

TEXAS PRIVATE SECURITY BOARD

**REGULARLY SCHEDULED BOARD MEETING HELD AT 9:00 A.M.,
JANUARY 16, 2019**

**TEXAS DEPARTMENT OF PUBLIC SAFETY
6100 GUADALUPE ST, BLDG E
CRIMINAL INVESTIGATIONS BUILDING
AUSTIN, TX 78752**

BOARD MEMBERS PRESENT:

Honorable Patti James, Chairwoman
Honorable Wade Hayden
Honorable Derrick Howard
Honorable Alan Trevino
Honorable Debbra Ulmer
Honorable Stephen Willeford

BOARD MEMBERS NOT PRESENT:

Honorable C. D. Siems

STAFF PRESENT:

Wayne Mueller, Chief, Regulatory Services Division;
Valerina Walters, Managing Attorney, Office of Regulatory Counsel;
Chris Sims, Senior Manager, Licensing and Registration Service;
Huel Haynes, Manager, Licensing and Registration Service;
Jay Alexander, Major, Regulatory Crimes Service

MINUTES

These minutes are a summary record of the Board's public meeting. The 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 DVD recording on file at the Board's office.

Chairwoman James announced the new Chief of the Regulatory Services Division, Wayne Mueller.

Chief Mueller addressed the board thanking Chief Bowie for the great job he has done with the Division and for both the Texas Private Security Board and Texas Private Security profession. He continued by stating that while he came from the Administration Division of DPS, he worked in the Regulatory Services Division 7 years ago as Assistant Chief, and was therefore familiar with Private Security. He invited the board to call him if he could be of assistance.

Agenda Item I: Approval of Minutes for Board Meeting held October 2, 2018

Chairwoman James introduced this agenda item. Upon review, Board member Howard made a motion to accept the minutes as submitted. Board member Hayden seconded the motion and the board voted unanimously in favor.

Agenda Item II: Quarterly Reports from Regulatory Services Division

Assistant Manager Ryan Garcia presented the licensing totals for the first quarter, 9/1/2018 to 11/31/2018. He stated, for this time period, the Division received 352 original company applications, 1,689 company renewals, 15,174 original individual applications, and 8,682 individual renewals. He went on to say, for the same time period the Division processed the following licenses/registrations:

- 218 original company licenses (195 online, 23 manual),
- 1,665 company renewals (1,646 online, 19 manual),
- 6,963 individual registrations (6,801 online, 162 manual),
- 6,226 individual renewals (6,122 online, 104 manual),
- 7,601 employee information updates (7,601 online, 57 manual).

He also stated this time period showed 6,414 active company licenses, 460 active school licenses, and 153,910 active individual registrants.

Major Jay Alexander presented the enforcement totals for the first quarter, 9/1/2019 to 11/31/2018. He stated, for this time period, the Division issued 329 denials, 554 license suspensions, 29 license revocations, and collected \$1,850 in fines (10 fines). He went on to say the Division also performed 201 Guard Inspections and 766 Business Inspections. Of the 157 complaints that the Division received, 14 were resolved while 143 remain under investigation. He broke down the number of complaints received thusly:

- Alarm: 34
- Electronic Access: 7
- Guard Dog: 1
- Guard: 38
- Instructor: 1
- Locksmith: 17
- MAB: 6
- Other: 12
- Private Investigator: 19
- Security Contractor: 21
- Training School Level III: 1

Secretary Ulmer asked what MAB stood for, to which Major Alexander explained Medical Advisory Board.

Agenda Item III: Report from Rules Committee

Board member Hayden addressed the board regarding this agenda item, stating that there were currently two rules under consideration from the October Private Security Board meeting:

§35.121 & §35.123. He stated that one of the rules pertained to Private Investigators while the second pertained to Locksmith. He explained that the committee asked members of the industry to provide input regarding these rules, but have not received much input. He was again asking for members of these two private security groups to provide opinions regarding these two rules.

Agenda Item IV: Discussion and possible action regarding Rule §35.4, Guidelines for Disqualifying Criminal Offenses

Steve Moninger addressed the board stating that this possible rule change was for discussion only at this time. He stated that during the Sunset review, Regulatory Services and the Texas Private Security Board were directed to look at the rules of disqualification and ensure that they were not too restrictive. He went on to say that the Sunset Committee specifically recommended eliminating the permanent disqualifier of Burglary of a Habitation. He also stated that another recommendation was to make some of the disqualifying offenses specific to the registration.

