

TEXAS PRIVATE SECURITY BOARD

**REGULARLY SCHEDULED BOARD MEETING HELD AT 9:00 A.M.,
APRIL 25, 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 C. D. Siems
Honorable Alan Trevino
Honorable Debbra Ulmer

BOARD MEMBERS NOT PRESENT:

Honorable Derrick Howard
Honorable Stephen Willeford

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;
Ryan Garcia, Assistant Manager, Licensing and Registration Service;
Jay Alexander, Major, Regulatory Crimes Service;
Steve Moninger, Senior Policy Analyst, Regulatory Services Division

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.

Agenda Item I: Approval of Minutes for Board Meeting held January 16, 2019

Chairwoman James introduced this agenda item. Upon review, Board member Hayden made a motion to accept the minutes as submitted. Board member Siems 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 second quarter, 12/1/2018 to 2/28/2019. He stated, for this time period, the Division received 354 original company applications, 1,573 company renewals, 14,474 original individual applications, and 9,655 individual renewals. He went on to say, for the same time period the Division processed the following licenses/registrations:

- 239 original company licenses (204 online, 35 manual),
- 1,562 company renewals (1,548 online, 14 manual),
- 9,153 individual registrations (8,995 online, 158 manual),
- 8,213 individual renewals (8,065 online, 148 manual),
- 7,712 employee information updates (7,671 online, 41 manual).

He also stated this time period showed 6,388 active company licenses, 464 active school licenses, and 154,665 active individual registrants.

Major Jay Alexander presented the enforcement totals for the second quarter, 12/1/2018 to 2/28/2019. He stated, for this time period, the Division issued 302 denials, 279 license suspensions, 2 license revocations, and collected \$1,300 in fines (9 fines). He went on to say the Division also performed 213 Guard Inspections and 674 Business Inspections. Of the 128 complaints that the Division received, 66 were resolved while 62 remain under investigation. Finally he stated that there were 9 MAB (Medical Advisory Board) referrals

Chief Mueller address the board, stating he wanted to give the board an update on the Legislative session. He stated that 16 bills were filed impacting the Private Security profession. One such bill was SB616, also known as the Sunset bill. He stated that this bill greatly impacts the profession, the board, and the Regulatory Services Division. There are a couple of items that have been talked about by the industry that do not align with how RSD views these bills. The first is the 25%/51% change. As that was described in testimony it would ultimately mean someone who applies for a company license and owns less than 51% of a company would no longer be subject to a criminal history check. RSD would disagree with this point. 1702.110 is currently captioned Application for License, but going forward will be captioned Application for Company License. In 1702.110, subsection 5 it lists out those who must be named in a company application and subsection 6 lists out those who must submit to fingerprinting for a criminal history check. He stated that 1702.110 (6) currently states, in part: "if the applicant is an entity other than an individual, of each officer who oversees the security-related aspects of the business and of each partner or shareholder who owns at least a 25 percent interest in the applicant. He further stated that is not changing. The change to 51% occurs further in the bill under 1702.221, applying for a company license if you had percentage ownership in company, you could have a lessor component receive an individual license to be able to conduct regulated activities. As an example, if you were to have a new locksmith company with 2 individuals with 50% ownership, each could obtain a registration in addition to the company license. The second item to clear up is the concept of manager. Manager is removed throughout the Private Security Act. One talking point was that the removal of manager from the Act the agency would no longer have anyone to look to for the experience and the required examination process as part of the company application. He stated that RSD disagrees with this interpretation of the bill. In 1702.110, subsection 5, it states in part "the full name and residence address of each partner, officer who oversees the security-related aspects of the business, and director of the applicant, and of the

applicant's manager". For clarity sake, if the bill were to pass the Agency does not read it as no one is required to show previous experience or undergo examination, we would simply look to someone else on that list for the requirements.

