

1 LOUISIANA STATE BOARD OF PRIVATE SECURITY EXAMINERS
2 SPECIAL HEARING

3
4
5
6
7 Louisiana State Board of Private Security Examiners
8 15703 Old Hammond Highway
9 Baton Rouge, Louisiana

10
11
12
13 August 5, 2015

14
15
16
17
18 Reported By
19 ANNETTE ROSS, CCR, RPR

APPEARANCES

BOARD MEMBERS:

Mr. Louis S. Gurvich, Jr., Chairman, District 1

Thomas L. Baer, District 3

Kenneth R. Kennedy, Member at Large

George Rojas, Member at Large

James H. "Chip" Romero, Member at Large

Christine Vinson, Vice Chairperson, Member at Large

Mark Williams, Member at Large

COUNSEL:

Frank D. Blackburn, Esq.

Adrienne Aucoin, Esq.

BOARD STAFF:

Ms. Jane Ryland

Reported by: ANNETTE ROSS, CCR NO. 93001,

Certified Court Reporter, in

and for the State of Louisiana

(Annette Ross officiated in administering the oath
to the witnesses.)

1 TRANSCRIPT OF PROCEEDINGS

2 MR. GURVICH: Welcome, everyone, to the special
3 hearing of the Louisiana State Board of Private Security
4 Examiners. I would ask Mr. Blackburn to lead us in The
5 Pledge, followed by a brief moment of silence.

6 (Pledge of Allegiance. Moment of silence.)

7 MR. GURVICH: May we please have a quorum call.

8 (Roll call.)

9 MR. GURVICH: Okay. We appear to have a quorum.
10 And there being no other business, let's proceed to the
11 matters at hand. I believe we have a report which has
12 been filed into the record and has been issued to
13 everyone, I believe everyone. Has anyone not received
14 it?

15 MR. ROJAS: Mr. Chairman, I make a motion we
16 dispense with the reading of the previous minutes.

17 MR. GURVICH: Oh, good point. I guess we should
18 do that. So any debate/discussion? I'll second. All in
19 favor of the motion say aye.

20 ALL BOARD MEMBERS: Aye.

21 MR. GURVICH: Good. So at any rate, back to the
22 matter at hand. I think it's appropriate, Counsel, at
23 this point, if we are going to be discussing the report,
24 perhaps taking testimony from witnesses, since this all
25 has to do with a very confidential investigation

1 involving board staff, I believe it's appropriate that we
2 go into executive session if two-thirds of the board
3 members agree. Is that your understanding?

4 MR. BLACKBURN: Yes, sir.

5 (Mr. Romero leaves room.)

6 MR. GURVICH: Okay. I will therefore make a
7 motion that we go into executive session. Do I hear a
8 second?

9 MS. VINSON: Second.

10 MR. GURVICH: Motion by Mr. Gurvich, second by
11 Ms. Vinson. Any debate or discussion? All in favor of
12 the motion as stated say aye. This requires a two-thirds
13 majority.

14 ALL BOARD MEMBERS, EXCLUDING MR. ROMERO: Aye.

15 MR. GURVICH: All right. Any nays? The motion
16 passes. We will go into executive session. For the
17 purposes of the executive session, I would ask that all
18 board staff, witnesses -- board counsel can remain -- and
19 I believe our investigator. Will everyone else please
20 remove themselves, and I would invite you to have a cup
21 of coffee, but we apparently don't have any. And, of
22 course, our court reporter, you are also supposed to stay
23 in the room. I should have mentioned it.

24 (Executive session.)

25 **(Board staff, Mr. Rogillio, and Mr. Cain reenter room.)**

1 **MR. GURVICH:** I think we are back on the public
2 record. The floor is open. Mr. Kennedy, did you have a
3 motion?

4 **MR. KENNEDY:** Yes, sir. I make a motion, a
5 four-part motion:

6 Number One, we authorize the immediate return and
7 reinstatement of Mr. Cain and Mr. Rogillio in that none
8 of the allegations against those two individuals in the
9 anonymous letter dated June 11th were sustained by the
10 investigation;

11 Number Two, we review and retrain board staff with
12 state HR personnel and Louisiana Property Assistance
13 Agency to bring all board staff in compliance of the
14 regulations of said agencies;

15 Number Three, review and reestablish the duties and
16 responsibilities of each job category and position within
17 this office;

18 Number Four, authorize counsel to respond to the
19 complaint filed with the Louisiana Property Assistance
20 Agency.

21 **MR. ROJAS:** I will second the motion.

22 **MR. GURVICH:** We have a motion on the floor by
23 Mr. Kennedy, second by Mr. Rojas. Debate? Discussion?
24 Board members, staff. Mr. Rogillio, did you care to
25 address the board at this juncture?

1 MR. ROGILLIO: Yes, sir. First, I apologize for
2 you guys having to listen to all this. Cops and
3 doughnuts go together. What can I say? Mr. Cain, I was
4 looking for an investigator. You remember the
5 circumstances with Mr. Thornton. And I think this is
6 somewhat of a retaliation for that situation, if you
7 will.

8 I called Mr. Cain, looking for another individual's
9 phone number from him to hire, and he indicated he might
10 be interested in this job. So he came and spoke with me
11 and I hired him.

