

**TEXAS PRIVATE SECURITY BOARD**

**REGULARLY SCHEDULED BOARD MEETING HELD AT 9:00 A.M.,  
JANUARY 27, 2009**

**TEXAS DEPARTMENT OF PUBLIC SAFETY  
6100 GUADALUPE ST. BUILDING E  
CRIMINAL LAW ENFORCEMENT BUILDING  
AUSTIN, TX 78752**

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**BOARD MEMBERS PRESENT:**

Honorable John Chism, Chairman;  
Honorable Howard H. Johnsen, Vice-Chairman  
Honorable Mark Smith, Secretary  
Honorable Charles Crenshaw  
Honorable Harold Warren  
Honorable Stella Caldera

**BOARD MEMBERS NOT PRESENT:**

Honorable Doris Washington

**STAFF PRESENT:**

RenEarl Bowie, Captain- Manager, Private Security Bureau;  
Steve Moninger, Senior Staff Attorney, Texas Department of Public Safety,  
Regulatory Licensing Service;  
Reginald Andrews, Program Supervisor II – Licensing, Private Security Bureau;  
David Wise, Private Security Board Attorney, Texas Department of Public Safety,  
Regulatory Licensing Service;  
Other members of the staff;  
Members of the industry;  
Members of the general public.

**MINUTES**

These minutes are a summary record of the Board's work session meeting. This meeting was audio recorded and video taped. For a detailed record of discussions and statements made by persons speaking at this meeting, please consult the video DVD on file at the Board's office. The Board meeting was called to order at 9:05 a.m.

Chairman Chism welcomed everyone to the meeting and asked that all cell phones and pagers be turned off or set to vibrate for the duration of the meeting.

**Agenda Item I: Approval of Minutes for Board Meeting from October 30, 2008.**

Chairman Chism introduced this agenda item. On a motion made by Vice-Chairman Johnsen and seconded by Secretary Smith, the Board voted unanimously to approve the Minutes for the Board Meeting of October 30, 2008 as written.

**Agenda Item II: Status report from advisory committees.**

Chairman Chism introduced this agenda item and noted that Agenda item IV would be discussed at this time as well. Chairman Chism asked Secretary Smith to present the committee's report. Secretary Smith stated the Advisory committee met to discuss possible changes to rule §35.311, also known as the "handyman" issue. He further stated that Vice-Chairman Johnsen did some research on the issue. Vice-Chairman Johnsen stated that the committee was aware of the fact that contractors have always been exempt in original construction or modification of buildings. He stated that the issue arises where modifying moves to re-keying or improving security. He went on to say that the committee's suggestion for this is to amend the current rule as follows:

An owner or employee of a retail establishment open to the general public may perform work on a mechanical security device of the general public within the confines of the establishment or new construction or renovation of property of which installation of mechanical security devices are only a small portion of the project and does not require the re-keying of any existing mechanical security devices, providing that the person does not use the term "locksmith" or any similar term that would lead a reasonable consumer to believe that the person is a ~~registered~~ licensed locksmith. The work on the mechanical security device must be limited to servicing only products sold by the establishment or duplication keys.

On a motion made by Vice-Chairman Johnsen and seconded by Secretary Smith, the Board voted unanimously to adopt, as a resolution, the language of proposed Rule §35.311 as written until such time as the Private Security Board meets to approve the rule.

Secretary Smith next addressed the issue of online registration. He stated that the committee explored different ideas for solving the problem of people registering or renewing themselves without the company's permission. He stated one idea was to use an ID pin number. He stated another idea was to have a receipt on email. Secretary Smith went on to say the third idea was to file a complaint. He stated that if a company finds out an individual has renewed under their company without their consent, the company should file a complaint with the Bureau. He further stated the Bureau can then freeze that person's registration. He went on to say he spoke with several guard companies and found that very few have reported having had this problem. Secretary Smith stated that with this knowledge, it seems that this last idea would be the way to go at present time, but the committee would continue to explore other options.

