

LOUISIANA STATE BOARD OF
PRIVATE SECURITY EXAMINERS
QUARTERLY BOARD MEETING

Taken on Thursday, September 21, 2017,
before Kimberly L. Gibney, Certified Court
Reporter, at Louisiana State Board of Private
Security Examiners, 15703 Old Hammond Highway,
Baton Rouge, Louisiana.

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1 APPEARANCES:

- 2 Fabian P. Blache, III, CAO
- 3 Marian H. Pierre, Chairwoman
- 4 Ritchie Rivers
- 5 Mark Williams
- 6 Edward Robinson, Sr.
- 7 Wilbert Sanders, Jr.
- 8 Maria Landry
- 9 Hector Echegoyen
- 10 Durell Pelegrin

11

12

13 Also Present:

- 14 Wayne R. Crouch, Esq.
- 15 Adrienne Aucoin, Esq.
- 16 Dalton McRight, CPA
- 17 Bridgette Hull

18

19 Reported by:

- 20 Kimberly L. Gibney, CCR
- 21 No. 2016010

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1

2

(Commencing at 9:30 a.m.)

3

MS. PIERRE: Good morning.

4

The meeting for the State Board Of Private
Security is now in session.

5

6

May we have the roll call,
please?

7

8

MS. HULL: Hector Echegoyen?

9

MR. ECHEGOYEN: Here.

10

MS. HULL: Misty Finchum?

11

MR. BLACHE: Not present.

12

MS. HULL: Maria Landry?

13

MS. LANDRY: Present.

14

MS. HULL: Durell Pellegrin?

15

MR. PELLEGRIN: Present.

16

MS. HULL: Edward Robinson?

17

MR. ROBINSON: Present.

18

MS. HULL: Wilbert Sanders?

19

MS. LANDRY: Here.

20

MS. HULL: Mark Williams?

21

MS. PIERRE: Present.

22

MS. HULL: Ritchie Rivers?

23

MR. BLACHE: Not present.

24

Could we please stand for the

25

pledge of allegiance.

1 (Pledge of Allegiance)

2 MR. BLACHE: I'd also like to
3 have a moment of silence. We recently lost one
4 of our state license instructors and a longtime
5 person from the industry, Mike Jurina, and also
6 for all those lost and/or injured from our
7 security families throughout the state.

8 (Moment of Silence.)

9 Thank you.

10 MS. PIERRE: If there's no
11 objection, we'll have readings of the minutes
12 from the previous meeting.

13 MR. BLACHE: The entire minute
14 package is about 365 pages, so we published
15 it --

16 MS. LANDRY: I'd like to waive
17 the reading of the minutes.

18 MR. ROBINSON: Second.

19 MS. PIERRE: The motion has been
20 moved and second and so we'll move on.

21 MR. BLACHE: I'll state just for
22 the record that we did have a hearing scheduled
23 for today that was canceled because of a
24 continuation request. We do not have a
25 rescheduled date yet at this point in time. As

1 soon as we do, we will notify the board.

2

3 MR. ROBINSON: I'd like to bring
4 up the subject that at the last board meeting we
5 entered some scenarios. And then we said at
6 this board meeting we would recommend a board
7 chair. And at this time I'd like to recommend
8 that Ms. Marian Pierre, who is acting, become
9 the chair of the board.

