

Texas Private Security Advisory Committee (TPSAC)

Meeting Minutes

July 17, 2024

1. Call to Order

The regular meeting of the Texas Private Security Advisory Committee was called to order at 11:05 a.m. on July 17, 2024, via MS Teams conference call as well as in person at 5806 Guadalupe St., Building I, Austin, Tx 78752.

2. Roll Call

Patti James	Chairwoman	Private Investigator Representative
Wade Hayden	Member	Public Representative
John Helweg	Member	Locksmith Representative
DJ Seeger	Member	Public Representative
Tucker Witt	Member	Security Officer Representative
Debi Ulmer	Member	Alarm & Elec Access Control Rep
Vanessa Mayo	Assistant Chief	Texas Department of Public Safety
Ron Joy	Service Director	Texas Department of Public Safety
Chris Sims	Service Director	Texas Department of Public Safety
Lisa Cargill	Field Ops Manager	Texas Department of Public Safety
Christopher Lyons	Field Ops Manager	Texas Department of Public Safety
Mark Berry	Captain	Texas Department of Public Safety
Robert Hawkins	Spec Assign Manager	Texas Department of Public Safety
Lawrence Cortez	Program Supervisor	Texas Department of Public Safety
Ryan Garcia	Program Manager	Texas Department of Public Safety
Linsey Silva	Program Supervisor	Texas Department of Public Safety
Trey Struhall	Program Supervisor	Texas Department of Public Safety
Steve Moninger	Senior Policy Analyst	Texas Department of Public Safety
Leslie Stevens	Sr. Personnel Admin Spec	Texas Department of Public Safety
Renee Davis	Personnel Admin Spec	Texas Department of Public Safety
Deborah Failey	Personnel Admin Spec	Texas Department of Public Safety
Carlos Romero	Admin Operations Spec	Texas Department of Public Safety

3. Minutes from April 10, 2024

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

4. Quarterly Reports from Regulatory Services Division

a. Executive Office Report

Service Director Ron Joy addressed the committee stating several process improvements had recently been made within the Regulatory Services Division (RSD) Compliance and Enforcement Service (CES). There has been a slow down with investigations as RSD is moving from SPURS to Kaseware. RSD employees have been in

training on Kaseware and the new software. Ron Joy also informed the committee that another process improvement would assist inspectors while performing large scale guard checks at events. The next event is scheduled for Austin City Limits (ACL) in Austin in October.

b. Complaints/Investigations

Service Director Ron Joy addressed the committee stating that RSD investigated Flock Safety, which committee member Helweg informed them of at the last meeting. He stated that after investigation it was determined that Flock Safety is not licensed and needs to obtain one in order to continue operations. Steve Moninger added that the company received a cease and desist order which halts operations until they complete the licensing process.

Committee member John Helweg asked what fines were going to be imposed against the company. Ron Joy stated that since the company has ceased operations and is cooperating in seeking licensure no fines were being imposed. Vice Chair Wade Hayden asked if the company had registered with the Secretary of State to conduct business in Texas as a foreign entity. Steve Moninger stated that it is part of the registration process and while they might not have prior to this, they would need to in order to obtain the company license. He further stated that since it appears that Flock Safety claims to have not been aware of the need to be licensed, and since they are cooperating DPS would not be imposing fines retroactively. Committee member DJ Seeger pointed out that part of the Flock Safety team includes two (2) of the largest lobbyists in Texas, so he found it difficult to believe that the company did not know they needed to be licensed.

Ron Joy completed discussion of this issue by stating that RSD received a complaint about possible unlicensed activity from this company and investigated the allegation. In the investigation they were able to confirm that Flock Safety was operating without a license and since that time has voluntarily come into compliance, which is the department's goal.

c. Disciplinary Actions

Ryan Garcia addressed the committee regarding the disciplinary action section of the quarterly report. There were no questions.

d. Licensing Statistics

Ryan Garcia addressed the committee regarding the licensing section of quarterly report. There were no questions.

5. Industry Reports

a. Security Officers

Tucker Witt stated he had nothing to report at this time.

b. Investigators

Patti James stated she had nothing to report at this time.

c. Alarm systems and Electronic Access Control

Debi Ulmer stated she had nothing to report at this time.

d. Locksmiths

John Helweg stated he had nothing to report at this time.

e. Public Report

Wade Hayden stated he had nothing to report at this time.

DJ Seeger addressed the committee stating he had been contacted by a friend who owns a security company with questions regarding his company's uniforms. He stated the company was working an event in Comal County which resulted in detaining someone and calling the Comal County Sherriff. The Sherriff who responded informed the security company that their uniforms were too similar to the Sherriff Department's own uniforms and issued a warning. Mr. Seeger was asked if the Sherriff's Department was allowed to do this. Chairwoman Patti James stated that there is a description is listed in Texas Administrative Code 1702 regarding the requirements for uniforms and patrol cars.

Service Director Ron Joy added that if there were an issue with the uniforms and the Comal County Sheriff's Office wanted to pursue this issue, they would need to file a complaint with RSD and send pictures so DPS could investigate the uniform similarity. Steve Moninger stated that security companies need to be aware of the local law enforcement uniforms when providing services in different locations around the state. If the company uniforms are too similar to the local law enforcement uniforms, then the security company would be in violation. Ron Joy suggested that the company meet with the prosecuting attorney of that county, as they would be the one to make the decision if action were needed to be taken against the company for uniform violation and see what their opinion would be.

6. Discussion and Possible Recommendation Items

a. Proposed Amendments to §35.41, Company Representative, and 35.161, Continuing Education Requirements, requiring company representatives to obtain continuing education credits.

Steve Moninger addressed the committee stating that this item was discussed at the last meeting, and it was decided that the committee was going to review and discuss this further. He stated that the committee received additional information regarding the scope of the effect of this possible change. Ryan Garcia reread the information requested by the committee: As of April 10, 2024, there are a total of 7,802 active and renewable unique individuals who are designated as a Primary Company Representative (PCR). From the 7,802 who are designated as a PCR, 6,851 hold an individual license. A total of 951 PCRs do not hold an individual license.

During discussion of this issue Debi Ulmer stated that she believed the Primary Company Representatives should have the same Continuing Education requirements as the rest of those licensed. Chairwoman James

asked Tucker Witt what his opinion was as it was his industry which raised the issue. He stated that he was honestly split in his decision.

John Helweg made a motion to require Primary Company Representatives to complete annual Continuing Education in total of 8 hours. Debi Ulmer seconded the motion and on a vote of four (4) to one (1) the motion passed, with Tucker, Ulmer, Helweg, and James voting in favor while Hayden voted against.

b. Citizen review request concerning revision of Rule 35.81 regarding who can administer a MMPI (Minnesota Multiphasic Personality Inventory).

Ron Joy addressed the committee stating they had received a citizen request asking for a review of this issue due to a shortage of licensed professionals able to administer this test. He stated that RSD requested the department's Chief Psychologist Lori Robinson, review the current statute as well as the requirements of TCOLE. Ms. Robinson's evaluation recommended no changes to this rule. On a vote of four (4) to one (1), the committee voted for no change to the current rule.

7. Future agenda items

There were no future agenda items currently.

8. Date of next meeting

Date of the next meeting will be held October 9, 2024, at 11:00 a.m.

9. Adjourn

Meeting adjourned at 12:12 p.m.