Captain Bowie stated that another issue had arisen regarding on-line registration. He stated it was brought to his attention that the on-line paperwork didn't match up with the Bureau's application and made it difficult for companies when entering information on individuals. He informed the Board that any changes to the on-line process would have to go through Bearing Point. He further stated Bearing Point indicated it would not change applications due to the fact that other agencies used the same applications as well. He went on to say that any changes made

to the process would have to be done on the side of the Bureau. He also stated that changing of forms before the re-engineering project is complete may cause issues with the entire process.

**Agenda Item III: Status report on pending proposed rules.**

Steve Moninger, Bureau Attorney, stated there were no pending Board rules at this time. He further stated that all previously pending rules were now adopted. He went on to inform the Board of the following rule changes:

35.1	Definitions
35.14	Unlicensed General Contractors or Other Intermediaries
35.34	Standards of Conduct
35.60	Guard Company Manager Requirements
35.61	Written Examination
35.78	Evidence of Insurance
35.97	Entry of Appearance Required
35.221	General Reciprocity (repealed)
35.222	Limited Reciprocity (repealed)
35.257	Training Requirements
35.143	Drug-Free Workplace Policy Requirement

**Agenda Item IV: Discussion and possible action regarding online registration for individuals.**

This issue was discussed with Agenda Item II.

**Agenda Item V: Discussion and possible action regarding ASSIST school/training proposal.**

Dan Flores, president of ASSIST addressed this issue with the Board. He stated that he presented the proposal to the Board at the last meeting and hoped the Board would consider it favorably. On a motion made by Secretary Smith and seconded by Board member Crenshaw, the Board voted unanimously to approve the proposal as a resolution until such time as the Private Security Board meets to develop and pass a Board rule.

**Agenda Item VI: Discussion regarding Administrative Caseload and Appeals of Violations directly to the Private Security Board.**

Chairman Chism presented this item. He asked Bureau Attorney, Steve Moninger how many of these cases were yet to be scheduled, to which he replied there were none outstanding. Chairman Chism asked how many of these cases the Board could expect to handle in a year. Mr. Moninger replied that the statute currently provides for direct appeals to the Board only for registered sex offenders. He went on to say that to date there have been only two cases involving registered sex offenders; one of which went to SOAH and one that appealed directly to the Board.

**Agenda Item VII: Executive Session as authorized under §551.071.**

Executive Session not taken at this time.

**Agenda Item VIII: Report from Private Security Bureau.**

Captain Bowie presented the Investigation statistics to the Board. He stated that for the period of 10/27/08-1/22/09 there were 1,356 violations investigated by the Investigations Section of the Bureau. He further stated there were 14 cases of operating with an expired license, 767 cases of operating with a suspended license, and 89 cases of operating without a license. He went on to say that 19 cases were presented to prosecutors as criminal cases. Captain Bowie stated that it should be noted under operating without a license, cases include companies who have let their insurance coverage lapse. He went on to say the situation is usually rectified when the companies are contacted by investigators.

Captain Bowie went on to discuss other issues within the Bureau. He stated that with the State Legislature in session, Bureau staff has been working on proposals to ensure the Bureau receives all that it needs. Secondly, he stated that the SEALS re-engineering project is still being developed. He informed the Board that the Bureau is asking for \$1,000,000. to aid in getting this project up and running.

Chairman Chism asked Captain Bowie to explain the re-engineering project. Captain Bowie stated that the project needs to re-vamp the current Bureau system known as CLIPS. He stated that CLIPS was an unfinished project that does not adequately fit the Bureau's needs. He went on to say the Bureau staff is currently working with IMS on drafting the new program. He also stated a lot of the processing of licenses and investigations are still being done by hand. Vice-Chairman Johnsen asked if this project was about hardware or software, and Captain Bowie stated that it was about both, though mostly software. Vice-Chairman Johnsen asked how old the hardware was. Captain Bowie stated the actually computers 2 years old, though he did not know how old the servers were. Vice-Chairman Johnsen asked if the project would include changing servers, to which Captain Bowie stated that he didn't know. Licensing Supervisor Reggie Andrews stated that it is part of the re-engineering to have a new server.

