

BOARD OF PRIVATE DETECTIVES AND GUARDS

Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

MINUTES OF MEETING

Date: Thursday, May 17, 2012

Time: 10:30 a.m.

Place: King Kalakaua Conference Room
King Kalakaua Building, 1st Floor
335 Merchant Street
Honolulu, HI 96813

Present: Randall W. Mack, III, Industry Member, Chair
Douglas Inouye, Public Member, Vice Chair
Darryl Perry, Chief of Police, County of Kauai
Patrick W. Souza, Public Member
Gary Yabuta, Chief of Police, County of Maui
Rodney J. Tam, Deputy Attorney General
Charlene L.K. Tamanaha, Executive Officer
Christine Hironaka, Secretary

Excused: None

Guests: Keith J. Leedom, Sky Security Services Hawaii, Inc.
Edward R. Akiona, Hawaii 5-0 Security, Inc.
James L. Propotnick
Richard J. Taffet, First Advantage Background Services Corp.
Brett C. J. Arizumi, Ryou & Associates, LLC
Fay H. Tamura, Applied Computer Training & Technology, Inc.
Chad Kobashigawa, Applied Computer Training & Technology, Inc.
Preshess Willets-Vaquilar, Pacific Center for Advanced Technology
Training ("PCATT"), Honolulu Community College
Uri Gal, Case Global
David Heaukulani, Hawaii Community College
Bob Chee, PSC
Anderson Hee, Star Protection Agency
Robin Medeiros, Star Protection Agency

Agenda: The agenda for this meeting was filed with the Office of the Lieutenant Governor as required by §92-7, Hawaii Revised Statutes ("HRS").

Call to Order: There being a quorum present, the meeting was called to order at 10:34 a.m. by Chair Mack.

Additions to
Or Deletions
From the Agenda: None

Chapter 91, HRS

Adjudicatory

Matters: None.

Approval of
the Minutes:

It was moved by Chief Perry seconded by Vice Chair Inouye and unanimously carried to approve the minutes and executive session minutes of the April 18, 2012 meeting as circulated.

Chair Mack announced he was taking the agenda out of order to address #5 Applications, c. Review for Examination.

Executive Session: It was moved by Vice Chair Inouye, seconded by Mr. Souza, and unanimously carried to enter into executive session pursuant to HRS §§92-4 and 92-5, to consider and evaluate personal information relating to the applicant applying for licensure at 10:35 a.m.

It was moved by Vice Chair Inouye, seconded by Mr. Souza, and unanimously carried to reconvene to the Board's regular order of business at 10:39 a.m. for the conclusion of the oral interview with the individual applicant.

Applications: c. Review for Examination

Guard

It was moved by Mr. Souza, seconded by Vice Chair Inouye and unanimously carried to **defer** the following applications for examination for more information:

- i. Mark A. David
FPK Security, Inc.
- ii. Danford M. Keanu

Private Detective

It was moved by Mr. Souza, seconded by Vice Chair Inouye and unanimously carried to **approve** the following applications for examination.

- i. Brian A. Landry
Claims Bureau USA, Inc.
- ii. Dean A. Pigao

Chair Mack announced he was resuming the order of the agenda.

Executive Session: It was moved by Chief Yabuta, seconded by Vice Chair Inouye, and unanimously carried to enter into executive session pursuant to HRS §§92-4 and 92-5, to consider and evaluate personal information relating to the applicant applying for licensure at 10:41 a.m.

EXECUTIVE SESSION

Applications: a. Oral Interview for Licensure

1. Keith J. Leedom, Principal Guard
Sky Security Services Hawaii, Inc.

It was moved by Chief Yabuta, seconded by Vice Chair Inouye, and unanimously carried to reconvene to the Board's regular order of business at 10:51 a.m. for the conclusion of the oral interview with the individual applicant.

It was moved by Chief Perry, seconded by Mr. Souza and unanimously carried to approve the above application subject to meeting all licensing requirements.

Executive Session: It was moved by Chief Yabuta, seconded by Vice Chair Inouye, and unanimously carried to enter into executive session pursuant to HRS §§92-4 and 92-5, to consider and evaluate personal information relating to the applicant applying for licensure at 10:54 a.m.

EXECUTIVE SESSION

2. Edward R. Akiona, Principal Guard
Hawaii 5-0 Security, Inc.

It was moved by Chief Yabuta, seconded by Vice Chair Inouye, and unanimously carried to reconvene to the Board's regular order of business at 11:02 a.m. for the conclusion of the oral interview with the individual applicant.

