

**STATE OF MINNESOTA**

**PRIVATE DETECTIVE AND PROTECTIVE AGENT SERVICES BOARD**

**MEETING** – April 25, 2011

**LOCATION** – 1430 Maryland Avenue East, St. Paul, Minnesota.

**MEMBERS PRESENT** – Jim Hessel, Pat Moen, Dave Bjerga, Steve Wohlman and Tom Spence.

**ATTORNEY GENERAL REPRESENTATIVE** – Joan Eichhorst

**EXECUTIVE DIRECTOR** – Marie Ohman

The meeting was called to order at 8:30 a.m. The minutes of the March 28, 2011 meeting were presented for approval. Moen motioned to adopt those minutes, second by Wohlman. The vote was unanimous. Revised minutes of the January 31, 2011 meeting were presented for approval. Wohlman motioned adoption of the minutes as prepared, second by Moen. The vote was unanimous.

**New License**

1. Herbert Beer  
502 Holly Lane North  
Oakdale, MN 55128  
Individual Private Detective

Beer explained his business plan to work for criminal defense attorneys, as well as perhaps working on some cold cases that he has an interest in. His primary experience background came from his employment as an investigator and investigative supervisor for Goldberg Bonding, working with bail enforcement and fugitive recovery. He had no initial plan for employees, and no plan to be armed. He has worked closely with law enforcement agencies in his work with Goldberg, also conducting interviews and working with the fugitive task force in Minnesota. Hessel motioned to grant the license, waiving Preassignment Training, second by Spence. The vote was unanimous.

2. Walden Security Company  
Michael Walden, Qualified Representative &  
Minnesota Manager  
100 East 10 Street #400  
Chattanooga, TN 37402  
LOCAL: TBD.  
Corporate/LLC Protective Agent

Walden explained that he began working as an off-duty police officer in Chattanooga and out this he became interested in starting his own company and grew by word-of-mouth endorsement, staying a police officer for a couple years before dedicating himself to his own business. He does not have a specific plan for work in Minnesota as yet, though they do have some national contracts and want to be prepared to do work here.

Once they have secured work Walden is aware that they must identify a Minnesota Manager who will be located in Minnesota.

The company works in several states, including Arkansas where there were substantial penalties related to licensing practices there. Walden was strongly encouraged to have processes in place to ensure that reporting items related to licensing are in place. Walden indicated that they have a process for all new hires to include things beyond what statute requires. Spence motioned to grant the license, second by Hessel. The vote was unanimous.

### **Change in Qualified Representative & Minnesota Manager**

1. Advance Security

\*Virgil Anderson, Qualified Representative & Minnesota Manager

200 Mansell Court East #500

Roswell, GA 30076

LOCAL: 1620 26<sup>th</sup> Street South

Moorhead, MN 56560

Corporate/LLC Private Detective

Anderson was present with Dianna Morrissey, counsel to Advance Security, and Bill Gordon one of their branch managers. Morrissey indicated that she had been working with her client regarding the items requiring response. She noted that the company has had a long recent history with the Board, but hopes that they can move forward with this change. Morrissey indicated that operations for Advance Security went well while Stan Archer was the Qualified Representative and Minnesota Manager due to Anderson's abilities. She believed that Archer did not have the necessary understanding regarding what was needed.

Spence noted that at different meetings when Archer held those positions, there were two attorneys present representing Advance Security, neither of whom objected to presentations that Archer made to the Board. Morrissey stated that she didn't have a full understanding of those prior communications, but hoped in the future things would be improved. She explained that Anderson will remain in the Moorhead location, while Gordon will be assigned in St. Louis Park, there will be an additional branch manager working in Moorhead under Anderson's direction.

Spence noted that it had appeared in the lengthy reissuance process for Advance that there had been no supervision occurring. Anderson stated that he has been reporting to Joe LoBianco, who is in Pennsylvania. Gordon indicated that there are approximately 129 employees in the northern operations of Advance Security and 140 in the Twin Cities.

In regard to Anderson leaving the state on an annual basis, he provided that for the last two to three years he has spent part of the year in Arizona, but that will be changing owing to a family circumstance that will keep him in the area. He noted that he does maintain contact with operations through phone and email several times a day, adding that Gordon and the other branch manager have worked for him for some time and they know how he wants things done.

