members Present: Mr. John Born, Mr. Mike Cohen, Mr. Dennis Deskins, Mr. Dwight Holcomb, Mr. Gregg Hollenbaugh, Mr. Bryan Kirk, Mr. Joseph Powell, Mr. Paul Pride, Mr. Mark Wasylyshyn

Commission Members Absent: Mr. Rodney Armstrong, Mr. Steven Cotner, Mr. Jeffrey Parson, Mr. Ralph Portier, Mr. Brian Simms,

Also Attending: Melva Dodd, Aleta Dodson, Julie Faulconer, Jeff Grayson, Lora Manon, Joe Montgomery, Eric Richmond, Arnie Schropp, Anne Vitale

Visitors Attending: Mary Broyles and Justin Hykes, Ohio Peace Officer Training Commission (OPOTC); Clay Hildebrand, Continental Secret Service Bureau; Mike Moran, OPISSC Legislative Committee Chair; David Stelzer, Tactical Response Group, Inc.

Mr. Mike Cohen, Chair, called the meeting to order at 1:00 PM.

ROLL CALL:

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| Mr. Rodney Armstrong | | Mr. Bryan Kirk | Here |
| Mr. John Born | Here | Mr. Jeffrey Parson | |
| Mr. Mike Cohen | Here | Mr. Ralph Portier | |
| Mr. Steven Cotner | | Mr. Joseph Powell | Here |
| Mr. Dennis Deskins | Here | Mr. Paul Pride | Here |
| Mr. Dwight Holcomb | Here | Mr. Brian Simms | |
| Mr. Gregg Hollenbaugh | Here | Mr. Mark Wasylyshyn | Here |

A quorum was present to conduct business.

New OPISSC members introduced:

- Mr. John Born, Director of the Department of Public Safety (DPS)
- Colonel Paul Pride, Superintendent of the Ohio State Highway Patrol
- Also introduced was Lora Manon, Enforcement Administrator, of the Private Investigator Security Guard Services (PISGS).

OLD BUSINESS

ACTION: Motion to approve the June 12, 2013, meeting minutes. Holcomb first. Deskins second. None opposed. Motion approved.

Rewrite of 4749.

Mr. Moran, chair of OPISSC Legislative Committee, reported a meeting was held July 15 with representatives from OPISCC, OPOTC, and DPS. The two major areas discussed were the additional training hours that were going to be mandated and the prior equivalency process. Subsequently, the OPISSC Legislative Committee met July 31 to discuss OPOTC's proposal dated July 18, 2013. The committee identified five issues, which were later discussed with Justin Hykes OPOTC Assistant Attorney General.

1. Patrol Rifle Qualification: OPOTA has an instructor course for patrol rifles, but not for operators. This issue is still on the table and remains unresolved. As for a revolver, a semi-automatic handgun, and a shot gun, a student could qualify one or all in the 40 hour time frame.
2. The Required 40 Hour Training: The Legislative Committee is concerned this will be a watered down version of the law enforcement program and not specific to the security industry.
3. Range Time Required: The basic peace officer course is 60 hours and requires 30 hours of firearm training. Mr. Moran said in keeping with the same ratio, the 40 hour class would require 20 hours of firearm range time. No resolution was reached on this.
4. Cost Increase: Mr. Hykes prepared a report showing the financial impact to OPOTA over a three-year period broken down by the number of the basic and requalification academies, certificates issued, and the corresponding revenue.
5. Curriculum Content: The school commander manual sets the requirements, which are not in the Ohio Administrative Code (OAC).

A document was sent to OPOTC addressing the issues with their July 18th proposal. The following issues were discussed by the Commission.