Vice Chairman Trevino asked if it were correct that criminal history affects nothing with disqualifiers. Steve Moninger stated this would be something worked out in the Rules as to what disqualifiers would be. Trevino asked if the company would be required to identify who the experienced person would be. Yes, we may need to re-word the application. Chairwoman James stated she had been in the profession when they didn't need to have a manager. Managers were put in place so that DPS would know who to call if there were a problem. Are you saying now that the owner would designate that person or DPS would? Chief Mueller stated that that would all still need to be ironed out as to the best contact person, but from RSD's point of view they would not want to dictate that, as it is a business process.

Agenda Item III: Report from Rules Committee

Board member Hayden addressed the board regarding this agenda item. He stated that in Agenda item IV, regarding Rule §35.4, discussion of this possible rule change arose from a comment from the Sunset Commission. He continued by saying that the committee has tabled research and discussion on this until such time as the Legislative session is concluded.

He continued by saying there had been discussion on Agenda item V, regarding Rule §35.121, as well. In addition, he stated, there had been some input from the industry regarding this possible change, and that input was not in support of changes. Board member Hayden stated that based on the input received this rule would likely not be changed at this time.

Board member Hayden stated that Agenda item VI, regarding Rule §35.123, was similar to §35.121, but the committee had not received any input on this from the industry. He concluded that at this time the committee doubted that they will recommend any changes to this rule either at this time.

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

No further discussion at this time.

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

No further discussion at this time.

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

No further discussion at this time.

Agenda Item VII: Public Comment

Keith Oakley, with ASSIST & TALI, addressed the board. He stated that his association had been trying to get amendments made to bill 5125 perceiving there was a conflict, but it sounds like there is no conflict. He informed the board that he would be leaving the meeting to go to meet with legislators regarding amendments on deregulation of Security Consultants, who would no longer need to register or have a criminal background check performed. In addition, he stated that Salespersons would no longer need registration nor background checks, and there would be no Letter of Authority for private companies with Security Officers. He stated that the way they interpreted the bill, private companies would notify DPS of their security force and provide a person to contact. DPS would not do criminal history check and the company would do their own check and keep it on file. He stated that they were wanting to gain clarification on this portion of the bill and suggest amendments to this if needed. He further stated that another change in this bill passing would be that the Governor would no longer appoint members to the new Private Security Advisory Committee (PSAC), and that would now be handled by the Public Safety Commission (PSC). He stated that they were also able to get the legislators to agree to appoint a liaison between the PSC and the PSAC so there would be a direct voice to the PSC on private security issues. Mr. Oakley concluded by saying that another change for the Board in the new PSAC would be that they would no longer hear the Administrative Hearings. Those would continue to go to the State Office of Administrative Hearings (SOAH) but if appeal was requested, it would then go to District court.

Chairwoman James stated she would be interested to know what new duties would be for the new committee and how they differ from the current board. Keith Oakley stated that Senator Birdwell was steadfast in not wanting to change the bill much after it came out of Sunset. Would still like to see Security Consultants, Security Salespeople and Security Guards working at a private business be regulated, and have criminal back ground checks.

Dan Legge, with Dan's Pro-Lock, addressed the board. He stated that he was licensed in three other states and has been since 2001. However, he stated he still has to apprentice with a company for 2 years. He stated it cost him \$100,00 to begin his own business. One of his locksmiths has his license though he doesn't have 2 years' experience. He stated that he didn't feel there was any enforcement regarding this.

Board member Siems stated that oversight has been an issue for a long time and not just with this issue. He stated that when he asked a person who was interviewing him before he was appointed to the board about it and was told that they don't do that, they don't have time to do that. He suggested he make a complaint regarding this with DPS and see where it goes. Chairwoman James asked Mr. Legge if he had informed DPS in regards to this issue, to which he stated he had not.