Wohlman inquired with Anderson as to locations in northern Minnesota and compliance with those officers. Anderson indicated that with at least one account they took over, there were compliance issues, but those were addressed when they came into to assume the contract. Spence motioned to approve the

change in Qualified Representative & Minnesota Manager to Anderson, second by Hessel. The vote was unanimous.

**License Reissuance**

The following licenses were unanimously reissued, having found all materials in order (motion by Spence, second by Wohlman):

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| <p>1. Michael DePompolo<br/>dba/M. A. DePompolo<br/>4501 34<sup>th</sup> Avenue North<br/>Golden Valley, MN 55422<br/>Individual Private Detective</p> <p>3. William O’Keefe<br/>dba/O’Keefe Investigations<br/>247 3<sup>rd</sup> Avenue South<br/>Minneapolis, MN 55415<br/>Individual Private Detective</p> <p>5. Pamela Paulsen-Sveen<br/>26600 Noble Road<br/>Excelsior, MN 55331<br/>Individual Private Detective</p> <p>7. Wilbur Johnson<br/>dba/Johnson Investigations and Protective<br/>Services<br/>587 Marshall Avenue<br/>St. Paul, MN 55102<br/>Individual Private Detective</p> <p>9. McCarthy &amp; Associates Investigative<br/>Services, Inc.<br/>Patrick McCarthy, Qualified Representative<br/>125 Lake Street West Suite 206<br/>Wayzata, MN 55391<br/>Corporate/LLC Private Detective</p> | <p>2. Todd Teachout<br/>dba/I-Witness Investigations<br/>1800 57<sup>th</sup> Avenue North<br/>Brooklyn Center, MN 55430<br/>Individual Private Detective</p> <p>4. Investigative Technologies, Inc.<br/>Brian Schneider, Qualified Representative<br/>7504 upper 24<sup>th</sup> Street North<br/>Oakdale, MN 55128<br/>Corporate/LLC Private Detective</p> <p>6. Tim Mulloy<br/>141 North Main Avenue #305<br/>Sioux Falls, SD 57104<br/>Individual Private Detective</p> <p>8. David Vujovich<br/>dba/Vujovich Investigations<br/>2216 Florance Lane<br/>South St. Paul, MN 55075<br/>Individual Private Detective</p> <p>10. General Security Services Corporation<br/>dba/Midwest Patrol<br/>Whitney Miller, Qualified Representative<br/>9110 Meadowview Road<br/>Minneapolis, MN 55425<br/>Corporate/LLC Private Detective</p> |
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The following were granted contingent license reissuance, pending receipt of noted items (motion by Spence, second by Moen):

11. Specialized Private Investigations, LLC  
Don Pukal, Qualified Representative  
4950 Penn Avenue North  
Minneapolis, MN 55430  
Corporate/LLC Private Detective

\*An insurance certificate, criminal history completion dates and armed status.

12. Peter J. Buchanan  
dba/Buchanan Investigative Services  
4825 Anderson Road  
Hermantown, MN 55811  
Individual Private Detective

\*Current and retroactive insurance certificates.

13. A.S.P. of Moorhead, Inc.  
Virgil Anderson, Qualified Representative  
1620 26<sup>th</sup> Street South  
Moorhead, MN 56560  
Corporate/LLC Private Detective

\*Reporting of Qualified Representative, cancellation notice of insurance coverage, and 2010 general continuing training.

14. Covenant Security Services, Ltd.  
John Bruce, Qualified Representative &  
Minnesota Manager  
270 Remington Blvd. #B  
Bolingbrook, IL 60440  
LOCAL: 1125 Energy Park Drive #10  
St. Paul, MN 55108  
Corporate/LLC Protective Agent

\*Clarification on armed equipment, one retroactive insurance certificate showing required coverage.

15. Andy Frain Services, Inc.  
James Ott, Qualified Representative  
Michael Martin, Minnesota Manager  
761 Shoreline Drive  
Aurora, IL 60504  
LOCAL: 17715 Exira Avenue #463  
Farmington, MN 55024  
Corporate/LLC Protective Agent

\*2009 training for MN Manager, it was noted that several employees had not had prompt criminal history record checks, nor received Preassignment training when required.