Board member Hayden asked if there were proposed rule changes in writing. Mr. Moninger stated that as this was for discussion only, there is nothing yet in writing other than the report published by the Sunset Commission which he would be happy to provide to the board. He went on to give an example, given by the Sunset Committee: Disorderly Conduct being permanently disqualifying may need to be scaled back depending on severity of the act, such as making an obscene gesture may not need to be permanently disqualifying.

There was no action taken on this item at this time.

Agenda Item V: Discussion and possible action regarding Rule §35.121, Investigations Company License

There was no discussion at this time.

Agenda Item VI: Discussion and possible action regarding Rule §35.123, Locksmith Company License

There was no discussion at this time.

Agenda Item VII: Public Comment

There were no public comments at this time.

Agenda Item VIII: Executive Session as authorized under §551.071, if necessary.

Chairwoman James called for an executive session which began at 9:17am.

The meeting was called back to order at 9:35am.

Agenda Item IX: Administrative Hearings on Licensing and Disciplinary Contested Cases

Chairwoman James called roll to determine which individuals with cases before them, were present. She further stated that in the interest of time for those who were present for their hearing, she would hear them first.

- Antonio E. Garcia- Docket No. 405-19-0214
- Reginald E. Hampton - Docket No. 405-18-5026
- James R. Cristofolletti - Docket No. 405-18-3903
- Robert Ward Dotson - Docket No. 405-19-0273
- Vickey Ann Flewellen - Docket No. 405-18-4030
- Rodolfo G. Gallardo - Docket No. 405-18-4694
- Aaron Rose - Docket No. 405-19-0551
- Darnell G. Hagans - Docket No. 405-19-0731
- Gerald A. Reifel - Docket No. 405-19-0056
- Luciana Mary Thomas - Docket No. 405-19-0472
- Ralph Jason Lozano - Docket No. 405-19-0058
- Robert J. Kirschner – Docket No. 405-18-1360

Attorney for the Department, Joanna Starr, presented the following cases to the board.

Antonio E. Garcia - Docket No. 405-19-0214:

Mr. Garcia was present to address the board on this matter, but did not have counsel present on his behalf. Ms. Starr stated Mr. Garcia's application for registration as a noncommissioned security officer was summarily denied based on his pending Class B misdemeanor offense from 2016 for Theft. On or about December 19, 2017, Mr. Garcia was found guilty by a jury and was sentenced to six months in the Bexar County Jail, which was suspended and probated for one year. On or about January 17, 2018, a certified notice of appeal was sent to the 4th Court of Appeals from the trial court. As of December 18, 2018, according to the information found on the 4th Court of Appeals website, the matter was set for submission on September 5, 2018, but remained undecided. On December 19, 2018 a decision was made and Mr. Garcia's attorney indicated that they will appeal the decision to the Court of Criminal Appeals.

Mr. Garcia addressed the board stating that he did not have much to say; he is waiting for the case to be resolved. He stated he was just in the wrong place at the wrong time. Board member Willeford asked for confirmation that Mr. Garcia had been found guilty and was awaiting an appeal. Mr. Garcia stated that was correct. Board member Hayden addressed Mr. Garcia saying that the board had heard from Ms. Starr that the Court of Appeals had heard his case and had ruled, and that Mr. Garcia was now waiting for the next court, highest in the State, to listen to his appeal. He stated that there is no guarantee that he will get his case heard before them.

Chairwoman James asked how long ago he committed the crime. Mr. Garcia stated it was 2 years ago. She then asked what type of work Mr. Garcia was doing at the time, to which he answered he was doing security.

Secretary Ulmer made a motion to uphold the ALJ's decision and deny Mr. Garcia's application for registration as a non-commissioned security officer. Board member Willeford seconded the motion. The motion passed unanimously.

Reginald E. Hampton - Docket No. 405-18-5026:

Mr. Hampton was present to address the board on this matter, but did not have counsel present on his behalf. Ms. Starr stated Mr. Hampton's application for registration as a commissioned security officer was summarily denied based on his November 21, 1996 second degree felony conviction for Robbery. Mr. Hampton's felony conviction renders him federally disqualified from possessing a firearm.

