

Texas Private Security Advisory Committee (TPSAC)

Meeting Minutes

April 14, 2021

1. Call to Order

The regular meeting of the Texas Private Security Advisory Committee was called to order at 11:06 a.m. on April 14, 2021 via conference call.

2. Roll Call

Present:

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|-----------------|---------------------|-------------------------------------|
| Patti James | Chairwoman | Private Investigator Representative |
| Alan Trevino | Member | Security Officer Representative |
| Debi Ulmer | Member | Alarm Syst. & Elect. Access Rep. |
| Wade Hayden | Member | Public Representative |
| Jason Hester | Assistant Chief | Texas Department of Public Safety |
| Sherrie Zgabay | Service Director | Texas Department of Public Safety |
| Chris Sims | Service Director | Texas Department of Public Safety |
| Pablo Luna | Service Director | Texas Department of Public Safety |
| Ryan Garcia | Program Manager | Texas Department of Public Safety |
| Jeremy LeCrone | Program Manager | Texas Department of Public Safety |
| Molly Sanchez | Program Supervisor | Texas Department of Public Safety |
| Anne Yusim | Program Manager | Texas Department of Public Safety |
| Robert Hawkins | Program Manager | Texas Department of Public Safety |
| Steve Moninger | Sr. Policy Analyst | Texas Department of Public Safety |
| Leslie Stevens | Executive Assistant | Texas Department of Public Safety |
| Krystal Sanders | Executive Assistant | Texas Department of Public Safety |

3. Minutes from January 14, 2020

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

4. Quarterly Reports from Regulatory Services Division

a. Licensing Statistics

Ryan Garcia presented this information to the committee members, explaining that the information for February looked a little low due to the two weeks of snow and ice which shut down many employees' ability to work. There was no further discussion.

b. Disciplinary Actions

Jeremy LeCrone presented this information to the committee members, explaining that the information for February looked a little low also, due to the weather as previously mentioned.

c. Complaints/Investigations

Anne Yusim presented this information to the committee members. Mr. Trevino asked about difference in numbers from the previous quarter report to the current, stating that the numbers did not total up correctly. Chief Hester stated that the numbers appeared to not be correct and a new report would be completed. Chief

Hester stated that the numbers would not be consistent from meeting to meeting as cases are in different stages depending on when the report is generated.

d. Executive Office Report

Chief Hester addressed the committee stating that the Homeland Security committee would soon be hearing HB 2886, which if passed would bring back the Company Representative license. He stated that this license was previously removed by Sunset Committee recommendations during the previous Legislative Session. Mrs. Ulmer stated that the alarm industry's legislative group felt that if the designated officer didn't have a pocket card, they couldn't be held accountable only the company would. Chief Hester added that from a DPS standpoint it means creating another license and will cause some internal work in TOPS.

Chief Hester also informed the committee that an application of the vacant Locksmith Committee Member position had been received and DPS had completed their review. He stated that the person would be recommended to the Public Safety Committee for approval on the 29th of the month and barring any objection by them, the TPSAC should have a new member for the next meeting in July.

Mr. Trevino asked if there had been any movement regarding HB 932, to which Chief Hester stated he had not heard of any, although DPS did submit some additional information and language. Mr. Trevino explained to the committee that would require TASER training as part of the basic guard certification and would result in additional costs for companies and training schools. Mrs. James asked a clarifying question about this training being mandatory. Chief Hester confirmed this and explained that this bill, if passed, is mandating that it take place and that DPS submitted additional language that would allow for an exemption.

5. Industry Reports

a. Security Officers

There were no updates or reports at this time.

b. Investigators

Mrs. James addressed the committee regarding a concern the Texas Association of Licensed Investigators (TALI) had brought forward about unlicensed activity and the perception that no enforcement action is taking place. TALI created a form to submit notifying TALI of unlicensed activity from its membership. TALI would then send this information to DPS for follow up. Chief Hester stated DPS had provided them with the email address so they can send those over for review and also cautioned about the perception of TALI operating in a regulated capacity. Mrs. James expressed that licensees were frustrated that they were complying with all requirements, but that those that were not could continue to operate without any enforcement action. Ryan Garcia stated that all individuals who are referred over to them due to unlicensed activity, though few, either go through the process to get into compliance or discontinue that activity.

c. Alarm systems and Electronic Access Control

There were no updates or reports at this time.

d. Locksmiths

There were no updates or reports at this time.

e. Public Report

There were no updates or reports at this time.

6. Discussion and Possible Recommendation Items

a. Rule 35.141 TRAINING REQUIREMENTS

Matthew West submitted a rule change proposal to the committee for consideration regarding accepting reserve peace officer status as an exemption to the training requirements for Level 3 and 4 certification. The current rule states you have to be a full-time law enforcement officer and apply for the license within two years of resigning or retiring as a peace officer. Chief Hester discussed the current requirements for reserve peace officer status as well as training requirements that the Texas Commission on Law Enforcement (TCOLE) had in place. Mrs. Ulmer asked clarifying questions regarding the Master Peace Officer designation which was answered by Chief Hester.

Mr. Trevino added that there are several levels between basic and Master Police Officer. After additional discussion Mr. Trevino stated that Mr. West missed the two year timeframe and that he was not in favor of changing this rule for all licenses. Mrs. Ulmer stated that she agreed. Mrs. James asked Mr. Hayden, as the public representative, for his input. Mr. Hayden stated that he thought Mr. Trevino was correct and that while Matthew West may be qualified, he is asking the committee to change a rule to create an exemption for Level 4 training and expand the exemptions for Level 2 and Level 3. He went on to say that he did not feel comfortable making a rule change for an entire group.

Mr. Hayden made a motion that after due consideration at the request of Matthew West, the committee declines changing Rule 35.141 as it currently stands. Mr. Trevino seconded the motion, which passed with a unanimous vote.

Mr. Hayden asked if there were a waiver application process that Mr. West could go through, to which Chief Hester stated that if he did, he would be denied based on the current rules. He went on to say that he could apply and be approved after taking the required training courses.

7. Future agenda items

There were no future agenda items discussed at this time.

Executive Office Report additional information: Chief Hester briefed the members on the current initiative to re-write the training curriculum in all the private security training classes, which would include any changes from the current legislative session as well as the option of combining Level 2-3 classes together in the future. Chief Hester stated that this should be done by the end of the fiscal year and ready to roll out the new training curriculum later in the year. Mr. Trevino requested that the committee have an opportunity to review the curriculum before it goes into effect, to which Chief Hester stated that they would have a chance to provide feedback as well as take it to their professional associations for their feedback as well.

8. Date of next meeting- July 14, 2021, 11:00 a.m.

Date of the next meeting was confirmed to be July 14, 2021.

9. Adjourn

Meeting adjourned at 12:15 p.m.