16. Cadfael Investigative Group, Inc.  
Thomas Rucke, Qualified Representative  
12215 29<sup>th</sup> Avenue North  
Plymouth, MN 55441  
Corporate/LLC Private Detective

\*More fee money may be due, clarification on having an employee, current and retroactive insurance certificates, 2-hrs of 2009 training needed for Qualified Representative and 6-hrs of 2010

training needed for Qualified Representative, several questions on training affidavit and armed status.

The following license was contingently reissued (motion by Bjerga, second by Wohlman), pending response to all items, specifically including more detailed information about what work he conducts and how that may, or may not, be affected by insurance policy provisions.

16. Northland Investigative & Protective Services, Inc.  
Robert Byman, Qualified Representative  
320 Shorewood Drive  
International Falls, MN 56649  
Corporate/LLC Private Detective

\*Bond rider (in connection with an address change), copy of an employee's POST license, current and retroactive insurance certificate that meets requirements and updated armed training information

### **Lapsed License**

The following were granted contingent licenses if materials are filed by April 30, 2011, if not, the licenses will be lapsed (motion by Spence, second by Moen, unanimous vote):

1. Stephany Good  
Joynes, Shellum and Good, LLC  
10205 - 152<sup>nd</sup> Street North  
Hugo, MN 55038  
Corporate/LLC Private Detective
2. Gay Stebbins  
dba/Stebbins Agency  
3155 Aspen Avenue  
Maple Plain, MN 55359  
Individual Private Detective

### **Contingent Matters**

#### **January:**

Talon Investigations Limited  
John Scott Hielsberg, Qualified Representative  
Corporate/LLC Private Detective

Hielsberg was present to discuss his reissuance with the Board. There were a number of training issues that the company had that the Board viewed as both a problem in securing training and keeping records in connection with training. Hielsberg has seven employees, and his business he explained had hit difficult

times. The Board noted that although they could sympathize with that circumstance, statute sets forth requirements for all license holders. The Board discussed issues at length with Hielsberg regarding the need to comply with training and record checks, that they must be a priority. Wohlman motioned to lift the contingent license status as long as Hielsberg was not armed, second by Hessel. The vote was unanimous. Members reviewed actual and potential harm, culpability and prior history and Bjerga motioned a \$50 Administrative Penalty, second by Spence. The vote was unanimous.

**February:**

Hannon Security Services, Inc.  
Jerome Maruska, Qualified Representative  
Corporate/LLC Private Detective

The company had several employees that had not received continuing training for assigned years. Considering actual and potential harm, culpability and prior history, Bjerga motioned a \$100 Administrative Penalty, second by Wohlman. The vote was unanimous.

SecureForce, LLC  
Joseph Szorcik, Qualified Representative  
Corporate/LLC Protective Agent

A response to outstanding items had not been received that addressed several areas including training, criminal histories, insurance and potentially additional fee monies. Moen motioned to extend the contingent license, with the requirement that all items be completed well in advance of the May 2011 meeting; if he does not respond Szorcik will need to attend that meeting, second by Bjerga. The vote was unanimous.

Timmy Mundy  
dba/Metro Protection & Investigation  
Individual Private Detective

The Board noted its concern with this licensee's inattention to the reissuance and other license maintenance processes. Mundy was to have fully responded to items in the reissuance and items relating to an address change and insurance. If he was not in full compliance he would be directed to appear at the Board's May 23 meeting. The Board indicated that if Mundy does not appear, they would consider allowing the license to expire.

Garda CL Great Lakes, Inc.  
\_\_\_\_\_, Qualified Representative  
Robert Miller, Minnesota Manager  
Corporate/LLC Protective Agent

Ohman noted that Garda had submitted some material in connection with the license reissuance and it awaited review, she asked that the Board extend the contingency. Moen motioned the extension, second was made by Hessel. The vote was unanimous.

**December:**

Pendum, LLC

\_\_\_\_\_, Qualified Representative

\_\_\_\_\_, Minnesota Manager

Corporate/LLC Protective Agent

Ohman requested that the Board extend this reissuance to allow for completed communications with the company on the reissuance and change in candidate positions. Moen motioned the extension, second by Hessel. The vote was unanimous.

Claims Bureau

Brain Landry, Qualified Representative

Craig Anglin, Minnesota Manager

Corporate/LLC Private Detective

There are remaining questions concerning completion of record checks, further inquiry has been made with the company. Moen motioned to extend the contingency, second by Hessel. The vote was unanimous.