OPISSC wants current and retired law enforcement, and individuals discharged from the armed forces within the last three years (as designated under federal law) to be exempt from the 40 hour basic training. OPOTC removed the retired law enforcement officer designation at the request of DPS because state law only requires requalification every five years. The proposal as written didn't discuss state law and federal law, but the individual must meet the standards of the state in which they reside or from the agency they retired. The concern is that a retired law enforcement officer with 30 years' experience would have to take the 40 hour basic course. Mr. Cohen said the retired law enforcement requalification is annually. Mr. Schropp's concern under the federal statute is that retired firearm requalification goes back to the agency's policy from where the individual retired, and has no consistency like OPOTA's requalification. Mr. Moran said in 2004, HR 218 changed it so everyone shoots the same course in Ohio. If that requalification is consistent for retirees, then Mr. Schropp withdraws the objection.

OPISSC requested any OPOTA certified firearm instructor to be able to instruct the private security firearm requalification. OPOTC will only allow either an OPOTA certified private security firearms instructor or a law enforcement requalification instructor to do the requalification for private security. Only an OPOTA private security firearm instructors can do the basic qualification; an OPOTA law enforcement instructor can only provide requalification training to the security industry.

Security personnel will shoot the law enforcement requalification course (25 round course of fire). OPOTC has not set how many pass attempts can be made.

OPISSC has concern over proposed increase of OPOTA's initial basic training fee from \$100 to \$200. Mr. Hykes researched the issue of OPOTC's lost revenue. Fees haven't increased in 30 years since 1985 and

if the requalification academies are eliminated, OPOTA will lose \$25,000 a year. The subject of raising fees will probably be on the table at the next OPOTC meeting. Mr. Cohen thinks the proposed changes will result in an increase in firearm bearer's, which could help compensate OPOTA's revenue loss. Mr. Hollenbaugh said fee changes would have to go to legislation and the industry can raise objections at that time.

Mr. Moran and the Legislative Committee are to provide the Commission with a written document on which to vote and approve at the next meeting. The language will be sent to OPOTC for their September 19th meeting.

Mr. Wasylyshyn asked if the issue had been resolved on issuing photo ID cards in a timely manner. Mr. Schropp said DPS will retain issuing the cards unless the new Director of DPS changes course. Per Mr. Cohen, in the interest of moving the ball forward, this issue was removed from the proposal. Mr. Moran stated that it still takes too long to get the certificate from OPOTA to DPS and would like to see an expedited process where OPOTA emails the certificate to PISGS.

COMMITTEE REPORTS

ALRS Phase III, Aleta Dodson

Ms. Dodson reported IT personnel are still working on programming to allow companies to add qualifying agents and new registrants online. The current ALRSX capabilities are going to be moved to the new PISGS database September 3.

The walk-up window will be closed on Labor Day. Additionally, some companies are bringing 20 to 50 transactions to the window and expecting them to be processed that same day. A possible limit of five to ten transactions for the walk-up window is being considered due to limited staffing.

Investigative Compliance Report, Lora Manon

Ms. Manon distributed copies of the compliance report summarizing the current caseload. Year to date, 92 complaints have been received, 64 cases have been closed, 27 are pending hearings or pending mailing of notice of opportunity for hearing letter, 10 cases are pending payment of fine, and five criminal cases have been filed for doing unlicensed work or carrying firearms. The Dayton area has had a number of unlicensed activities at clubs and working unregistered guards.

NEW BUSINESS

Mr. Cohen said after the feedback is received from OPOTC on the firearm, the 4749 rewrite will be provided to Ms. Vitale for inclusion in the 4749 rewrite. Ms. Vitale said the Department will need a formal vote from the Commission including an opinion, points and responses to what the Department gave us, and a recommendation on how these outstanding issues need to be resolved. Once a final document is ready, it will be attached to a resolution. Mr. Moran will schedule a Legislative Committee to make sure everything has been covered with the exception of the firearms issue.

The next OPISSC meeting will be Wednesday, September 11 at 1:00 PM at 1970 W. Broad Street, Columbus, Ohio, in Conference Room C4-9 & 10.

ACTION: Motion to adjourn. Wasylyshyn first. Kirk second. None abstained. None opposed. Motion passed.

The meeting was adjourned at 2:16 PM.