12 He has done an exceptional job while he has been
13 here. He routinely averages 15 to 25, 30, 35 guards a
14 day, checking them at different locations, and files a
15 report on each one of those individuals.

16 I don't need to rehash the circumstances of why we
17 are here, obviously, but I do appreciate the
18 consideration from the board members of our positions
19 here at this agency.

20 MR. GURVICH: Thank you, Mr. Rogillio. Mr. Cain
21 back there, do you care to address the board or comment
22 on the --

23 MR. CAIN: Yes, sir. I was retired 14 years
24 before I accepted this position. One of the reasons that
25 I did accept this position is Wayne Rogillio offered it

1 to me. I worked for him as -- at the Baton Rouge Police
2 Department for about eight years directly for him.

3 I have had tremendous effort, and I know most of you
4 are executives or owners of guard companies. Check with
5 any of your guards. I try to treat people with respect
6 and dignity, and I have put out a tremendous effort to
7 bring about some type of professionalism within the job I
8 am doing. And I have busted my butt trying to institute
9 a good effort in doing this job. And it's very
10 disheartening to have to go through something like this
11 when all we're trying to do is do an effective job and do
12 it efficiently.

13 I appreciate your attention, and I thank you.

14 MR. GURVICH: Anyone else? We are in the
15 debate-discussion phase of the motion. I have one thing
16 that I'd like to say briefly.

17 The motion, of course, says within the Point One,
18 that the allegations in the letter were not sustained.
19 But there was a factfinding report done by board counsel,
20 and it did disclose some issues. We have some things
21 that need to be tightened down, frankly.

22 I think it was the second point of Mr. Kennedy's
23 motion that we need to meet with HR, we need to hash
24 things out with Property Assistance folks on comp time,
25 overtime, flex time, scheduling issues that the board

1 staff wasn't aware about. I don't know, investigator
2 trip sheets if there are any. We do need to tighten
3 things down. There are certain things that need to be
4 tightened down.

5 I don't accuse anybody in particular of this room of
6 doing anything. Call it a general problem that we all
7 share. Okay? I'm not casting aspersions on any
8 individual.

9 The meeting, the Point Two, meeting with HR, state
10 HR folks and to meet with Property Assistance, we have to
11 hash these things out. We can't proceed going forward in
12 a vacuum. We are going to have to accept what is the
13 required sorts of the ways of doing things for the state.
14 We have to do it as well. And I think it's implicit --
15 explicit in Mr. Kennedy's motion, but it's implicit in
16 the spirit of the way we do things around here.

17 We're going to have to close this gap, tighten
18 things down, that we may be doing things more casually
19 than we should have been. But there's work to be done.
20 And having said that, I will say no more.

21 Any further comments? All right. The notion on the
22 floor of four points, I will call for a vote. All in
23 favor say aye.

24 ALL BOARD MEMBERS: Aye.

25 MR. GURVICH: Any opposed? The motion passes

1 | unanimously. Welcome back to work, Mr. Cain and
2 | Mr. Rogillio.

3 | One final cautionary note, not being directly
4 | involved in the whys or wherefores of the allegations, I
5 | can speak for the board in the sense that it must have
6 | been some degree of concern, suspicion, and even
7 | animosity among the board staff. When one has an
8 | internal investigation like this and anonymous complaints
9 | or otherwise, there have to be some personal issues
10 | resulting from this.

11 | And my cautionary note is, we are a team. We have a
12 | very, very important job description, which is
13 | essentially to keep Louisiana safe or safer through the
14 | use of about 10,000 security officers. And if we can't
15 | do that, we endanger 4 point something million people.

16 | Going forward, whatever animosity, whatever personal
17 | grudges, that's all got to go. It's got to disappear.
18 | We have a job. We have to be an efficient regular
19 | regulatory agency for 10,000 people, many of them
20 | carrying guns, and all of them being responsible for the
21 | safety and welfare of the people of Louisiana.

22 | And this isn't something that one necessarily needs
23 | a motion. It's the spirit of who we are as an agency
24 | going forward, that all this needs to be put behind us.
25 | And then we go forward with renewed commitment to what we

1 have to do. And that's all I've got to say about it.

2 Any final comments? All right. Then I will call
3 for a motion to adjourn. Any questions? Nothing else?

4 MS. VINSON: Motion to adjourn.

5 MR. ROJAS: Second.

6 MR. GURVICH: Motion to adjourn by Ms. Vinson.

7 All in favor of the motion? This meeting is adjourned.

8 Thank you.

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T E

I, Annette Ross, Certified Shorthand Reporter in and for the State of Louisiana, as the Officer before whom this testimony was taken, do hereby certify:

That the proceedings as herein before set forth in the foregoing 10 pages was reported by me in stenographic machine shorthand, transcribed by me or under my personal direction and supervision, and is a true and correct transcript to the best of my ability and understanding;

That I am not of counsel, nor related to any person participating in this cause, and am in no way interested in the outcome of this event;

That the transcript has been prepared in compliance with the transcript format guidelines required by statute and by rules of the board;

That I have acted in compliance with the prohibition on contractual relationships as defined by Louisiana Code of Civil Procedure Article 1434 and in rules and advisory opinions of the board.

This certification is valid only for a transcript accompanied by my original signature and raised seal on this page.

ANNETTE ROSS,
CCR NO. 93001

5th day of September, 2015