

# **Texas Private Security Advisory Committee (TPSAC)**

Meeting Minutes

October 13, 2021

## **1. Call to Order**

The regular meeting of the Texas Private Security Advisory Committee was called to order at 11:04 a.m. on October 13, 2021 via conference call.

## **2. Roll Call**

Patti James	Chairwoman	Private Investigator Representative
Wade Hayden	Member	Public Representative
John Helweg	Member	Locksmith Representative
Alan Trevino	Member	Private Security Guard Representative
Debi Ulmer	Member	Alarm System & Electronic Access Rep
Jason Hester	Assistant Chief	Texas Department of Public Safety
Lisa Cargill	Field Operations Manager	Texas Department of Public Safety
Robert Hawkins	Program Manager	Texas Department of Public Safety
Jeremy LeCrone	Program Manager	Texas Department of Public Safety
Pablo Luna	Service Director	Texas Department of Public Safety
Steve Moninger	Senior Policy Analyst	Texas Department of Public Safety
Amalia Sanchez	Program Supervisor	Texas Department of Public Safety
Chris Sims	Service Director	Texas Department of Public Safety
Anne Yusim	Field Operations Manager	Texas Department of Public Safety
Sherrie Zgabay	Service Director	Texas Department of Public Safety
Leslie Stevens	Personnel Admin Specialist	Texas Department of Public Safety

## **3. Minutes from July 14, 2021**

The minutes of the previous meeting were unanimously approved as distributed.

## **4. Quarterly Reports from Regulatory Services Division**

### **a. Licensing Statistics**

Jeremy LeCrone presented this information to the committee. There were no questions.

### **b. Disciplinary Actions**

Jeremy LeCrone presented this information to the committee. Debi Ulmer noted the report showed multiple revocations occurred in the month of April and asked why there seemed to be so many. Assistant Chief Hester explained that many of the cases of revocation were a result of court actions, some of which had been on hold during COVID. Assistant Chief Hester also stated that staff would review the report data. It was determined that the report contained an error and a corrected report was sent to the members, as well as posted on the website.

### **c. Complaints/Investigations**

Pablo Luna presented this information to the committee. There were no questions.

#### **d. Executive Office Report**

Assistant Chief Hester began by stating that the next committee meeting would be held in person and be available to all members in a virtual format as well. He explained that for those choosing to meet in person, there was a temperature check station in the lobby of the building. He also advised that anyone not feeling well or with a fever should stay home.

Assistant Chief Hester stated that he and Pablo Luna attended the locksmith conference to present and answer attendee questions. He informed the committee that he, Chief Mueller and Pablo Luna were also planning to attend the upcoming ASSIST conference. He mentioned to the members that RSD was available to attend other conferences as well.

Assistant Chief Hester explained to the committee that prior to the last legislative session the division's hiring of noncommissioned employees was placed on a temporary hold. The hold had now been lifted and the division has been hiring field positions for auditors and inspectors. Assistant Chief Hester stated that because of the recent influx in hiring, the industry will see an increase in the number of inspections performed.

Assistant Chief Hester informed the committee that the TOPS record retention project has been placed on hold. He explained that when the vendor coding began, the team realized that the complexities involved with modifying the system would need to be reevaluated.

### **5. Industry Reports**

#### **a. Security Officers**

There were no updates or reports.

#### **b. Investigators**

There were no updates or reports.

#### **c. Alarm systems and Electronic Access Control**

Debi Ulmer stated that there was a convention scheduled for the end of October. She had nothing further to report.

#### **d. Locksmiths**

John Helweg stated that the Texas Locksmith Association has a new president, Bruce Horn. He stated that he planned to meet with him regarding how the TPSAC might assist him and the association. He had nothing further to report.

#### **e. Public Report**

There were no updates or reports.

### **6. Discussion and Possible Recommendation Items**

#### **a. Proposed amendments to Rule 35.13, Drug-Free Work Place Policy**

Steve Moninger addressed the committee stating that this item was tabled during the last meeting in order to research the Texas Workforce Commission guidelines. He stated that the Workforce Commission's guidelines did not provide any indication on whether managers, or executives should be included in the policy. He stated that the rule currently reads: "In the interest of creating a safe and drug-free work environment for clients and employees, all licensed companies shall establish and implement a drug free workplace policy consistent with the Texas Workforce Commission's Drug-Free Workplace Policy." He further stated that the proposed change concerns the addition of "with employees required to be licensed under the Act". He asked if this was the direction the committee wanted to go and should the rule apply to a company that doesn't have any employees. Basically, should a sole proprietor be subject to this rule?

Patti James stated that she did not see a reason not to include sole proprietors in this rule, as she has done this herself. Steve Moninger stated that this originated from field employees seeking guidance when inspecting a sole proprietor without a drug policy on file. He further stated that his answer at the time was no, as the rule was specific to employees but thought this should be brought to the committee for additional discussion. Debi Ulmer stated that technically the company is the non-human entity and all humans are employees of the company. She explained that requiring it of everyone keeps it consistent. Alan Trevino suggested using the wording "all licensees" rather than "employees" which he felt would encompass everyone. Wade Hayden asked if there was already a rule regarding licensees and the use of drugs. Patti James stated that as a sole proprietor she signed a drug free policy in the interest of consistency. Wade Hayden agreed that the rule change should state "all licensees" rather than "all licensed companies". Steve Moninger commented that the rule as currently written already states this without any additional language. Patti James stated that a person either has a company or individual license, there are no sole proprietor licenses. She agreed the language should say "all licensees". Wade Hayden stated that the issue seems to be "all licensed companies", sole proprietors are automatically excluded. Steve Moninger suggested the committee table discussion and clarify the language. Wade Hayden stated that a sole proprietor cannot label themselves a company and is prohibited by law from doing so under the Deceptive Trade Practices Act. Wade Hayden asked the committee if everyone agreed that the policy should include sole proprietors. The committee agreed in a unanimous decision that sole proprietors should be included. Steve Moninger was instructed to work with Wade Hayden on new language for consideration.

#### **b. Proposed amendments to Rule 35.143, Training Instructor Approval**

No action was required as the committee members voted by email prior to the meeting to approve the amendments.

### **7. Future agenda items**

- a. Proposed amendments to Rule 35.13, Drug-Free Work Place Policy

### **8. Date of next meeting- January 12, 2022, 11:00 a.m.**

Date of the next meeting was confirmed to be January 12, 2022.

### **9. Adjourn**

Meeting adjourned at 12:03 p.m.