10 That's my recommendation.

11 MS. LANDRY: I'll second that
12 recommendation.

13 MR. BLACHE: So there's a motion
14 and a second.

15 MR. SANDERS: There's a motion
16 and second.

17 MR. BLACHE: Do you want to do a
18 roll call vote?

19 MR. ROBINSON: Since we have a
20 quorum.

21 MR. BLACHE: Okay. I'll do a
22 roll call vote then.

23 MS. PIERRE: Thank you.

24 MS. HULL: Hector Echevoyen?

25 MR. ECHEGOYEN: Nay.

1 MS. HULL: Maria Landry?

2 MS. LANDRY: Yes.

3 MS. HULL: Wilbert Sanders?

4 MR. SANDERS: Yes.

5 MS. HULL: Edward Robinson?

6 MR. ROBINSON: Yes.

7 MS. HULL: Durell Pellegrin?

8 MR. PELLEGRIN: Yes.

9 MS. HULL: Marian Pierre?

10 MS. PIERRE: I can't.

11 MR. BLACHE: I did that in my
12 first office council board meeting.

13 MS. PIERRE: It has been moved
14 and second, and the vote has been taken?

15 MR. BLACHE: Yes.

16 MS. PIERRE: So Marian Pierre
17 becomes chairman of the board.

18 I'd like to make a motion
19 that -- and put a name and nomination for vice
20 chair. Maria Landry.

21 MR. ROBINSON: Second.

22 MS. PIERRE: All in favor?

23 Do we need a roll call?

24 MR. BLACHE: We'll take a roll
25 call.

1 MS. HULL: Hector Echegoyen?

2 MR. ECHEGOYEN: Nay.

3 MS. HULL: Wilbert Sanders?

4 MR. SANDERS: Yes.

5 MS. HULL: Edward Robinson?

6 MR. ROBINSON: Yes.

7 MS. HULL: Ms. Pierre?

8 MS. PIERRE: Yes.

9 MS. HULL: Durell Pellegrin?

10 MR. PELLEGRIN: Yes.

11 MS. PIERRE: Moved and second.

12 Maria Landry is now the vice chair for the State

13 Board of Private Security Examiners.

14 MR. BLACHE: Congratulations.

15 MS. LANDRY: Thank you. I'm
16 actually surprised.

17 Congratulations to you too.

18 MS. PIERRE: Thank you. I think
19 with two women, we can't lose. I always believe
20 the best man for a job is a woman. So that way
21 we got there.

22 All right. We're going to move
23 on to the financial data updates on the
24 financial. And I think everybody has a copy of
25 the financial report in front of them or they

1 received one prior to this meeting.

2 If anybody has any questions or
3 comments as it relates to the financial
4 statements --

5 MR. ROBINSON: Accountant's
6 here.

7 MS. PIERRE: And I know. But
8 you guys received this in a package earlier, and
9 if you have any questions and stuff, the
10 financial people, the accountant is here, and he
11 can explain it to you.

12 If not, we're going to turn it
13 over to the accountant and let him go through
14 the financial statement with us.

15 MR. McRIGHT: Financial
16 statement will be presented for the two months
17 July and August for this year. And the first
18 section we'll do is going to be the balance
19 sheet and it starts off with the assets.

20 Y'all have on hand as of August
21 31st \$945,000 in checking and savings. That's
22 offset at the bottom by \$816,000 worth of
23 payables, some of which are due currently in the
24 payables. The state police is the biggest item
25 on there that has to be paid. And that depends

1 upon when they process the fingerprints and send
2 us a bill. But we're holding \$176,000 for the
3 state police.

4 Reserved - compensated absences.
5 That is just the amount, the 43,000 due to
6 employees for accrued vacation that they should
7 be taking within a year's time.

8 All the other payables total
9 right at \$9,000.

10 There's also an OPEB payable.
11 That's for amounts payable after the employees
12 retire and have their health benefits and
13 everything carry on to the future.

14 Y'all are one of the few boards
15 still that have -- y'all designated the money
16 market of 594,000 to cover that 587. Y'all have
17 enough funds if you had to pay it off today, but
18 there's no requirements anywhere in the near
19 future y'all would ever have to pay this amount
20 off. That's just a number that's been required
21 to be put on a financial statement for full
22 disclosure purposes.

23 Y'all have assets. A net of
24 depreciation of \$390,000 at this time.

25 All right. Then we move on to

1 the income statement, which is the next couple
2 of pages. This starts off with revenues.

3 The revenues for July were
4 84,115.86. It went down to \$63,786.99 for
5 August. Year to date is 147,000.

6 The decrease between July and
7 August is the \$20,000. We are down about 8,300
8 on guard renewals. We're also on guard apps are
9 down about 9,300. And fingerprint income is
10 down 7,120 but that's because the state police
11 didn't process anything in the month of August.
12 So that will come back up. It probably will be
13 doubled in September. Then will get the money
14 in there.

15 Then move over to the next
16 section would be the expenses. Once again, the
17 biggest item y'all have on expenses will be the
18 salaries and benefits for the employees. That
19 runs right around \$40,000 a month. As you can
20 see in July it was 39. In August it was 43.
21 The main difference there is overtime was paid
22 in August.

