



Ohio Private Investigation & Security Services Commission (OPISSC) September 28, 2017 Minutes

Commission Meeting Date and Location: September 28, 2017, Ohio Department of Public Safety (DPS), 1970 W. Broad Street, Columbus, Ohio 43223

Commission Members Present: Mr. Rodney Armstrong, Mr. Jay Beighley, Mr. Joseph Montgomery for Mr. John Born, Mr. Terry Myer, Mr. Ted Owens, Mr. John Pezzino, Mr. Scott Reinbolt, Mr. Brian Simms, Mr. Mark Wasylyshyn

Commission Members Absent: Mr. Dwight Holcomb, Mr. Christopher Johnson for Mr. Paul Pride, Mr. Anthony Macisco

Also Attending: Christy Clark, Aleta Dodson, Julie Faulconer, Dan Fitzpatrick, Brandon Gardner, Tiffany Gehrlich, Bob Hackney, Joe Kirk, Emily Mayfield, Vincente Rivera, Tim Shaw, Anne Vitale (arrived 1:15)

Public Attending: Lamonte Doodley, Woody Fox, Wayne Sever

Mr. Rodney Armstrong, Chair, called the meeting to order at 1:01 P.M.

ROLL CALL:

Mr. Armstrong	Here	Mr. Myer	Here
Mr. Beighley	Here	Mr. Owens	Here
Mr. Holcomb		Mr. Pezzino	(arrived 1:03)
Mr. Johnson for Mr. Pride		Mr. Reinbolt	Here
Mr. Macisco		Mr. Simms	Here
Mr. Montgomery for Mr. Born	(arrived 1:05)	Mr. Wasylyshyn	Here

A quorum was present to conduct business.

ACTION: Motion to approve the minutes of May 25, 2017. Myer first. Owens second. Motion passed.

STAFF REPORTS

Mr. Gardner informed the Commission that the department was working on the Accreditation Program, the completion of training module 1, attending meetings to get the legislation introduced, and expanding outreach efforts.

- Ms. Clark introduced Bob Hackney and Tim Shaw, the new southeast and southwest Ohio investigators, respectively. Since July, investigators have conducted compliance checks at 178 locations and checked 273 registrants
- Ms. Dodson reported the department is preparing for the 2018 license renewal period, legislative changes, and the Accreditation program. A case to revoke a company license was submitted to Legal Services due to the company's misuse of OHLEG.
- Ms. Gehrlich has increased outreach efforts through the Mid-Week Minute and The Observer newsletter. The completed training module will be available on the PISG webpage soon, and a new FEMA training link was added for free available training.

Mr. Gardner informed the Commission that Anne Vitale can request a legal opinion from the Attorney General's Office on behalf of the Commission. The members will need to provide what the request is, why they want it; there is a checklist of items needed and Ms. Vitale can assist with the request. Regarding Trustify, the department is aware of Trustify through emails, but needs something more substantial in order to address the

issue or a formal complaint filed. Please forward any additional information to PISGS. Mr. Myers said he would forward new information to Mr. Gardner. Mr. Gardner reminded members to complete the required annual ethics training. Mr. Simms requested the ethics training link by email.

OLD BUSINESS

Training Module 1: Chair Armstrong liked the completed training module, which had been emailed to the members to review prior to the meeting. Mr. Owens still took issue with the wording that security doesn't have arresting authority. Ms. Gehrlisch said the wording had been changed to say security guards didn't have police authority, but will check that slide before making the training available online. Mr. Pezzino said everyone did a nice job on this first training.