Mr. Hampton addressed the board stating that the only thing he questioned is that the law states a person has to be incarcerated for one year in order to lose their rights, but he only received 90 days in boot camp. Chairwoman James stated that the Federal Government stated that he was not able to possess a gun, and did not see how he could be a commissioned security officer without one.

Board member Hayden asked Mr. Hampton if he understood that the Texas Private Security Board did not have the authority to override a Federal law. Mr. Hampton stated that he did understand that and he is currently working to get his rights back.

Board member Hayden made a motion to uphold the ALJ's decision and deny Mr. Hampton's application for registration as a commissioned security officer. Vice-Chairman Trevino seconded the motion. The motion passed unanimously.

James R. Cristofolletti - Docket No. 405-18-3903:

Mr. Cristofolletti was present to address the board on this matter, but did not have counsel present on his behalf. Ms. Starr stated Mr. Cristofolletti's renewal application for registration as a non-commissioned security officer was summarily denied based on his 1987 felony conviction for sexual assault. She went on to say that he pled guilty and received ten years of imprisonment in the Institutional division of the Texas Department of Criminal Justice for felony sexual assault in the 166th District Court of Bexar County, Texas. The sentence was suspended and Mr. Cristofolletti was placed on community supervision and ordered to pay \$97 in court costs. On December 11, 1989, the Court signed an Order of Court Dismissing Cause, stating that the "defendant...is permitted to withdraw his plea of guilty," "the indictment...is hereby dismissed," and "the Judgment of Conviction...is hereby set aside."

Chairwoman James asked Mr. Cristofolletti if he knew what Section 1702 was, to which he answered he did not. She explained that Section 1702 was the law that governs the Private Security industry. Mr. Cristofolletti went on to state he went to court in July of 2018 to have his case heard. The case was dismissed and cleared. He stated he had been a guard since 2005, but when he went to renew his license he was told that he was suddenly ineligible. Chairwoman James asked if his position with SAPD was voluntary or a paid position. Mr. Cristofolletti stated that he is a volunteer. Board member Howard asked if he had evidence to present regarding his work with SAPD, which Mr. Cristofolletti answered that he turned it in to the court. Ms. Starr stated that all of the evidence presented at the hearing was included in the Proposal for Decision.

Chairwoman James asked if the case was dismissed or set aside. Ms. Starr stated that it had been set aside, but the wording of the order does use the word dismissal. She further stated that for

the board's purposes, under Section 1702.371, the board is allowed to consider the conviction but for all other purposes Mr. Cristofolletti has a dismissal. Chairwoman James asked if the board were allowed to consider Section 1702.371 or if it must, to which Ms. Starr stated that the board must consider the conviction.

Board member Hayden asked if he were required to register as a sex offender, which Mr. Cristofolletti answered no, he was not. Board member Hayden further stated that Mr. Cristofolletti's denial had come about due to the Department's improved background checks. He also stated that Mr. Cristofolletti's conviction occurred before a time when he would have had to register as a sex offender and before the statute which concerned a set aside conviction.

Board member Howard made a motion to uphold the ALJ's decision and grant Mr. Cristofolletti's renewal application for registration as a non-commissioned security officer. Secretary Ulmer seconded the motion. The motion passed with James, Hayden, Howard, and Ulmer voting in favor while Trevino and Willeford voted against.

Rodolfo G. Gallardo - Docket No. 405-18-4694:

Mr. Gallardo was present to address the board on this matter, and also had counsel present on his behalf- Ms. Teri Estes-Hightower. Ms. Starr stated Mr. Gallardo's application for registration as a security salesperson was summarily denied based on his 1995 second degree felony conviction for sexual assault and his lifetime requirement to register as a sex offender. She also asked that the Board amend Conclusion of Law No. 1 to change the wording from "alarm system salesperson" to "security salesperson".

Ms. Estes-Hightower addressed the board stating she wanted to bring to the board's attention the mitigating circumstances regarding this case. She stated Mr. Gallardo was part of a horrible crime. He was found guilty and he does have to register as a sex offender. She went on to say that the board had the authority to look at the mitigating factors in the case in order to make a decision. At the time of the offense in 1993, the sex offender registry was dismissive after 10 years. She stated that if the law hadn't changed, this case would likely not be before the board today. She further stated that although this offense is permanently disqualifying, the board is allowed to consider the factors of the case:

- Mr. Gallardo's wife owns the security company for which he works as an account manager
- The victim was not a child
- Mr. Gallardo has no restrictions regarding location
- He is currently working as an accountant at the company

Board member Ulmer asked what type of company his wife's company was, for which he wanted to do sales. She was informed it is a security company. Chairwoman James asked if his Driver License had a sex offender stamp on it, to which he answered no.