Roger Courts Jr, with Rekey Xpress Locksmith, addressed the board. He stated Board member Hayden's comments regarding not receiving any input concerning §35.123, he thought this was the proper forum in which to have input, so that was what he was there to address. He went on to say that regarding the proposed changes his position was to leave as is. Under the current rules there is no room for discretion regarding substituting training versus experience. RSD has difficulty understanding who is eligible to take a manager's exam. One only need to apply to

take the exam and they will be scheduled to take it. RSD does not perform due diligence on new applicants to access the necessary evidence that the new applicant is eligible. A change in rule will only confuse everyone further. He also stated that he was opposed to changes to the rule and that regulation of the locksmith trade in the state of Texas has placed an unfair tax and compliance burden on small business owners across the state. The legislature has seen fit to use the locksmith license tax to fund other budget priorities. Furthermore, some businesses use this licensing to suppress competition. He doesn't feel that the public has actually benefitted from licensing this trade.

Chairwoman James stated that all individuals who are licensed have some of those feelings. She stated the actual purpose of RSD is to protect the public. DPS looks at those who are going into people homes and assesses their threat to those people. She asked Mr. Courts if he felt that Locksmiths should be licensed, to which he replied he did not think they should, he thought they could be a self-regulated industry. Chairwoman James stated that if the board were to throw out this licensure it would drive the market into the ground. She stated she was more willing to pay the fees for the credentials associated with a regulatory agency than not.

Mr. Courts brought up another issue stating that every year after paying the fees for their school, he checks his status and it always shows that he is expired. Board member Hayden stated that he felt he brought up some good points. He stated that the board has seen locksmith licenses being revoked due to criminal acts. He stated that he thought it was a good thing as to the protection of the public. He further explained that he also has a license that he has to pay for. He does not always agree with everything that his association does with his fees. He also asked that Mr. Courts email him regarding the issue of lack of enforcement.

Vice-chairman Trevino suggested to Mr. Courts that a good venue to express his views would be to get with his industry's association or board because there is power in numbers to affect change.

Board member Siems thanked him for coming. He stated that the idea of trying to increase enforcement has been done. He explained that he did a 4 page proposal on how the board and industry could help go after unlicensed persons. He stated that the person read the first page of the proposal and made a comment regarding the person's education, rather than reading the remainder of the proposal. He stated the person would not consider further enforcement for the locksmith industry.

Bonnie Brown Morse, with AAAA Key & Lock, addressed the board. She stated Roger Courts had brought up some good points that are being heard throughout the industry. She stated that she just found out about this agenda item four weeks ago. She stated that she found no place to respond on the internet. She also stated that information is hidden when saying "it is in the meeting's minutes" and the minutes are several months behind because it takes time to close things out from one meeting to the next. She stated that her point today was to join with Mr. Courts in saying that there are several locksmiths that did not want any changes to §35.123.

Secretary Ulmer asked Ms. Morse if she thought it would be helpful for her association to include that information in their own newsletters. Ms. Morse stated that she did think it was a

good idea, but at this time there are challenges continuing in the industry associations so she was unsure how valid a suggestion that would be.

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

Chairwoman James called for an executive session which began at 9:57am.

The meeting was called back to order at 10:12am.

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.

- Pedro Chavez Nunez- Docket No. 405-19-0587
- Isiah Akeen Johnson - Docket No. 405-19-0592
- Lorenzo Suarez Palomo - Docket No. 405-19-0747
- Mohanad Talal Jebur - Docket No. 405-19-1236
- Margaret G. Garcia - Docket No. 405-19-1237
- Robert Kent Johnson - Docket No. 405-19-1316
- Autumn Shanee Stivers - Docket No. 405-19-1329
- Corey Paris - Docket No. 405-19-1330
- Ted Brannum - Docket No. 405-19-1339
- Dakota Allen Adams - Docket No. 405-19-1340
- Stephen Richard Messa - Docket No. 405-19-1394
- Loren Grace Hardy – Docket No. 405-19-1396
- Melvin James Washington, Jr. – Docket No. 405-19-1764
- Brandon D. Long – Docket No. 405-19-2479
- Janna Marie Scott – Docket No. 405-19-2140
- Kenneth Ray Crosby – Docket No. 405-19-0528
- Sonia M. Orozco – Docket No. 405-19-1503

