



PRIVATE INVESTIGATIONS ADVISORY BOARD

New Mexico Regulation and Licensing Department

BOARDS AND COMMISSIONS DIVISION

Toney Anaya Building ▪ 2550 Cerrillos Road ▪ Santa Fe, New Mexico 87505
(505) 476-4650 ▪ Fax (505) 476-4615 ▪ www.RLD.state.nm.us/PrivateInvestigations

REGULAR BOARD MEETING

December 18, 2009

Toney Anaya Building, Hearing Room 1
2550 Cerrillos Road
Santa Fe, New Mexico

MEETING MINUTES - DRAFT

I. CALL TO ORDER

At 10:12 a.m., the Board Chair, Donald Jochem, called the December 18, 2009 meeting of the New Mexico Private Investigations Advisory Board to order.

II. ROLL CALL

MEMBERS PRESENT:

Donald Jochem, Chair
Gurtej Khalsa, Professional Member
Jim Wilson, Professional Member
Al Stotts, Professional Member
Mark Smith, Public Member

MEMBERS ABSENT:

None

STAFF PRESENT:

Julie A. Meade, Deputy Superintendent
Anita Villegas, Board Administrator
Michelle Medina, Administrative Assistant
Steve Herrera, Compliance Liaison

Roll Call was taken by Ms. Anita Villegas and a quorum was determined present.
(Refer to sign-in Sheet for Other Guests)

III. APPROVAL OF AGENDA

Jim Wilson made a **MOTION** to approve the agenda as written. Al Stotts **SECONDED** the motion, which was **PASSED** by **UNANIMOUS APPROVAL**.

IV. APPROVAL OF MEETING MINUTES

October 6, 2009 Rule Hearing and Board Meeting

Donald Jochem made a **MOTION** to approve the minutes of the October 6, 2009 Rule Hearing and Board Meeting as written. Gurutej Khalsa **SECONDED** the motion, which was **PASSED** by **UNANIMOUS APPROVAL**.

Note for the record: On page 4, line 5 from the Court Reporter Transcripts, the company name should be Security Concepts.

V. DATE AND LOCATION OF NEXT BOARD MEETING

After discussion among the Board members and staff, it was decided that the next Private Investigations Advisory Board meeting will be held on **Tuesday, February 2, 2010**, starting at 10:00 a.m., at the Toney Anaya Building, Santa Fe.

VI. NEW BUSINESS

A. Training Curriculums

- 1) IronStone Protective Services – Level 1 & 2 (no weapon endorsements)
- 2) Chavez Security Inc. – Level 2 (with weapon endorsement for restraint and control devices only)
- 3) Day & Night Protection Agency – Level 1
- 4) BGH Enterprises – Levels 1, 2 & 3

Jim Wilson made a **MOTION** to **approve** the in-house training curriculums based on the committee recommendations for IronStone Protective Services for a Level 1 & 2 with no weapon endorsements, Chavez Security Inc. for Level 2 with a weapon endorsement for restraint and control devices only, Day & Night Protection Agency for Level 1. BGH Enterprises for Level 1, 2 & 3 to be **tabled** for further review. Mark Smith **SECONDED** the motion, which was **PASSED** by **UNANIMOUS APPROVAL**.

Julie Meade, legal counsel for the Board, commented that it was her prior recommendation and continued recommendation that the Board work with the Department of Public Safety on standardizing the training curriculums for security guard licensure. Ms. Meade asked the Board if it was still their desire to work toward a standard curriculum.

The Board members all agreed that a standard training curriculum would be in the best interest for the security guards. The members gave Ms. Meade authorization to start arranging meeting with DPS to discuss their training curriculums and see how the Board can incorporate it in the license training requirements.

B. Doyon Security Services

Doyon Security Services is a security company operating out of El Paso, Texas and was requesting approval to transport illegal aliens from New Mexico back to El Paso Texas.

Julie Meade, legal counsel for the Board, advised the members that without explicit details from Doyon Security it would be in the best interest not to make a determination at this time. She advised to request a copy of their Federal contract to see what it entails, determine who will be in the vehicles, type of licensing in TX and any other information to determine if they are exempt from licensure in New Mexico.

Jim Wilson made a **MOTION** to table the request from Doyon Security Services until the Board receives further detailed information that was discussed between the Board members and legal counsel. Mark Smith **SECONDED** the motion, which was **PASSED** with Gurutej Khalsa abstaining from the vote.

C. Security Guards

1) Proof of Firearm Certification

The Board Administrator, Anita Villegas commented to the Board that the Board office has received a few call regarding the guard cards not specifying if the guard is authorized to carry a firearm.