It was moved by Mr. Souza seconded by Chief Perry and unanimously carried to approve the above application subject to meeting all licensing requirements.

Executive Session: It was moved by Chief Yabuta, seconded by Vice Chair Inouye, and unanimously carried to enter into executive session pursuant to HRS §§92-4 and 92-5, to consider and evaluate personal information relating to the applicant applying for licensure at 11:04 a.m.

EXECUTIVE SESSION

3. James L. Propotnick, Sole Guard

It was moved by Chief Yabuta, seconded by Vice Chair Inouye, and unanimously carried to reconvene to the Board's regular order of business at 11:15 a.m. for the conclusion of the oral interview with the individual applicant.

It was moved by Chief Perry, seconded by Vice Chair Inouye, and unanimously carried to approve the above application subject to meeting all licensing requirements.

Executive Session: It was moved by Chief Yabuta, seconded by Vice Chair Inouye, and unanimously carried to enter into executive session pursuant to HRS §§92-4 and 92-5, to consider and evaluate personal information relating to the applicant applying for licensure at 11:19 a.m.

EXECUTIVE SESSION

4. Richard J. Taffet, Principal Detective, PD 836
First Advantage Background Services Corp.

It was moved by Chief Yabuta, seconded by Vice Chair Inouye, and unanimously carried to reconvene to the Board's regular order of business at 11:23 a.m. for the conclusion of the oral interview with the individual applicant.

It was moved by Vice Chair Inouye, seconded by Mr. Souza, and unanimously carried to approve the above application subject to meeting all licensing requirements.

Executive Session: It was moved by Chief Yabuta, seconded by Vice Chair Inouye, and unanimously carried to enter into executive session pursuant to HRS §§92-4 and 92-5, to consider and evaluate personal information relating to the applicant applying for licensure at 11:24 a.m.

EXECUTIVE SESSION

5. Brett C. J. Arizumi, Principal Guard, GD 808
Ryou & Associates, LLC

It was moved by Chief Yabuta, seconded by Vice Chair Inouye, and unanimously carried to reconvene to the Board's regular order of business at 11:31 a.m. for the conclusion of the oral interview with the individual applicant.

It was moved by Chief Yabuta, seconded by Chief Perry, and unanimously carried to approve the above application subject to meeting all licensing requirements.

Executive Session: It was moved by Chief Yabuta, seconded by Vice Chair Inouye, and unanimously carried to enter into executive session pursuant to HRS §§92-4 and 92-5, to consider and evaluate personal information relating to the applicant applying for licensure at 11:33 a.m.

EXECUTIVE SESSION

6. Fay H. Tamura, Principal Guard, GD 845
Applied Computer Training & Technology, Inc.

It was moved by Chief Yabuta, seconded by Vice Chair Inouye, and unanimously carried to reconvene to the Board's regular order of business at 11:41 a.m.

It was moved by Chief Yabuta, seconded by Chief Perry, and unanimously carried to approve the above application subject to meeting all licensing requirements.

- b. Board Requested Appearance to Discuss Experience

None.

- d. Ratification

None.

- e. Ratification for Status Changes

None.

- f. Request to be a Principal for More Than One Entity

None.

- g. Ratification for Reactivation

None.

Executive
Officer's Report:

- a. Office of Information Practices ("OIP")

None.

- b. Ethics Commission

The Executive Officer reminded the Board members that their financial disclosure forms are due on May 31, 2012. As it is an even numbered year, the "long" form is required. While the forms are fillable, it must be printed and mailed to the Ethics Commission.

c. Board Policies and Procedures

None.

d. Other

None.

Examination:

a. Review & Report

The Executive Officer distributed the following results of the Private Detectives' and Guards' examination:

Private Detectives' Exam (administered April 20, 2012)

Exams Administered	0
Successful	0
Unsuccessful	0

Guards' Exam (administered April 20, 2012)

Exams Administered	2
Successful	2
Unsuccessful	0

Scope:

Miles Tanabe – Inquiry Relating to Eligibility of an Applicant with a Conviction.

The Board reviewed the email inquiry from Miles Tanabe asking whether the Board would consider an applicant for a guard license who was convicted of assault 3 mutual affray twenty (20) years ago to be ineligible for employment as a guard.

The Board indicated that under Hawaii Revised Statutes section 463-8(b)(3), a guard agency is prohibited from hiring a guard who is convicted of "a crime which reflects unfavorably on the fitness of the employee to engage in the profession, unless the conviction has been annulled or expunged by court order". Thus, in general, the decision to employ a person as a guard rests with the guard agency or employing entity, not the Board.