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

Mohanad Talal Jebur - Docket No. 405-19-1236:

Mr. Jebur was present to address the board on this matter, but did not have counsel present on his behalf. Ms. O'Shaw stated Mr. Jebur's application for registration as a locksmith was summarily suspended based on his Class B Misdemeanor offense of Obstruct Highway Passageway.

Mr. Jebur addressed the board stating that he got arrested in 2017 on a DWI charge even though he was not driving and his CDL was revoked. He stated he became a locksmith and trained for 4 years. He stated that he received his license, then 2 months later plead guilty to Obstruction of Highway. He then received a letter revoking his license. He went on to say that he had completed everything required of him through the courts except the probation time. Secretary Ulmer stated that his probation period would be completed in October 2019.

Secretary Ulmer made a motion to uphold the ALJ's decision and summarily suspend Mr. Jebur's application for registration as a locksmith. Board member Siems seconded the motion. The motion passed unanimously.

Margaret G. Garcia - Docket No. 405-19-1237:

Ms Garcia was not present to address the board on this matter, but did have counsel present on her behalf- John Pringle. Ms. O'Shaw stated Ms. Garcia's application for registration as a security salesperson was summarily suspended based on her pending first degree felony charge of Securing the Execution of a Document by Deception.

Mr. Pringle stated that he wanted to point out Ms. Garcia was indicted for acts she was accused of doing between 2005 and 2011 and were accused of lying on her application for Workers compensation. He further stated that the original indictment was dismissed and she was re-indicted a month ago. Mr. Pringle added that if Texas Mutual had wanted to recover money the statute of limitations has expired on this. He stated he believed the case would be settled and she is innocent of the charges. Board member Hayden stated that while the indictment is still pending the board would not be able to allow her licensure.

Board member Hayden made a motion to affirm the ALJ's decision and summarily suspend Ms. Garcia's application for registration as a security salesperson. Board member Siems seconded the motion. The motion passed unanimously.

Ted Brannum - Docket No. 405-19-1339:

Mr. Brannum was present to address the board on this matter, and also had counsel present on his behalf- Peter McGraw. Ms. O'Shaw stated Mr. Brannum's application for registration as a noncommissioned security officer was summarily denied based on his felony conviction for Burglary of a Habitation offense.

Mr. McGraw stated Mr. Brannum applied to be a noncommissioned security officer in 2018 and received a summary denial. When he went to the SOAH hearing he presented evidence of work experience over several decades where he had significant responsibilities. He stated he has moved on from this experience as a young man and presented evidence of rehabilitation as well. He went on to say that Mr. Brannum fell on hard times and became homeless at one point and has taken advantage of programs such as Haven for Hope and is getting his life back. He concluded by stating that Mr. Brannum currently works for the San Antonio Zoo.

Board member Siems made a motion to affirm the ALJ's decision and grant Mr. Brannum's application for registration as a non-commissioned security officer. Vice-chairman Trevino seconded the motion. The motion passed unanimously.

Stephen Richard Messa - Docket No. 405-19-1394:

Mr. Messa was present to address the board on this matter, but did not have counsel present on his behalf. Ms. O'Shaw stated Mr. Messa's application for registration as an alarm systems installer was summarily denied based on his misdemeanor conviction for Driving While Intoxicated.