**March:**

Examination Management Services, Inc.

dba/ICS – Merrill

Bruce Sederstrom, Qualified Representative & Minnesota Manager

There have been several communications concerning training matters for the company. The company is amidst its contingency period that will expire in May. The Board noted that all items will need response prior to the May 23 meeting or Sederstrom should plan to attend that meeting.

**Training**

Mark Koscielski and David Feinwachs were present to discuss with the Board the issue training, specifically an issue of lack of instructor certification for electronic control devices. The training, a continuing armed course, was submitted and referred to the Board with no recommendation owing to the absence of the instructor credential for Koscielski. It was noted for the purposes of discussion that Koscielski does not have a Taser instructor certificate.

Koscielski indicated that his course has been approved by the POAST Board, which he did because some inactive peace officers may wish to have this training. He and Feinwachs noted that to their knowledge there is no other manufacturer of such a device that has instructor certification courses. He was asked to describe where he developed the skills he believes equip him to teach this course. Koscielski stated that through teaching use of force/use of deadly force, his certifications from other organizations (such as the NRA). Koscielski stated that he'd been through the first portion of the Taser instructor school, but when he began the skills portion of the program, Taser stated that he could not continue because he was not a police officer or a licensed holder of our Board.

The Board has concerns regarding the approval of an instructor where there is no indication of instructor level certification for a piece of equipment that can cause bodily harm, this presents a significant precedent. Koscielski noted that the course is intended to be an “add on” to training done in hospitals.

Members could understand Koscielski’s perspective, however there is further research needed by the Board before proceeding. Counsel inquired if one of the devices is deployed in the course. Koscielski stated that it was, noting that there is risk of injury or death if applied against a person. The Board will do further research and continue the discussion at their next meeting.

### Training Recommendations

The Liaison Group had met earlier on April 7, 2011, (with Board member Hessel attending) with Kip Sandoz, Brad Anderson, Patrick Bernstrom and Greg Cook.

Those present recommended the following:

#### **1. The Learning Shop**

Continuing Training (PD) “Scientific Analysis of Physical Evidence” (8-hours)

Continuing Training (PD) “Criminal Defense Investigation” (8-hours)

Continuing Training (PD) “Civil Process” (4-hours)

Continuing Training (PD) “Federal Laws of Arrest” (4-hours)

#### **2. EPS Tactical Training Group:**

Continuing Training (both PA & PD) “Street Drug Recognition” 6-hours

#### **3. Elite Protective Training Services:**

Continuing Training (both PA & PD) “Street Drug Recognition” 6-hours

#### **4. Securitas:** Addition of the following instructors, for noted courses:

John Zender – 6-hour 1<sup>st</sup> Aid & CPR

Aron Lambrecht – Preassignment (PA) Refresher 1 and Refresher 2

Kip Sandoz – Preassignment (PA)

#### **5. Hannon Security Services, Inc.:**

Continuing Training (PA) “Workplace Violence Awareness” 3.5 hours

Continuing Training (PA) “Surviving an Active Shooter in the Workplace” 1.5 hours

Continuing Training (PA) “Flashpoint Recognizing & Preventing Workplace  
Violence” 1-hour

#### **6. Be Safe With Guns:**

Continuing Armed (Firearm) 6-hours

**7. DECO, Inc.:**

Continuing Training (PA) “24-hour Refresher Course” 24-hours

Continuing Training (PA) “Federal Protective Service Contract Basic Training”  
32-hours

**8. General Security Services Corporation:** Addition of the following instructor for the noted course:

Jason Pohlkamp – Preassignment (PA) and general Continuing Training courses.

**9. CPR Twin Cities –**

Continuing Training (PA) “CPR/AED-Adult & Standard 1<sup>st</sup> Aid” 6-hours

**10. Richard Hodsdon -**

Continuing Training (PD) “Social Media and Electronic Communications” 6-hours.

**Discussion**

The Board had received materials from license holder Dwight Patterson, PATS, LLC which they had read. A reply will be prepared.

The next meeting of the Board will be Monday, May 23, 2011 at 8:30 a.m. at 1430 Maryland Avenue East, St. Paul, MN 55106.

The meeting adjourned at 12:50 p.m.