



# Ohio Private Investigation & Security Services Commission (OPISSC) August 21, 2019 Minutes

**Commission Meeting Date and Location:** August 21, 2019, Ohio Department of Public Safety (DPS), 1970 W. Broad Street, Columbus, Ohio 43223

**Commission Members Present:** Mr. Rodney Armstrong, Mr. Ronald Clark, Mr. Dwight Holcomb, Mr. Randy McPeek, Mr. Terry Myer, Mr. Scott Reinbolt, Mr. Mike Staley, Mr. Thomas Stickrath, Mr. Matthew Warren for Mr. Richard Fambro, Mr. Mark Wasylyshyn, Mr. Anthony Macisco

**Commission Members Absent:** Mr. Jay Beighley, Mr. Brian Simms, Mr. John Pezzino

**Also Attending:** Christy Clark, Aleta Dodson, Dustyn Fox, Ashleigh Henry, James Borntrager, Molly Seitz, Jeffery Scott, Executive Director - OPOTA/OPOTC

**Public Attending:** Ted Owens, Ohio Special Services Group

Chair Myer called the meeting to order at 1:02 P.M.

**ROLL CALL:**

Mr. Armstrong	Here	Mr. Pezzino	
Mr. Beighley		Mr. Reinbolt	Here
Mr. Clark	Here	Mr. Simms	
Mr. Holcomb	Here	Mr. Staley	Here
Mr. Macisco	Here	Mr. Stickrath	Here
Mr. McPeek	Here	Mr. Warren for Mr. Fambro	Here
Mr. Myer	Here	Mr. Wasylyshyn	Here

A quorum was present to conduct business.

**NEW BUSINESS**

Chair Myer opened the meeting by speaking about the sunset review process that the Commission goes through each iteration of the General Assembly to evaluate its usefulness, performance and effectiveness. Chair Myer stressed the importance of being available for meetings to ensure a quorum and conduct business.

**ACTION:** Motion to approve the minutes of March 20, 2019 with the addition of Mr. Holcomb’s name to the “Commission Members Present” section. Wasylyshyn first. Armstrong second. None opposed. Motion passed.

**OLD BUSINESS**

**Rules Update**

Ms. Henry said that Legal is still working on drafting proposed rule changes and will get that to the Commission for their review soon.

**March Meeting Follow-up**

Ms. Clark read Director Stickrath’s responses to the motions made at the March 20, 2019, Meeting. Director Stickrath understands and sympathizes with the concerns of the Commission and industry regarding the issue of carrying on-duty while driving. He has asked that ODPS Office of Policy and Legislative Affairs look for pending legislation that could be a vehicle for this change. Mr. Wasylyshyn mentioned that private investigators/security guards with a FAB could use their 20-hour OPOTA certificate to waive the training

requirement needed for a CCW. He hopes that this may alleviate some of the burden associated with getting a CCW. Mr. Armstrong mentioned that it may be useful to add this information to the Mid-Week Minute that PISGS send out to the industry to make sure they are aware. Also important to note that Enforcement will not cite anyone for FAB violation in such cases, it will be up to local law enforcement.

Ms. Clark also provided the Commission with Director Stickrath's response to the motion made at the March 20, 2019, Meeting to allow the Sheriff's Offices to take over the FAB notation portion of the registration process. Director Stickrath understands the benefit of this however, because of the immense legislative and logistical changes that would need to be made to accomplish this, additional discussion need to be had before a decision is reached.

Mr. Wasylyshyn mentioned that he believes Mr. Cornwall, of BSSA, has talked to Director Stickrath about this issue. Mr. Wasylyshyn said that he would ask Mr. Cornwall to reach out again to determine what needs to be done moving forward. Mr. Reinbolt asked whether the BSSA could come up with a list of things that need to be addressed both legislatively and logistically to help move the process along. Mr. Wasylyshyn stated that he would speak with Mr. Cornwall about this.

### **FAB Transportation/Notation**

Ms. Clark reiterated that the Enforcement Unit would not cite for FAB violations regarding the transport of weapons. PISGS is checking to ensure that guards carrying weapons have a valid FAB notation. It is up to local law enforcement to determine whether a private investigator/security guard violated the law by improperly transporting a weapon. Mr. Myer expressed his frustration with the law the way it is written and believes the legislation needs to be changed to better suit the needs of the industry.