Board member Hayden addressed Mr. Messa stating that he had a DWI, his license was denied, and then the ALJ denied granting his license due to a misstatement on his application. He went on stating that he came before the Board and the Board affirmed the ALJ's decision. At this time, Mr. Messa came back with no misstatement and was honest on his application. Board member Hayden then asked Mr. Messa what he had been doing for work all of this time, to which he stated that he had been doing administrative work. When asked when he would again be eligible for licensure Mr. Messa stated 2021. Board member Siems asked if he worked for the same company, to which Mr. Messa answered yes, but by doing administrative work. Secretary Ulmer asked if he had paid all of his court costs, etc associated with this case. Mr. Messa stated that he had. Board member Hayden asked if he was still attending AA meetings. Mr. Messa explained that he was still attending meetings and that he was attending with his little sister, as they were both in the same boat.

Board member Hayden stated that he looked at the issue of collateral estoppel, which basically states that the board shouldn't have to hear this case again because it has been heard before. He explained that in looking into this he found that the facts in this case are different than last time, which was due to misstatements on his applications. Board member Hayden urged the board to ignore the collateral estoppel argument and look at this case as they would any other.

Secretary Ulmer made a motion to uphold the ALJ's decision and grant Mr. Messa's application for registration as an alarm systems installer. Board member Siems seconded the motion. The motion passed unanimously.

Janna Marie Scott - Docket No. 405-19-2140:

Ms. Scott was present to address the board on this matter, but did not have counsel present on her behalf. Ms. O'Shaw stated Ms. Scott's application for registration as a commissioned security officer was summarily denied based on her Class A misdemeanor conviction of Hinder Apprehension.

Ms. Scott addressed the board stating that the offense happened in 2014 after having her first child. She stated the relationship with her child's father was one of domestic violence. At this time he was taking her back and forth to work. The police knocked at the door looking for him and he hid. She stated that she invited the police in who did take him into custody. She further explained that the lady officer was rude to her, calling her stupid. She ended up spending 8 days in jail for the incident.

Board member Hayden asked when she would be eligible for licensure, to which Ms. O'Shaw responded 2020. Secretary Ulmer asked Ms. Scott if she had a job waiting for her when she becomes licensed. Ms. Scott stated that she has a job currently with Gardaworld and would continue with that company in a different capacity driving an armored truck in uniform. Vice-chairman Trevino asked if his understanding was correct in that this occurred in 2014 but she has been working in the security field in 2016. She stated that was correct. Board member Siems stated that she has worked for 2 security companies and asked if she was aware she needed a license to do so. Ms. Scott replied that Lofton told her that she didn't have to have one. Secretary Ulmer asked if she were still involved with her child's father, to which she replied that she was not.

Board member Siems made a motion to affirm the ALJ's decision and grant Ms. Scott's application for registration as a commissioned security officer. Hayden seconded the motion. The motion passed with James, Hayden, Siems, and Ulmer voting in favor while Trevino voted against.

Kenneth Ray Crosby - Docket No. 405-19-0528:

Mr. Crosby was present to address the board on this matter, but did not have counsel present on his behalf. Ms. O'Shaw stated Mr. Crosby's application for registration as an alarm salesperson was summarily denied based on his first degree felony conviction for Aggravated Robbery.

Mr. Crosby stated that he was charged and convicted even though no money was taken and no one was hurt. He further explained that 3 people were arrested but he was the only one not to be let go.

Mr. Crosby was asked a series of questions by the board members:

- How old were you at the time? – 18
- Have you been in trouble since then? – yes, but I joined programs
- Do you currently perform security sales? – yes, but not door to door; only on the phone
- In 1990 you were convicted of Burglary of a Vehicle? – yes
- You went to trial and was convicted? – yes
- When were you released? – June 1998
- How old were you then? – 37
- When you were called back to sign your paperwork and get fingerprinted, what kind did you do? – we were put in line to do prints
- Was it done digitally? – yes
- Other than the fingerprint waiver you didn't sign anything? – no
- Do you currently work for a company? – yes
- How long have you worked for them? – 5 years
- Did you submit letters of recommendation? – yes
- As part of the general license as a Salesperson, you could go into people's homes, right? – no, it is not part of my job description
- Did your employer fill out the paperwork for you? – yes
- Did you enter information or tell someone the answers to the questions? – I gave them my ID and they filled in the information
- When was the last time you were incarcerated? – 1998
- If all of your incarcerations were added up would it add to 30 years? – no, 10 years
- You have been arrested 17 times and have had 9 convictions, among them Burglary of a Building, Possession of a Controlled Substance, Burglary of a Vehicle? – in the last 20 years I have changed my life. I have gone to drug treatment. I go to church. I'm married and own my own home. I have maintained steady employment. I do not drink or even smoke.