Licensing Supervisor Reggie Andrews presented the Licensing statistics to the Board. He stated that for the period 10/29/08-1/23/09 the Bureau received 89 original company applications, 1,117 company renewals, 7,139 original individual applications, and 5,874 individual renewals not including on-line. He also stated that for the same period of time the Bureau issued 194 original company licenses, 1,089 company renewals, 8,107 original individual registrations, 5,677 individual renewals, and 3,974 employee information updates including online. He went on to say that currently the Bureau has 5,123 active company licensees, 187 active school licensees, and 116,439 individual registrants.

Reggie Andrews went on to say that with the new rule changes, some of the forms may have changed also, and he encouraged all industry members to check the Private Security Bureau website for the most current forms. He also stated that the Bureau's website has recently undergone a change in an effort to be more A.D.A. (Americans with Disabilities Act) compliant. He stated that the website does look dramatically different and that the Bureau had no input with

this initially. He went on to say that staff is trying to get icons added back to the website and help make it more user friendly.

### **Agenda Item IX: Public Comment**

John Arnold, with TLA, addressed the Board. He stated at one time companies were able to make employee terminations. He further stated that some people will work for a company for a short period of time, like one month, and then go out and try to start their own company. He asked if there were some way to put in the comments the length of time a person worked for a company.

Chairman Chism asked if there were any others wishing to address the Board. There were no other speakers and Public Comment was closed.

Captain Bowie stated the Bureau is currently running a test project regarding terminations. He stated the test project started with Secretary Smith's company and former Chairman Craig's company also. He stated that as far as the Bureau staff was concerned the project was working well. He went on to say the Bureau has terminated individuals from companies due to circumstances, such as the individual committing a crime or the manager contacting the Bureau regarding individual leaving company with uniform and possibly using it freelance. He further stated the Bureau would begin allowing companies to send in employee terminations, but it must come from the company Manager or Manager's designee. He also stated he encouraged companies to send the termination notices in via fax on company letterhead and signed by the Manager or designee.

Vice-Chairman Johnsen asked if during the period of time of receiving a termination notice, does the Bureau put on an individual licensee's record that they are no longer eligible to use the license. Captain Bowie answered that only occurs if an investigation is warranted, otherwise only a termination date is entered. Vice-Chairman Johnsen asked what happens if an alarm installer, for example, leaves a company and decides to do installations on their own. Captain Bowie responded that anyone with knowledge of this occurring would file a case of operating without a license and an investigation would be done.

George Craig, of SecureCo, Inc., addressed the Board regarding the test project for terminations. He stated that it added no additional workload to his staff and the termination date does show up on the website. One suggestion he had was to check the paperwork to be sure that Social Security Numbers and dates of birth were also included to ensure the correct person is being terminated.

Vice-Chairman Johnsen asked when the Bureau would be ready to begin this process. Captain Bowie stated that the Bureau should be ready prior to the next meeting of the Board. He also stated he felt the best way to get the word out would be to go through the trade associations. He stated he could provide them with detailed instructions and have them be the mouthpiece for this process. He then asked the Board for their thoughts on having the Manager/Owner/ or Designee be the only contact points. Vice-Chairman Johnsen asked if there were any place to document who is authorized to sign these forms. Captain Bowie responded that the only way to document

it is on the hard copy. Mr. Andrews addressed the Board regarding this and stated that Managers should use the termination form for terminating an individual and then sign the bottom of the form. He stated that the form, once received, is placed in the individual's file for reference. Chairman Chism asked if it would be helpful to have the Manager or Branch Manager signature on the form. Mr. Andrews replied that a Branch Manager would have to be looked up separately because they are not tied into the company in the CLIPS system. Chairman Chism asked if it would be helpful to have the Manager's signature as a way of holding them accountable. Captain Bowie stated that he thought it would add more validity to the process.