Board member Hayden stated he did not see how the board could overlook Section 1702.113, which says that he cannot be required to be registered as a sex offender. He further stated that

the ALJ improperly applied Section 1702.371, which states that even if a case has been set aside, it must still be considered a conviction for the board's purposes of licensure.

Board member Willeford made a motion to deny the ALJ's decision and deny Mr. Gallardo's application for registration as a security salesperson based on his conviction and lifetime requirement to register as a sex offender. Board member Hayden seconded the motion. The motion passed unanimously.

Attorney for the Department, Victoria Meza, presented the following cases to the board.

Gerald A. Reifel - Docket No. 405-19-0056:

Mr. Reifel was present to address the board on this matter, and also had counsel present on his behalf- Mr. Jason Danowsky. Ms. Meza stated Mr. Reifel's registration as a commissioned security officer was summarily revoked due to this 2016 Class A misdemeanor offense of driving while intoxicated with blood alcohol concentration 0.15 or higher.

Mr. Danowsky addressed the board stating the ALJ made a recommendation that Mr. Reifel keep his license that he has had since 2003. He stated that the judge considered the following factors in Chapter 53:

- The extent and nature of the person's past criminal activity-
- The age of the person when the crime was committed- he was 51
- The amount of time that has elapsed since the person's last criminal activity- over 3 years
- The conduct and work activity of the person before and after the criminal activity- he was licensed as a non-commissioned security officer
- Evidence of the person's rehabilitation or rehabilitative effort while incarcerated or after release- he was released from any supervision since 2017
- The date the person will be eligible- he would be eligible in November 2020
- Any other evidence of the person's fitness, including letters of recommendation- he does have letters of recommendation from

Mr. Danowsky concluded by saying that of these factors are in Mr. Reifel's favor except for the date of his eligibility.

Mr. Reifel addressed the board stating that he was truly apologetic for this crime and thankful that no one was hurt. He stated that he completed all programs and requirements. He asked the board to consider granting him his license.

Vice-chairman Trevino stated that he disagreed with Mr. Danowsky's statement regarding only one mitigating factor not being in Mr. Reifel's favor. He stated that Mr. Reifel's age at the time of the crime was not in his favor as he was 51 years old and should surely have known better. Mr. Danowsky replied that he hoped the board would consider Mr. Reifel's prior 50 years as a law abiding citizen as reason to grant him his license. Vice-chairman Trevino asked if he worked for the same company in a different capacity. Mr. Reifel answered that he worked in the maintenance department.

Board member Hayden made a motion to affirm the ALJ's decision and reinstate Mr. Reifel's registration as a commissioned security officer. Secretary Ulmer seconded the motion. The motion passed unanimously.

Chairwoman James called for a short recess at 10:41am.

The meeting was called back to order at 10:50am.

Attorney for the Department, Victoria Meza, presented the following cases to the board.

Luciana Mary Thomas - Docket No. 405-19-0472:

Ms. Thomas was present to address the board on this matter, and also had counsel present on her behalf- Ms. Paige Clay. Ms. Meza stated Ms. Thomas' application for registration as a commissioned security officer was summarily denied based on her 2015 simple battery conviction. The victim of the offense was Damion Williams, who was Applicant's spouse at the time of the offense. This was a misdemeanor crime of domestic violence.

Ms. Paige Clay addressed the board stating Ms. Thomas is a victim of domestic violence and if she had had competent counsel at the time of her trial, she would likely have had the case dismissed based on self-defense. She stated that the State of Louisiana issued Ms. Thomas a License to Carry as well as a security guard license after her conviction and she only left Louisiana to get away from her abusive husband. She further stated that under Louisiana law setting aside the conviction is the same as an acquittal and she is not considered having been convicted of that offense. She went on to say that when Ms. Thomas received the order of dismissal last year, it was not filed with the court. She concluded by stating that she felt confident that if the background check were done today, Ms. Thomas would have a clear record, but due to the government shut down there was no way to receive this confirmation.

Ms. Thomas addressed the board, thanking them for hearing her case. She stated it had been a long road for her. She added that she is a commissioned security officer in Louisiana and that she came to Houston for a better life for her sons and herself. She went on to say she came in 2017 with FEMA and that is what gave her the idea to move to Houston.