Secretary Ulmer pointed out that Mr. Crosby did not need a license to do phone sales of alarms. She stated that if a person calls into an alarm company, the person who sells them the alarm does not need to be licensed, only the person who goes to the home does.

Board member Hayden told Mr. Crosby that he admired all that he has done to turn his life around but the board has limitations as to what they can do.

Based on Conclusions of Law #5 being directly contrary to Findings of Fact #14 and Conclusions of Law #6 being directly contrary to Findings of Fact #14, #15, and #18, Board member Hayden made a motion to overturn the ALJ's decision and summarily deny Mr. Crosby's application for registration as an alarm salesperson. Board member Siems seconded the motion. The motion passed with Hayden, Siems, Trevino, and Ulmer voting in favor while James voted against.

Pedro Chavez Nunez - Docket No. 405-19-0587:

Mr. Nunez was not present to address the board on this matter, nor did he have counsel present on his behalf. Ms. O'Shaw stated Mr. Nunez's application for registration as a non-commissioned security officer was summarily denied based on his Class B misdemeanor conviction for Theft of Property over \$50 but under \$500.

Board member Hayden made a motion to affirm the ALJ's decision and grant Mr. Nunez's application for registration as a non-commissioned security officer. Secretary Ulmer seconded the motion. The motion passed unanimously.

Isiah Akeen Johnson - Docket No. 405-19-0592:

Mr. Johnson was not present to address the board on this matter, nor did he have counsel present on his behalf. Ms. O'Shaw stated Mr. Johnson's application for registration as a non-commissioned security officer was summarily denied based on his Class A misdemeanor conviction for Driving While Intoxicated.

Board member Hayden made a motion to affirm the ALJ's decision and grant Mr. Johnson's application for registration as a non-commissioned security officer. Secretary Ulmer seconded the motion. The motion passed unanimously.

Lorenzo Suarez Palomo - Docket No. 405-19-0747:

Mr. Palomo was not present to address the board on this matter, nor did he have counsel present on his behalf. Ms. O'Shaw stated Mr. Palomo's application for registration as a non-commissioned security officer was summarily denied based on his felony conviction for Assault in the First Degree.

Board member Hayden made a motion that based on Mr. Palomo's material misstatement, he moved to overturn the ALJ's decision and deny his application for registration as a non-commissioned security officer. Vice-Chairman Trevino seconded the motion. The motion passed unanimously.

Robert Kent Johnson - Docket No. 405-19-1316:

Mr. Johnson was not present to address the board on this matter, nor did he have counsel present on his behalf. Ms. O'Shaw stated Mr. Johnson's application for registration as a commissioned security officer was summarily denied based on his Class A misdemeanor conviction for Criminal Mischief.

Board member Hayden made a motion to affirm the ALJ's decision and summarily deny Mr. Johnson's application for registration as a commissioned security officer, based on his material misstatement. Vice-chairman Trevino seconded the motion. The motion passed unanimously.

Autumn Shanee Stivers- Docket No. 405-19-1329:

Ms. Stivers was not present to address the board on this matter, nor did she have counsel present on her behalf. Ms. O'Shaw stated Ms. Stivers' application for registration as a private investigator was summarily denied based on her misdemeanor conviction for Driving While Intoxicated- with a blood alcohol concentration greater than or equal to 0.15.