**Agenda Item XI: Executive Session (consultation with attorney) as authorized under §551.071, if necessary.**

Chairman Chism stated that the Board elected to have its Executive Session at this time. The room was dismissed at 9:52am.

Board member Caldera arrived at 10:00am and joined the Board in Executive Session.

Chairman Chism called the meeting back to order at 10:30am.

**Agenda Item X: Administrative Hearings**

**A. Proposals for Decision:**

Steve Moninger stated that all people with hearings before the Board were sent letters indicating that the hearings would begin promptly at 11:00am. He went on to say that two of the petitioners were already present, so in the interest of time he would begin with them. He instructed the Board to skip ahead in their hearings books to David Sanford.

David Sanford- Docket No. 010622008

Mr. Sanford was present to address the Board on this case. He did not have counsel present to represent him to the Board. Mr. Moninger stated that Mr. Sanford was denied application for registration as a locksmith, based on his Class B misdemeanor conviction for Terroristic Threat. He asked the Board to uphold SOAH's decision and deny Mr. Sanford's application. Mr. Sanford addressed the Board on his own behalf. He stated that there were extenuating circumstances surrounding his conviction. He stated that there was an altercation on his property between two of his neighbors. He stated that his three children were outside playing in the yard when the situation occurred. He went on to say that he asked them to leave with no result. He also stated that his children were very upset and in the confusion of trying to calm them down he panicked and pulled out his son's toy gun, and threatened the neighbors in an attempt to get them to leave his property. He went on to say that he signed a plea bargain because he was raising three kids on his own and it was easier to pay \$250. rather than \$2500. that he couldn't afford. Secretary Smith asked Mr. Moninger if there was any evidence to contradict Mr. Sanford's version of events. Mr. Moninger stated no there was no other evidence. Vice-Chairman Johnsen asked if Terroristic Threat was the only thing he was charged with to which Mr. Moninger replied yes, it was a threat of assault. Board member Crenshaw asked Mr. Moninger if the Board had the latitude to overturn SOAH's decision. Mr. Moninger stated that yes they did, in the sense that the reason it is a disqualifying

offense is because the Board established that it was by rule. He went on to say that as the authority behind the rule, the Board could choose to suspend the rule temporarily or modify the rule. Board member Warren asked if the Board should modify the rule if the Board chose to do something other than what is recommended by SOAH. Mr. Moninger stated that the rule states that the offense is a mandatory disqualifier, however because it is a rule that the Board passed they could withdraw it, modify it, or make a qualification to it. He went on to say that if the Board wished, they could move Terroristic Threat from the mandatory disqualifying list to the discretionary list by resolution until the next rule change. Vice-Chairman Johnsen stated that when he voted for the mandatory and discretionary lists, he didn't envision Terroristic Threat as having to do with neighbors and toy guns. Secretary Smith asked if Mr. Sanford disclosed this information on his application, to which Mr. Moninger stated that he did.

Board member Crenshaw made a motion to waive Terroristic Threat from the mandatory list of disqualifying offenses to the discretionary list. Secretary Smith seconded the motion, and the Board voted unanimously in favor of the motion.

Board member Crenshaw made a second motion to deny SOAH's decision and grant Mr. Sanford licensure as a locksmith. Secretary Smith seconded the motion, and the Board voted unanimously in favor of the motion. Mr. Sanford's application for registration as a locksmith was approved.

### **C. Direct Appeals to the Board:**

Steve Moninger directed the Board to skip ahead in their Hearing books to Bernard Lofton's Direct Appeal to the Board.