After a few suggestions and discussion, it was proposed that there is a separate card for level 3 guards that would display the firearm certification period and the type of firearm authorized to carry. Level 1 and 2 would have a different card with level 2 showing what weapon endorsements the guard was trained for. In the meantime, a level 3 guard can carry their Firearm Qualification Form issued by a NRA Law Enforcement Instructor, along with their Board issued license card.

Along with the discussion regarding the guard cards and the contents, the firearm qualification period was discussed. Currently a level 3 security guard is qualified for a 2 year period before he must re-qualify. The rules and regulations don't specify the term, but the members felt it should be an annual qualification. The Board would like the rules to state an annual qualification for firearms.

Gurutej Khalsa made a **MOTION** to establish a new rule for the next Rule Hearing that requires annual qualification for all level 3 security guards who carry a firearm. Jim Wilson **SECONDED** the motion, which was **PASSED** by **UNANIMOUS APPROVAL**.

2) Signature on Guard Cards

When the licensing cards are revised, the authorized signature that is displayed on the card should be the Superintendent's signature.

3) Certifying guards from one level to an advanced level.

The Board Administrator mentioned to the Board that there was some confusion among the security guard licensees and companies on the requirements to go from one security guard level to another. Pursuant to rule, they must complete a new application for the level they are requesting and fulfill all licensing requirements for that specific level. It is not acceptable to only present a training certificate for an advanced level and have the Board office staff re-issue the security guard card with the new level. The Board members agreed that this is the acceptable process for advancing levels.

D. Private Investigators – Continuing Education from an “Approved Source”

The Board discussed what constitutes an “approved source” for continuing education. It was discussed that the licensee may take a course or seminar relating to the licensee's profession and would more-than-likely be approved for renewal CEU's. This would eliminate the Board in predetermining courses that a licensee can use for renewal. It was also discussed that a licensee is unsure if a course would be accepted for their renewal, they would have the option to take it to the Board Administrator for approval. There were several opinions

Private Investigations Advisory Board

toward the “approved source”, so the Board felt it should be discussed further at a future meeting.

Gurutej Khalsa made a **MOTION** to table the discussion on “Approved Source” for continuing education until a future meeting. Jim Wilson **SECONDED** the motion, which was **PASSED** by **UNANIMOUS APPROVAL**.

VII. OLD BUSINESS

Alliance International Training & Consulting Curriculum

Al Stotts made a **MOTION** to approve the in-house level 1 training curriculum for Alliance International Training & Consulting which was originally approved at the October 6, 2009 Board meeting without stating the company name. Gurutej Khalsa **SECONDED** the motion, which was **PASSED** by **UNANIMOUS APPROVAL**.

VII. EXECUTIVE SESSION

Donald Jochem made a **MOTION** that the New Mexico Private Investigations Advisory Board close this meeting in order to enter into Executive Session to discuss the items listed in the agenda. Pursuant to Sections 10-15-1.H 1. of the Open Meetings Act authorizing closed sessions for matters related to issuance, suspension, renewal, revocation of a license. Gurutej Khalsa **SECONDED** the motion, which was **PASSED** by **UNANIMOUS APPROVAL**.

Roll Call Vote:

Donald Jochem, Chair & Professional Member - Aye
Gurutej Khalsa, Professional Member - Aye
Jim Wilson, Professional Member - Aye
Al Stotts, Professional Member - Aye
Mark Smith, Public Member - Aye

Let the record show that the Board entered into closed session and the recorder has been turned off.

Back in Open Session

Let the record show that the recorder is back on. The New Mexico Private Investigations Advisory Board is now in open session. Pursuant to 10-15-1 H. 1 of the Open Meetings Act the matters discussed in the closed meeting were limited only to the items listed in the motion.

VIII. BOARD ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION

(Items listed on Agenda)

Committee Recommendations:

1. Case #2009-49
2. Case #2009-51

Private Investigations Advisory Board

Al Stotts made a **MOTION** to refer Case #2009-49 to the Attorney General’s Office for the issuance of a Notice of Contemplated Action identifying violations to include but not limited to: 61-27B-14 A. & B. Mark Smith **SECONDED** the motion which was **PASSED** by **UNANIMOUS APPROVAL**.

Mark Smith made a **MOTION** to table Case #2009-51 to gather further information. Jim Wilson **SECONDED** the motion which was **PASSED** by **UNANIMOUS APPROVAL**.

IX. ADJOURNMENT

There being no other business to come before the Private Investigations Advisory Board, the meeting was adjourned.

Submitted by: _____
Anita Villegas, Board Administrator Date _____

Approved by: _____
Donald Jochem, Board Chair Date _____