Ms. Clay added that Ms. Thomas knew that her case had been set aside when she applied for her commissioned security guard license in Texas, but did not know that the paperwork had not been properly filed. She further stated that she and her team got a copy of the court order setting aside the case and didn't think that Louisiana would have ever filed the paperwork if she hadn't been on the phone asking them to look for the paperwork.

Board member Hayden asked Ms. Clay why she thought it was that the ALJ ignored the conviction Ms. Meza answered saying that the judge was really new and had said it was one of his first cases. Board member Hayden stated Section 1702.371 states if convicted of a crime and it is set aside, the board must still consider the conviction. He went on to say that if the NICS database doesn't show a clear record the board does not have the authority to go against the

federal government. Ms. Clay asked if a provisional license could be granted. Secretary Ulmer stated that the board did not have the authority to grant a provisional license in this case, but once Mr. Thomas' record is cleared she can reapply.

Board member Hayden made a motion to affirm the ALJ's decision and deny Ms. Thomas' application for registration as a commissioned security officer. Vice-Chairman Trevino seconded the motion. The motion passed with Hayden, Howard, Trevino, Ulmer, and Willeford voting in favor of the motion while James voted against.

Ralph Jason Lozano - Docket No. 405-19-0058:

Mr. Lozano was present to address the board on this matter, but did not have counsel present on his behalf. Ms. Meza stated Mr. Lozano's application for registration as an alarm systems installer was summarily denied based on his 2015 Class B misdemeanor of obstructing a highway intoxication and due to making a material misstatement regarding his criminal history on his application.

Mr. Lozano addressed the board stating he was confused as to what license he was trying to apply for. He should have applied for an electronic access control license and when he realized the mistake he tried to go back but could not. He also explained that he had his license for access control and had been with the company for four years when he moved into management. He stated that he then tried to apply for a new license as an electronic access control license.

Board member Hayden asked Mr. Lozano what he answered on the application when asked if he had ever been convicted of any crime. Mr. Lozano stated that he answered no. Board member Hayden then asked why he did not disclose his conviction. Mr. Lozano stated that he did that on the advice of his attorney.

Secretary Ulmer asked if this was his only arrest, to which he answered that he had had one previous DWI arrest 15 years prior.

Secretary Ulmer made a motion to affirm the ALJ's decision and deny Mr. Lozano's application for registration as an alarm systems installer based on his material misstatement. Board member Willeford seconded the motion. The motion passed unanimously.

Attorney for the Department, Joanna Starr, presented the following cases to the board.

Robert Ward Dotson - Docket No. 405-19-0273:

Mr. Dotson was not present to address the board on this matter, nor did he have counsel present on his behalf. Ms. Starr stated Mr. Dotson's application for registration as an alarm systems installer was summarily denied based on his 2016 misdemeanor conviction for Driving While Intoxicated 2nd.

Board member Hayden made a motion to affirm the ALJ's decision and deny Mr. Dotson's application for registration as an alarm systems installer. Vice-Chairman Trevino seconded the motion. The motion passed unanimously.

Vickey Ann Flewellen - Docket No. 405-18-4030:

Ms. Flewellen was not present to address the board on this matter, nor did she have counsel present on her behalf. Ms. Starr stated Ms. Flewellen's application for registration as a non-commissioned security officer was summarily denied based on her 1993 felony conviction for aggravated assault with a deadly weapon.

Secretary Ulmer made a motion to overturn the ALJ's decision and deny Ms. Flewellen's application for registration as a non-commissioned security officer based on the fact that Aggravated Assault is considered a permanently disqualifying offense. Board member Willeford seconded the motion. The motion passed unanimously.

Attorney for the Department, Victoria Meza, presented the following cases to the board.

Aaron Rose - Docket No. 405-19-0551:

Mr. Rose was not present to address the board on this matter, nor did he have counsel present on his behalf. Ms. Meza stated Mr. Rose's application for registration as a commissioned security officer was summarily denied based on his 2018 Class A misdemeanor conviction for attempted endangering a child.

Board member Howard made a motion to uphold the ALJ's decision and deny Mr. Rose's application for registration as a commissioned security officer. Board member Hayden seconded the motion. The motion passed unanimously.

Attorney for the Department, Joanna Starr, presented the following cases to the board.