#### Bernard Lofton- Docket No. 000982009

Mr. Lofton was present to address the Board on this case. He was not represented by counsel. Mr. Moninger stated that Mr. Lofton was waiving his right to a SOAH hearing and appealing directly to the Board on the basis of denial of his application which was based on two felony convictions that are over 20 years old. He also directed the Board to documentation in their hearing books showing an order from the Private Security Board of California, proving his registration as a guard despite his felony convictions of assault with a deadly weapon involving a police officer and unlawful sex with a minor. Mr. Moninger provided the Board with copies of a resolution that was passed by the Board in 2006. The resolution provided guidelines to the Bureau Manager, by which the Manger could approve these licenses without coming to the Board if certain guidelines were met. Mr. Moninger went on to say Captain Bowie had reviewed the case and determined that due to the nature of the offense, unlawful sex with a minor, it would be appropriate for the Board to resolve this case. Mr. Lofton addressed the Board on his own behalf. He stated that in 1958 he was just out of the Navy and at a party. He went on to say that a fight broke out and the police were called. He stated that his wife was cussing and carrying on at the officers, so they were placing her under arrest. He stated that he saw her being put on the floor hard and became upset by this as well as inappropriate comments made by the arresting officer. He stated that the officer and he struggled and he struck the officer with his baton. He was arrest and went to jail. He then went on to say that in the case of unlawful sex with a minor it involved his step daughter. He further stated that he underwent six months of counseling. He also stated that he went before the Board in California to appeal for his license and it was granted. Board member Crenshaw asked to see his California locksmith license. Mr. Lofton presented the card to the Board. Board member Caldera asked Mr. Lofton how old he was when

he was convicted of unlawful sex with a minor. Mr. Lofton stated he was 38 or so; right around 40. Board member Caldera asked how old his step-daughter was at the time. Mr. Lofton stated that she was 16. Secretary Smith stated that one of the jobs they were charged with was interpreting law, and asked Mr. Moninger where the Board had discretion in this case. Mr. Moninger referred the Board to the earlier handout regarding eligibility criteria. He went on to say that the old statute states that a Class A or higher is permanently disqualifying and does not take number of offenses into account. He further stated that Mr. Lofton's case fell under the old statute that was in effect until January 1, 2008. Vice-Chairman Johnsen asked if Mr. Lofton had any other disqualifying offenses since 1982. Mr. Lofton stated that he only had speeding tickets and such. Mr. Moninger directed the Board's attention to Mr. Lofton's 1989 arrest for battery and inflicting corporal injury on a spouse. Mr. Lofton stated that the charge was expunged with the outcome being insufficient evidence. Mr. Lofton presented a copy of a record search showing no other convictions to the Board.

Board member Crenshaw made a motion to grant Mr. Lofton a locksmith license. Board member Warren seconded the motion. The motion carried with Chism, Johnsen, Smith, Crenshaw, and Warren voting for the motion, and Caldera voting against. Mr. Lofton's license was approved. Mr. Lofton's application for registration as a non-commissioned security officer was approved.

Chairman Chism called for a 10 minute break at 11:09am.

Chairman Chism called the meeting back to order at 11:15am.

#### **A. Proposals for Decision:**

Steve Moninger, Attorney, presented all PFD cases to the Board.

##### Ricardo Flores- Docket No. 013502008

Mr. Flores was present to address the Board on this case. He did not have counsel present to represent him to the Board. Mr. Moninger stated that Mr. Flores' application for registration as a locksmith was denied based on his Class A misdemeanor conviction for Driving While Intoxicated. He asked the Board to uphold SOAH's decision and deny his application. Mr. Flores addressed the Board on his own behalf. He stated that he was accompanied by his wife and owner of the company, Lorraine Garza-Flores, and also by the company manager, Maurice Berry. He went on to state that he understood the law but hoped the Board would grant him a license. He stated that he had been sober for 6 months now and was recently married in 2007. He also stated that his daughter was about to turn 1 year old and his life style had changed since the DWI event. Vice-Chairman Johnsen stated that Mr. Flores was arrested in 2005 and only sober for the past 6 months. He went on to say that was a long time in between. Mr. Flores stated that he wasn't drinking heavily and things had changed since he met his wife. Vice-Chairman Johnsen asked if Mr. Flores' wife was the owner of the company, to which Mr. Flores responded that she was. Vice-Chairman Johnsen further asked if she was the owner of the company at the time of the DWI occurrence. Mr. Flores stated that she was not. Board member Caldera asked him if he considered himself to be an alcoholic. Mr. Flores stated that he did not consider himself to be an alcoholic now, but did think he was at the time. Board member