Legislation (formerly SB 183) update: Chair Armstrong informed the members that Brandon Gardner, Dan Fitzpatrick, Director of Legislative Affairs, and he had met with the FOP, the OACP, and BSSA to address any concerns on the legislation. A few minor tweaks were made to the language to eliminate any resistance. Mr. Fitzpatrick explained that Senator LaRose will introduce the legislation and Senator Uecher is willing to co-sponsor the bill. He and Mr. Gardner have a meeting this week with Senator Uecher, and hope the bill will be introduced in the near future. Mr. Gardner explained to the Commission that the Department of Public Safety wants to add the requirement of the FBI background check for all applicants. The Republican National Convention last summer brought many companies and guards from out of state to provide security and they were only required to have a BCI background check which only shows Ohio record. The Charlottesville incident involved an Ohio registrant, who recently moved from Kentucky. An FBI background check would provide national background on an individual. Mr. Wasylshyn explained that for the CHL, an individual residing in Ohio less than five years has the FBI background check; over five years, the BCI background check. Mr. Myer and Mr. Owen require both as a business policy. Mr. Myer understands the cost impact to the business, but it's a safety issue. Chair Armstrong preferred that only applicants outside of Ohio be required to submit FBI fingerprints and asked if a BCI would be required if all applicants completed the FBI. Mr. Montgomery replied that the BCI is required to enroll applicants in the Rapback system. Mr. Gardner asked if it was too late to add the FBI requirement to the new legislation. Mr. Fitzpatrick answered that the language could still be added. Before adding the requirement, Chair Armstrong wanted to contact several large companies to ask the impact on their business and if they would be opposed.

ACTION: Motion to add the FBI background check requirement for everyone to the legislation. Owens first. Myer second. Armstrong opposed. Motion passed.

Voluntary Accreditation Committee update: Mr. Beighley said there wasn't a quorum last month, but will be meeting next week. The IFPO is in favor of being the accrediting body, it was decided to start with five standards, and build the program over time. The committee should have something to present at the next Commission meeting.

ACTION: Motion to add Brandon Gardner to the Voluntary Accreditation Committee. Beighley first. Myer second. Motion passed.

NEW BUSINESS

Legislative Committee update: Chair Armstrong reported that the Committee decided that the topics of felony assault enhancement, arresting authority, access to LEADS, vehicle light bars, and the conceal handgun exemption need to be addressed at OASIS first. The Committee recommended the GPS issue be brought before the Commission. Chair Armstrong suggested this topic be moved to the next meeting as there are many opinions, the discussion could be lengthy, and this meeting has a time restraint.

FAB Rules: Mr. Gardner explained to the Commission that the FAB rules were emailed to the license holders for public comment and only received eight comments. Mr. Joe Kirk, Rules Coordinator, and Ms. Vitale will

review and address the comments, file them with the Common Sense Initiative and JCARR. Potentially the rules could go into effect within 76 days. Ms. Vitale said the rules clarify the law; there were no new substantial changes. Mr. Owens suggested when sending future rules to provide a summary.

FAB Training: Mr. Owen wants rifles or AR14's added to the FAB card. OPOTA has a rifle course, but no longer offers the course for the security and P.I. industry. Mr. Garner explained that the FOP objected to the industry carrying these firearms. Mr. Wasylyshyn asked if there was any regulation for transporting firearms or how they are secured in the vehicle. Mr. Armstrong said there was not. Mr. Beighley said the Accreditation Committee could develop an industry policy. Mr. Armstrong explained the issue starts with OPOTA and whether they will offer the required certified training course to the industry. Mr. Gardner is willing to push the issue to OPOTA. Mr. Reinbolt asked if Director Born would support rifles for the security industry. Mr. Montgomery said if OPOTA is willing to certify the training, the Director will support it.

ACTION: Motion to table the issue until more information is available. Simms first. Wasylyshyn second. Owens opposed. Motion passed.

Public Comment: Woody Fox, retired police officer and owner of Woody Fox Investigations, said bail bondsmen are required to call law enforcement, but most don't respond. Mr. Wasylyshyn said his officers do respond, but law enforcement must have a search warrant to kick down a door. Mr. Armstrong reminded the Commission that the rifle and firearm issue was tabled and closed the discussion.

ACTION: Motion to adjourn. Wasylyshyn first. Pezzino second. Motion passed. The meeting adjourned at 1:54 p.m.