

SECURITY GUARD ADVISORY COUNCIL
MEETING MINUTES
41st MEETING
Monday, July 11, 2016
10:00 AM
NYS DIVISION OF CRIMINAL JUSTICE SERVICES (DCJS)
FIRST FLOOR CRIMESTAT ROOM
80 S. SWAN ST
ALBANY, NY
and
NYC ESDC
633 3rd Ave
37th Floor Board Room
New York, NY

Council Members Present

Robert Tucker, Chairman, T & M Protection Resources
Rainer Melucci, EED Co., Inc.
Anthony Lauro, Macerich Security Services, Inc.
Nicholas Auletta, Summit Security Services, Inc.
Jessica A. Johnson, Johnson Security Bureau, Inc.
U. Nicholas Michailides, Armed and Unarmed, Inc.
Bruce Hulme, Special Investigations, Inc.
David Zeldin, INVESTICORP, INC.
Robert A. Green, Jr., Town of Bristol Supervisor

DCJS Staff

Michael Wood, Deputy Commissioner Office of Public Safety
Johanna Sullivan, Director Office of Public Safety
Carl J. Boykin, Director of Human Trafficking / DCJS Counsel
Michael-Sean Spence, DCJS Council
Thomas Canning, Associate Training Technician (Police)
Stephen Lynch, Senior Training Technician (Police)
April Lynch, Office Assistant 1
Elizabeth Knauer, Office Assistant 1
Matthew Griffin, Senior Training Technician (Police)

Guests

John Goldman, Senior Investigator, NYS Department of State, Licensing Division
Raymond Castillo, Owner - Castillo Training Institute

1. **Opening Remarks**

Council Chairman, Robert Tucker, opened the 41st meeting of the New York State Security Guard Advisory Council at 10:00 a.m.

2. **Approval of Minutes**

Council Chairman, Robert Tucker made a motion to approve the minutes of 40th meeting of the Security Guard Advisory Council held on January 27, 2016. The motion was seconded by Mr. Hulme. The Council unanimously approved the motion.

3. **School Revocation Hearing**

Castillo Training Institute – 411811

School Director Raymond Castillo

At 10:40 am, a brief recess was called by Mr. Tucker so the Council could decide the revocation case.

After meeting in executive session and upon consideration of the testimony and evidence presented, the Council recommended that Mr. Castillo's security guard instructor certification be revoked and that the school approval of Castillo Training Institute also be revoked.

The meeting resumed at 11:00 am.

4. **SGP Update/ LEAN Project**

Thomas Canning reviewed the past five-year partnership between DCJS/SGAC.

The March 3, 2011 meeting between DCJS and SGAC members was recapped.

From meeting minutes - SGAC and DCJS discussed proposals that would ensure the requirements for opening a security guard school were in line with the requirements of any legitimate business in NYS. The rationale at the time were the 700 Schools statewide and 302 in NYC and the delivery of security guard training curriculum required improvement.

Via PowerPoint, Mr. Canning listed the current SGP policies relating to enhanced school application requirements resulting directly from the 2011 meeting:

- provide Federal ID number
- require school to be handicapped accessible
- identify type of owner of school
- identify partners
- identify affiliation with another school
- provide Certificate of Occupancy
- require proof of insurance from firearms schools

- require a Fire Approval for all schools
- require floor plans and digital photographs
- Printed Course Catalogue/Printed Enrollment Agreement/ Payment Receipt Form

Mr. Canning spoke to the proposed changes to regulations discussed at the March 2011 subcommittee and subsequent SGAC meetings.

- School owner-possess minimum standards of good character, integrity and trustworthiness and maintain valid security guard registration card
- All students must present valid governmental ID prior to taking training
- Define defects in business practices

Parts 6028 and 6029 of 9 NYCRR were drafted and eventually promulgated in February 2014 reflecting all March 2011 recommendations.

Mr. Canning advised that updates to the application and new regulations were instigated to reduce the total number of schools failing to meet minimum program standards and address the issue of approved schools partnering with unregulated employment agencies.

Director Sullivan asked how many schools are currently approved.

Mr. Canning replied that we had 700 in 2011 and today there are 400.

Ms. Sullivan remarked that the changes did have the desired effect.

Mr. Canning advised that the SGP currently receives few, if any, complaints lodged against training schools failing to deliver on transactions. For the most part, promises made to students are kept and employment scams are virtually nil.

Building upon this past success and with an eye forward, Mr. Canning went on to discuss the future of the New York State Security Guard program. SGP staff recognize the need for growth in the area of delivery of security guard training. Working toward this goal, the SGP recently underwent a LEAN review.

A. Efficiency = LEAN

Mr. Canning stated Lean is -

- a. A process improvement tool inspired by private-sector manufacturers to streamline their operations
- b. Originally made popular by Toyota
- c. Implemented by Governor Cuomo in New York State at the suggestion of his Spending and Government Efficiency (SAGE) Commission
- d. Engages frontline state workers to improve their own processes to remove unnecessary steps and streamline government services

Mr. Canning recapped the 2016 LEAN recommendations for the school application based on the review. Mr. Canning stated all recommendations have been implemented.