Caldera further asked if he was ever intoxicated while performing duties as a locksmith. Mr. Flores stated he was not employed at the time of the incident. Board member Caldera asked how long he served in jail, to which Mr. Flores replied six months. Mr. Berry addressed the Board stating that the company was started in July of 2007 under the old law, when Mr. Flores would have been eligible. Vice-Chairman Johnsen informed Mr. Berry that the law changed to reflect a disqualification from 20 years to 10 years, and knowing that Mr. Flores would have been worse off under the old law. Mr. Moninger interjected, stating that Mr. Berry was referring to Chapter 53. Vice-Chairman Johnsen stated the Board operates under 1702 and it does not allow for any discretion on the Board's part in this circumstance. Chairman Chism asked the date that Mr. Flores applied to be a locksmith and was told that he applied in June of 2008. Vice-Chairman Johnsen asked if he was correct in stating that Mr. Flores could still be a part of the business, just not perform any locksmith duties, to which Captain Bowie confirmed that fact.

Vice-Chairman Johnsen made a motion to uphold SOAH's decision and deny Mr. Flores' application. Board member Crenshaw seconded the motion. The motion carried with Chism, Johnsen, Smith, Crenshaw, and Warren voting for the motion, and Caldera voting against. Mr. Flores' application for registration as a locksmith was denied.

#### Robert Roteman- Docket No. 009742008

Mr. Roteman was neither present to address the Board on this case, nor did he have counsel present. Mr. Moninger stated Mr. Roteman's case was first presented during the October 30, 2008 meeting of the Board. He went on to say the Board's order was for Mr. Roteman to appear at this meeting and report on his attempts to have his "other than honorable" discharge modified. Mr. Moninger stated that the Bureau was seeking to revoke Mr. Roteman's registration as an alarm installer and deny his application for registration as a Qualified Manager based on his discharge. The discharge is allegedly the result of gambling while on duty in the barracks. Vice-Chairman Johnsen stated that SOAH's recommendation was to grant Mr. Roteman's registration and as he understood it, the Board should uphold the decision unless there is evidence to the contrary to deny the license. Mr. Moninger stated that this was the case during the last Board meeting that led to the resolution of Rule §35.43, giving discretion to the Bureau Manager when the reason for the discharge is unclear. He went on to note that this would have been handled through the Manager's discretion had it not been for the Board's order for Mr. Roteman to return during this meeting to see if he was able to have the discharge re-classified.

Vice-Chairman Johnsen made a motion to uphold SOAH's decision and grant Mr. Roteman's application for Qualified Manager. Board member Crenshaw seconded the motion, and the Board voted unanimously in favor of the motion. Mr. Roteman's application for registration as a Qualified Manager was approved.

#### Tinako Harrison- Docket No.010122008

Mr. Harrison was neither present to address the Board on this case, nor did he have counsel present. Mr. Moninger stated that Mr. Harrison's application for registration as a non-commissioned security officer was denied based on his adjudication as having engaged in delinquent conduct violation a penal law of the grade of felony. He went on to inform the Board that Mr. Harrison would be eligible in August of 2009 for licensure.

Vice-Chairman Johnsen made a motion to uphold SOAH's decision and deny Mr. Harrison's application. Secretary Smith seconded the motion. Before a vote could be taken a member of the audience requested to speak on Mr. Harrison's behalf. Susan Griswold, with Security

Professionals of Texas, addressed the Board stating that she was familiar with Mr. Harrison and his current circumstances. She stated that he was an employee of hers until he became summary denied and he has not had steady employment since. She further stated that the reason he was not present to speak to the Board was because he was a single father of three and had lost his transportation while unemployed. Vice-Chairman Johnsen asked her if she would be willing to re-hire Mr. Harrison if given the chance. Ms. Griswold replied she would re-hire him "in a heartbeat", stating that he was always a good, reliable employee. Board attorney David Wise asked Ms. Griswold if he had access to a telephone. She replied that he did and actually had his hearing with SOAH over the telephone.