The Board directed the Executive Officer to provide Mr. Tanabe with the following items the Board usually requests from applicants.

- An explanation of the underlying facts and circumstances surrounding each conviction;
- All related court documents (e.g., petitions, indictments, judgments, guilty pleas, etc.) for each underlying conviction;

- A current criminal abstract to verify all convictions and the sentences imposed for each conviction;
- Letters from the applicant's probation or parole officer(s) attesting to the applicant's compliance with the terms and conditions of the probation or parole, and any documentation evidencing completion or discharge;
- Letters from counselors, therapists, or other professionals who can attest to the treatment programs completed by the applicant and provide opinions on the extent of the applicant's rehabilitation; and
- Letters of recommendation from priests, pastors, and members of the community (who are not relatives) who can objectively attest that the applicant has been sufficiently rehabilitated to warrant the public's trust.

Unfinished
Business:

None.

New Business:

None.

Legislation:

a. Act 208 (S.B. No. 2165)

Mr. Uri Gal from Case Global introduced himself and said he had a presentation for a software program to implement a system to monitor the licensing and training of security guards. The Executive Officer said she had already informed Mr. Gal to speak to Celia Suzuki, Licensing Administrator regarding his software program and that the Board has no individual monies for separate licensing programs. Vice Chair Inouye also explained to Mr. Gal that the licensing scheme for all 47 professions is the same and are under the DCCA and his pitch to sell his program is not a Board issue but a divisional one and must be made to the Licensing Administrator.

Mr. Anderson Hee and Mr. Robin Medeiros from Star Protection Agency said they currently have 600 plus security guards who will be affected by Act 208. Chief Yabuta stated that the Board is still developing the curriculum for the 8 hour training and discussing implementation strategies.

i. Security Guard Training Curricula

Executive Session:

It was moved by Vice Chair Inouye, seconded by Mr. Souza and unanimously carried to enter into executive session pursuant to HRS §§92-4 and 92-5, to consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities at 11:56 a.m.

EXECUTIVE SESSION

It was moved by Vice Chair Inouye seconded by Mr. Souza and unanimously carried to reconvene to the Board's regular order of business at 12:45 p.m.

It was moved by Chief Yabuta, seconded by Mr. Souza and unanimously carried to approve the revised draft developed by Chair Mack of the Security Guard Training Curricula and to make the draft available on the website of the Board of Private Detectives & Guards for comments to be sent to detective@dcca.hawaii.gov.

The Executive Officer stated that the requirements to be an approved instructor, while previously discussed, has yet to be finalized. Once the curriculum is set, then requirements will be the next order of business. Ms. Willets-Vaquilar was asked whether the HCC would be willing to screen applicants applying with them to be certified instructors if the Board designated the requirements? She responded in the affirmative.

Mr. David Heaukulani from the Hawaii Community College submitted his proposed curriculum to the Community College. There are 3 proposed tracks – applicant, instructor, and online. The Board advised Mr. Heaukulani that he should obtain the draft of the curricula from the Board's website and tweak his program to be sure it includes the topics outlined.

Ms. Preshess Willets-Vaquilar from PCATT, Honolulu Community College stated that once the curricula is approved, the HCC and other community colleges are ready to go and instructors that meet the proposed instructor requirements as discussed in prior minutes are available at all campuses across the state.

Correspondence: a. National Armored Car Association, Inc.

The Board deferred the review of the letter from Mr. Grambrill asking for the Board's approval to replace "Security Guard Training" with "Armored Car Guard Training" for Armored Car guards.

Chair Mack requested that the Board meet again on Thursday, May 31, 2012 to finalize the curricula and to set forth the requirements to be an approved instructor.

The Executive Officer announced that the July meeting date has changed from July 19, 2012 to July 12, 2012.

Next Meeting: Thursday, May 31, 2012
Exam Room – NEW ROOM
King Kalakaua Building
335 Merchant Street, Third Floor
Honolulu, Hawaii 96813

Adjournment: There being no further business to discuss the meeting adjourned at
1:03 p.m.

Reviewed and approved by:

Taken by:

/s/ Charlene L.K. Tamanaha
Charlene L.K. Tamanaha
Executive Officer

/s/ Christine Hironaka
Christine Hironaka
Secretary

5/30/12

- [X] Minutes approved as is.
[] Minutes approved with changes; see minutes of _____.