Board member Hayden made a motion to affirm the ALJ's decision and grant Ms. Stivers' application for registration as a private investigator. Vice-chairman Trevino seconded the motion. The motion passed unanimously.

Corey Paris - Docket No. 405-19-1330:

Mr. Paris was not present to address the board on this matter, nor did he have counsel present on his behalf. Ms. O'Shaw stated Mr. Paris' application for registration as a non-commissioned security officer was summarily denied based on his Class A misdemeanor conviction for Attempted Credit Card Abuse.

Board member Hayden made a motion that based on Mr. Paris' material misstatement he moved to overturn the ALJ's decision and summarily deny Mr. Paris' application for registration as a non-commissioned security officer. Vice-chairman Trevino seconded the motion. The motion passed unanimously.

Dakota Allen Adams- Docket No. 405-19-1340:

Mr. Adams was not present to address the board on this matter, nor did he have counsel present on his behalf. Ms. O'Shaw stated Mr. Adams' application for registration as a non-commissioned security officer was summarily denied based on his Class B misdemeanor conviction of Harassment.

Vice-chairman Trevino made a motion to affirm the ALJ's decision and summarily deny Mr. Adams' application for registration as a non-commissioned security officer. Board member Hayden seconded the motion. The motion passed unanimously.

Loren Grace Hardy- Docket No. 405-19-1396:

Ms. Hardy was not present to address the board on this matter, nor did she have counsel present on her behalf. Ms. O'Shaw stated Ms. Hardy's application for registration as an alarm salesperson was summarily denied based on her felony conviction for criminally negligent homicide.

Board member Hayden made a motion to affirm the ALJ's decision and summarily deny Ms. Hardy's application for registration as an alarm salesperson. Secretary Ulmer seconded the motion. The motion passed unanimously.

Melvin James Washington, Jr - Docket No. 405-19-1764:

Mr. Washington was not present to address the board on this matter, nor did he have counsel present on his behalf. Ms. O'Shaw stated Mr. Washington's application for registration as a non-commissioned security officer was summarily denied based on his misdemeanor conviction for Simple Battery: Willful Use of Force/Violence upon Another.

Board member Hayden stated that based on the PFD, the ALJ clearly stated this is a misdemeanor under the state law which is directly contrary to Conclusions of Law #9, #10, #11 and #14. Based on this he made a motion to overturn the ALJ's decision and summarily deny Mr. Washington's application for registration as a non-commissioned security officer. Vice-chairman Trevino seconded the motion. The motion passed unanimously.

Brandon D. Long- Docket No. 405-19-2479:

Mr. Long was not present to address the board on this matter, nor did he have counsel present on his behalf. Ms. O'Shaw stated Mr. Long's application for registration as a commissioned security officer was summarily denied based on his Class A misdemeanor conviction for Carrying Handgun in Motor Vehicle.

Secretary Ulmer made a motion to uphold the ALJ's decision and summarily suspend Mr. Long's application for registration as a commissioned security officer. Board member Hayden seconded the motion. The motion passed unanimously.

Sonia M. Orozco- Docket No. 405-19-1503:

Ms. Orozco was not present to address the board on this matter, nor did she have counsel present on her behalf. Ms. O'Shaw stated Ms. Orozco's application for registration as an employee of a license holder was summarily denied based on her felony conviction for Driving While Intoxicated with a Child under 15 Years of Age.

Secretary Ulmer made a motion to uphold the ALJ's decision and grant Ms. Orozco's application for registration as an employee of a license holder. Vice-chairman Trevino seconded the motion. The motion passed unanimously.

Agenda Item X: Adjournment

Chairwoman James introduced this agenda item. Board member Hayden made a motion for adjournment. Vice-chairman Trevino seconded the motion, and the Board voted unanimously in favor of the motion. At 11:39am, the 3rd quarter meeting of the Private Security Board was adjourned.