Darnell G. Hagans - Docket No. 405-19-0731:

Mr. Hagans was not present to address the board on this matter, nor did he have counsel present on his behalf. Ms. Starr stated Mr. Hagans' application for registration as a non-commissioned security officer was summarily denied based on 2016 misdemeanor conviction for Interference with Law Enforcement Officer.

Board member Willeford made a motion to uphold the ALJ's decision and deny Mr. Hagans' application for registration as a non-commissioned security officer. Board member Hayden seconded the motion. The motion passed unanimously.

Attorney for the Department, Jean O'Shaw, presented the following cases to the board.

Robert J. Kirschner - Docket No. 405-18-1360:

Mr. Kirschner was not present to address the board on this matter, nor did he have counsel present on his behalf. Ms. O'Shaw stated Mr. Kirschner's renewal application as an

owner/manager of a private security company was summarily denied based on his 1973 felony offense of Murder. Mr. Kirschner was found guilty by a jury of Murder in the second degree, ordered to serve a minimum of six months in the state prison for psychiatric/diagnostic evaluation prior to reconsideration of his sentencing. On January 21, 1974, the Court reconsidered Kirschner's sentence and suspended the execution of the remainder of the six months confinement and committed Kirschner to the California Youth Authority (CYA) for sentencing as prescribed by the California Youth sentencing act. On or about February 8, 1977, the guilty verdict was vacated and set aside.

Board member Hayden asked where Mr. Kirschner was and why he was not present for this hearing. Ms. O'Shaw stated that Mr. Kirschner's business is based in California. Chairwoman James asked if he has employees here in Texas, to which Ms. O'Shaw answered yes. Vice-chairman Trevino asked if Mr. Kirschner provided letters from Law Enforcement on his behalf. Ms. O'Shaw stated he worked in Law Enforcement, but was not certain if he provided letters from law enforcement or not. Board member Howard asked Ms. O'Shaw to elaborate on Mr. Kirschner's career in Law Enforcement. She stated that after he received his rehabilitation from the CYA he went to college and graduated with a degree in Criminal Justice. He was then recruited and employed by the CYA as a guard. After that he became a parole officer.

Secretary Ulmer asked if this murder charge was based on a gang fight. Ms. O'Shaw stated that it was and his testimony was that he was at a party when they were attacked by a rival gang. He stated that he defended himself with a knife resulting in the person's death.

Board member Hayden went over some of the Findings of Fact in this case:

- He completed a college degree in criminal justice and became a sworn peace officer. He worked with children as a peace officer at the CYA for 28 years before retiring
- He obtained a private investigator license in California. Since then, he has obtained private security and/or private investigation licenses or registrations in Arizona, Colorado, Florida, Indiana, Nevada, New Mexico, Oregon, Texas, and Utah
- He completed training through the California Department of Corrections and is certified through the FBI as a police shooting instructor and hostage negotiator
- He was granted relief from California and federal laws that restrict firearms possession by convicted felons and sold firearms as a side business for several years
- Texas Private Security Board has licensed him 3 times since 2008

Ms. O'Shaw stated that she first took this case to RenEarl Bowie when he was the Lieutenant of Private Security Bureau and provided him with all of the information as you just stated. Mr. Kirschner has had absolutely no issues with his company license in all of these years. Board member Hayden asked if he lied on any of his applications, to which he was told no, he has reported his conviction of murder every time.

Secretary Ulmer made a motion to affirm the ALJ's decision and grant Mr. Kirschner's renewal application as an owner/manager of a private security company. Board member Howard seconded the motion. The motion passed with James, Hayden, Howard, and Ulmer voting for the motion while Trevino and Willeford voted against.

Regan V. Wellborn – Admin Case No. Z00275911 & Z00275893:

Board member Hayden stated that he had seen this case on the agenda for 9 months or more. He asked if Mr. Wellborn was in attendance or if there had been any change to this case, to which he was informed that he was not and there was nothing new in this case. Based on this information board member Hayden made a motion to summarily deny Mr. Wellborn's licensure by default. Vice-Chairman Trevino seconded the motion. The motion passed unanimously.

Agenda Item X: Adjournment

Chairwoman James introduced this agenda item. Board member Howard made a motion for adjournment. Board member Hayden seconded the motion, and the Board voted unanimously in favor of the motion. At 11:48am, the 2nd quarter meeting of the Private Security Board was adjourned.