Vice-Chairman Johnsen amended his previous motion now stating that his motion was to grant Mr. Harrison a temporary/conditional license through August 2009, at which time if he has no other disqualifying offenses occur he will have his license renewed. Board member Caldera seconded the motion, and the Board voted unanimously in favor of the motion. Mr. Harrison's application for registration as a non-commissioned security officer was approved.

#### Preston Goines- Docket No.010132008

Mr. Goines was neither present to address the Board on this case, nor did he have counsel present. Mr. Moninger stated that Mr. Goines' registration as a non-commissioned security officer was revoked based on his Class B misdemeanor conviction of Indecent exposure. He also stated that Mr. Goines misrepresented himself on his application by not indicating that he had a Class B conviction. He asked that the Board uphold SOAH's decision and reject Mr. Goines' application.

Vice-Chairman Johnsen made a motion to uphold SOAH's decision and reject Mr. Goines' application. Secretary Smith seconded the motion, and the Board voted unanimously in favor of the motion. Mr. Goines' application for registration as a non-commissioned security guard was denied.

#### James Sherman- Docket No. 013492008

Mr. Sherman was neither present to address the Board on this case, nor did he have counsel present. Mr. Moninger stated that Mr. Sherman's application for registration as a non-commissioned security officer was denied based on his two felony convictions for Burglary and Theft. He further asked the Board to uphold SOAH's decision and deny Mr. Sherman's application.

Secretary Smith made a motion to uphold SOAH's decision and reject Mr. Sherman's application. Board member Warren seconded the motion, and the Board voted unanimously in favor of the motion. Mr. Sherman's application for registration as a non-commissioned security officer was denied.

#### Robert Slott- Docket No. 001362009

Mr. Slott was neither present to address the Board on this case, nor did he have counsel present. Mr. Moninger stated that Mr. Slott's application for registration as a non-commissioned security officer was denied based on his status as a registered sex offender. He further asked the Board to uphold SOAH's decision and reject Mr. Slott's application.

Vice-Chairman Johnsen made a motion to uphold SOAH's decision and reject Mr. Slott's application. Board member Caldera seconded the motion, and the Board voted unanimously in

favor of the motion. Mr. Slott's application for registration as a non-commissioned security officer was denied.

Charlie Jones- Docket No. 008712008

Mr. Jones was neither present to address the Board on this case, nor did he have counsel present. Mr. Moninger stated that Mr. Jones currently holds a non-commissioned security officer registration that was issued erroneously. He further stated that the Bureau was seeking to revoke Mr. Jones' registration as a non-commissioned security officer based on his felony conviction for Assaulting/Resisting/Obstructing a Police Officer.

Secretary Smith made a motion to uphold SOAH's decision and to revoke Mr. Jones' registration. Vice-Chairman Johnsen seconded the motion, and the Board voted unanimously in favor of the motion. Mr. Jones' registration as a non-commissioned security officer was revoked.

Evelyn Harris- Docket No. 012962008

Ms. Harris was neither present to address the Board on this case, nor did she have counsel present. Mr. Moninger stated that Ms. Harris' application for registration as a non-commissioned security officer was denied based on her felony conviction for Welfare Fraud.

Secretary Smith made a motion to uphold SOAH's decision and deny Ms. Harris' registration. Board member Crenshaw seconded the motion, and the Board voted unanimously in favor of the motion. Ms. Harris' application for registration as a non-commissioned security officer was denied.

**Agenda Item XII: Adjournment**

Chairman Chism introduced this agenda item. Board member Crenshaw made a motion for adjournment. Vice-Chairman Johnsen seconded the motion, and the Board voted unanimously in favor of the motion. At 12:06pm, the January 27, 2009 meeting of the Private Security Board was adjourned.