### **Background Checks**

Mr. McPeek recently had an issue with a security guard who completed the 20-hour OPOTA course and was then denied for FAB because of a disqualifying offense on his background check. Mr. McPeek had incorrectly assumed that OPOTA completed a background check on the individuals enrolled in the course before allowing them on a range.

Ms. Clark brought up her concern that background checks need to be done sooner in the process to avoid mistakes like this. She also brought up the fact that this individual now has a certificate from OPOTA saying that he completed this course even though he has a disqualifying offense that should have prohibited him from having a gun.

Mr. Armstrong requested that the BCI background check be accepted past 30 days so that companies did not have to pay for two background checks. Ms. Henry stated that it had recently been changed in rule to allow the BCI background check to be accepted for a year.

**ACTION: Motion to.** Pezzino first. McPeek second. None opposed. Motion passed.

### **OPOTA/OPOTC**

Mr. Jeff Scott, the Executive Director of OPOTA/OPOTC, attended the meeting to discuss changes happening in OPOTA and develop a closer relationship with OPISSC. Mr. Scott stated that over the last couple month his team has been working to evaluate the courses they offer and how to improve them based on recommendations from academy commanders. From these recommendations, they have determined that the private investigator/security guard industry would benefit from an increase in the training hours required to obtain a FAB.

### **Working Group**

Mr. Scott also expressed his desire to form a working group to increase communication between OPISSC and OPOTC. He believes that both Commissions would benefit from the guidance and support they can give the

other. He also stated that OPOTC has already nominated a group of individuals to serve on this working group and suggested that OPISSC do the same.

**ACTION: Motion to nominate Mr. Randy McPeek, Mr. Terry Myer, Mr. Rodney Armstrong, Mr. Mike Staley, and Mr. Scott Reinbolt to the OPOTA/OPOTC Working Group.** Armstrong first. McPeek second. None opposed. Motion passed.

**ACTION: Motion to nominate Mr. Mike Staley as Vice Chair of OPISSC.** Armstrong first. Holcomb second. None opposed. Motion passed.

## **STAFF REPORTS**

### **Licensing and Registration**

Ms. Dodson provided an update for Licensing and Registration. She stated that ODPS is getting a new online vendor for the processing of credit cards. Once PISGS gets more information about a specific start date, they will push information out to the industry.

Mr. Armstrong asked whether Licensing and Registration still sends out expiration notices to licensees/registrants. Ms. Dodson said that PISGS does send out expiration notices 60 days prior to expiration to the company's email contact. She stressed the importance of keeping company contact information up to date to ensure delivery of important information.

### **Enforcement**

Mr. Borntrager spoke about the Enforcement Unit's recent efforts to provide outreach and education to bars and restaurants throughout Ohio following the events in Dayton. The Enforcement Unit currently has five FAB investigations on going, six registrations investigations on going, one holding self out as law enforcement on going, two cease and desist investigations on going, and six possible criminal investigations on going. Mr. Borntrager also mentioned that, over the past couple months, OHS Investigators have checked many major events throughout the State.

Mr. Wasylyshyn asked whether the Enforcement Unit has done any checks on medical marijuana dispensaries. Mr. Borntrager stated that whenever they get notice of a new dispensary opening, they conduct compliance checks at that location. Mr. Borntrager also shared that many of these businesses are utilizing proprietary security.

Mr. Myer had a question about the guard cards and why they no longer have "this card is the property of the State of Ohio and must be surrendered upon termination of service" on the back of the card. He is concerned about the potential liability and would like it to be added back to the cards.

**ACTION: Motion to request that PISGS add the language, "this card is the property of the State of Ohio and must be surrendered upon termination of service" to the registration cards.** Reinbolt first. Staley second. None opposed. Motion passed.

### **Outreach**

Mr. Fox talked about the short informational videos he has been working on to make available to the industry. He stated that he is currently working on creating an online Informational Seminar. He also mentioned that the Ethics and Conduct video would be going live soon following review from the Training Committee.

### **Roundtable**

Mr. Armstrong asked about the status of PISGS legislation. Ms. Seitz responded that ODPS Legislative team is working to find a vehicle for desired changes, but there are no updates at this time.

**PUBLIC COMMENTS**

None.

**ACTION: Motion to adjourn.** Holcomb first. Myer second. Motion passed. The meeting adjourned at 2:02 P.M.

The next scheduled commission date is Wednesday, September 18, 2019, at 1:00 P.M.