- Remove training site information from section one of application
- Place Site Approval Form before signature page
- Change Fire Marshal Report to Fire Inspection Report
- Standardize the initial school application and the renewal application
- Add a checklist to directions
- Create FAQ section to directions and place on agency website
- Institute initial review of applications by support staff
- Create checklists for support staff

B. Enhance / Strengthen Curriculum Delivery

Online Training

- a. Consistency
- b. Uniformity
- c. Controlled

In today's education/criminal justice literature Online training is described as the best vehicle to deliver a uniform, consistent, and controlled training curriculum. Annual training to seasoned guards lends itself to the concept of online training, according to Mr. Canning. Further from Mr. Canning, based on his interactions with the field during numerous director's orientations, there is the required buy in from all major providers of security guard training. The online idea has received universal support.

C. Enhance Audit Capability

ACADIS

- a. Number of classes per school per day
- b. Number of students per class
- c. Number of classes per instructor per day
- d. Spikes in training numbers
- e. Number of system rejects per school

Mr. Canning summarized the Office of Public Safety move to a new data collection program called Acadis. Phase One of the ACADIS project will see peace and police agencies register officers and submit training through a web based program in real time. Phase Two will focus on the security guard program moving from OMR forms to the same web based application. ACADIS will greatly enhance the audit capacity of the SGP.

SGAC and DCJS – the next steps (all requiring regulatory changes)

Begin discussions to-

- Move to 5-year renewal period
 - Change in fee structure
- Create free web based 8-hour annual training
 - Promotes consistency, controls quality and enhances audit capability
 - Set minimum standards for security guard school directors
 - Director required to be an instructor

Following Mr. Canning's presentation, a discussion followed.

Mr. Tucker asked if a cost study analysis had been done to determine how much revenue the SGP would lose if the fees were removed or altered.

Director Sullivan advised that the fees were not instigated initially to garner revenue for the SGP. The fees were created when a previous Governor's Office initiative had ordered all the state agencies to research methods that would enable the state to create additional and badly needed revenue sources. Hence, all monies generated are deposited in the general fund. There exists a school of thought that fees would help the SGP because it would cause the school owners and instructors to have some, "skin in the game".

Mr. Tucker stated that lower costs would probably help people in the security guard field and that on-line training would also reduce the number of schools.

Mr. Zeldin stated that on-line training should be free.

Director Sullivan stated her determination to ensure the training is free and the Learning Management Platform of Acadis can be used for on-line security guard training. Mr. Zeldin stated he felt the 8 Hr. Annual In-Service Course would be a great course to put on-line.

Mr. Canning agreed.

Ms. Sullivan asked Mr. Green if he had any questions.

Mr. Green stated that he had an observation. He said that reducing the number of schools enhances the overall quality of the SGP. The reduction would cause an average of 6.50 schools to exist per county. Reducing the number of schools would allow for better oversight by the SGP of the schools.

Ms. Sullivan stated we would begin introducing regulatory changes, such as, requiring all school directors to become instructors and to make the renewal period for schools five years.

Mr. Tucker stated that he felt we should think about it in a very broad way, such as, collapsing the owner rule into the instructor rule.

Mr. Tucker stated that since no one else had anything to say on this topic, he thought the council should move on to the next order of business.

5. Department of State Report

DOS Investigator John Goldman provided statistics on security guard training as of 7/1/16.

3,053 Private Investigators, 703 Watch Guard and Patrol Companies, 3,347 Authorized Guard Employers, 16, 052 Armed Security Guards, and 149, 676 Unarmed Security Guards.

Investigator Goldman further stated that DOS will be auditing security guard firms with enforcement personnel.

Mr. Tucker thanked him and stated that in regard to firearms training; due to the fact that there has not been a more controversial time in history and we have seen shocking events, we need to review the firearms training to make sure security guards have the latest and the best training.

Mr. Zeldin stated that Article 35 training is done in the classroom. Mr. Zeldin stressed the need to make sure every armed Security Guard has the training. He further stated that years ago, DCJS gave ID cards to council members. DCJS could do that now and the council members could be a force multiplier for them by visiting schools. He further stated that when new Training Bulletins are created they should, first, be sent to the council members.

Mr. Tucker stated that more thought and conversation is required before council members become inspectors of schools.

Ms. Sullivan stated that it might be viewed as a conflict of interest since DCJS presents cases to the council.

Mr. Tucker agreed and said it could cause problems.

Mr. Zeldin stated that if need be, a member could recuse himself.

Mr. Tucker stated that he was concerned about people abusing an I.D. card. He also said it might be viewed as a government perk. He further stated that he was not for or against the idea if it was actually needed. He said he thought it would be wrong to issue the council members an I.D. card simply because they were appointed to the council.

Mr. Hulme remarked on the possibility of a certificate, suitable for framing, might be acceptable but that it probably wouldn't hurt to have an I.D. Card. He also stated it was up to DCJS to decide.

Ms. Sullivan stated that she could see some big concerns with an I.D. card. She also stated that DCJS would have to ask the Governor's Appointment Office to issue a certificate.

Mr. Tucker stated that a large certificate that could be hung on the wall would be nice but he felt it was unnecessary.

Deputy Commissioner Wood stated that DCJS could have their staff create either I.D. cards or certificates if the council could clarify what they wanted.

Mr. Tucker stated that the council does not need DCJS to do anything yet because the council still needs to discuss it and because he has concerns about it. He also stated that his personal feeling was that I.D. cards were unnecessary. He further stated that DCJS has the staff so the council does not need to be a force multiplier.

Mr. Tucker asked Mr. Green if he had anything to add.

Mr. Green stated that what he had was only a suggestion and thought the council and DCJS might want to consider requiring the security guard schools to become accredited.

Mr. Tucker stated that since there were no further comments, he made a motion to adjourn the meeting.

Mr. Zeldin seconded the motion and the meeting was adjourned at 12:32 PM.