23 The difference -- the total
24 expenses for July were 96,775. The total
25 expenses in August was 87,000. That's a

1 difference of about \$9,500. The main difference
2 there, if you look at equipment, repairs, and
3 maintenance, which is about two-thirds of the
4 way down the page, in July it was 14,836, where
5 it's only \$365 in August. So it decreased from
6 one month to the other. The difference there is
7 in July we had some major air-conditioner
8 repairs to the tune of about 14,000 that had to
9 be made. That was a one-time charge.

10 And a lot of this, I think --
11 Fabian, you may want to correct me on this.

12 MR. BLACHE: Sure.

13 MR. McRIGHT: That really is
14 going to be part of an insurance claim
15 eventually. And we may get that money back.

16 MR. BLACHE: Yeah. That's
17 correct. The two gentlemen that are
18 adjudicating the claim from the flood, the units
19 failed because they had been submerged under
20 water. They were operational the entire time,
21 but they attributed it to the claim. So they
22 had me submit these invoices to that claim. And
23 the anticipated outcome of that is that the
24 claim is going to cover that expense, so we'll
25 recoup those funds.

1 MR. McRIGHT: Offsetting the
2 \$14,000 decrease in expenses is increase of
3 \$5,494 for officer mismanagement insurance.
4 That bill came up in August, and we had to pay
5 it. And, basically, everything else is pretty
6 much in line.

7 For the year our income, we're
8 showing a loss of 36,000. That will gradually
9 go away as we get our fingerprint income. And
10 we're assuming hopefully that the guard renewals
11 will pick back up, and that will bring back more
12 income to even this out.

13 MR. BLACHE: Right on the tail
14 end of that action, the football season started.

15 MS. PIERRE: I was just getting
16 ready to ask you how could that possibly have
17 gone down based on the fact that we know how
18 many guards --

19 MR. BLACHE: That's all being
20 posted now. So it all levels off.

21 MR. McRIGHT: We have plenty of
22 them on hand now to be processed. That should
23 take care of it.

24 I'd be happy to answer any
25 specific questions y'all have.

1 MS. PIERRE: That was the one I
2 had.

3 Does anybody have any questions
4 or comments as it relates to the financial
5 statements?

6 MR. ECHEGOYEN: \$14,000, that's
7 coming back, that's coming back straight to the
8 board or does it go to the state?

9 MR. BLACHE: Yes.

10 MR. ECHEGOYEN: Or do they go to
11 the general fund of the state?

12 MR. BLACHE: We are not a
13 general fund agency at all.

14 MR. ECHEGOYEN: You explained to
15 me last time that usually when they pay, that
16 kind of money goes to the state and the state
17 pays us. Isn't that what you said?

18 MR. BLACHE: No, sir. I said
19 that with respect to the claim, we had -- most
20 of the claims expenses, we've had the adjustors
21 pay the vendors directly. So when they did the
22 building, it was \$300,000. We didn't pay
23 300,000 and recoup the funds. We had Sedgwick
24 pay the vendor the \$300,000.

25 That's between the vendor and

1 the claim side. We don't have any general fund
2 dollars. We are a self-generated fund agency.
3 Fines and fees are what drives the day-to-day
4 operation.

5 MR. ECHEGOYEN: Bottom line that
6 14,000 will come to us?

7 MR. BLACHE: Come to us. And we
8 will recoup the funds that we put out for those
9 two air conditioners.

10 MR. ECHEGOYEN: Thanks.

11 MS. PIERRE: Are there any other
12 questions? Comments?

13 If there are no other comments
14 or questions, I move that we accept the
15 financial report as given.

16 MS. LANDRY: I make a motion to
17 accept.

18 MR. SANDERS: I'll second.

19 MS. PIERRE: It's been moved and
20 second, so the motion is accepted.

21 The financial statements are
22 accepted.

23 MR. McRIGHT: Thank y'all.

24 MS. PIERRE: Thank you.

25 There are some recommendations.

1 I see some new faces in the audience today from
2 the convention center.

3 AUDIENCE: Yes.

4 MS. PIERRE: Thank you for
5 joining us today. I don't know if you guys are
6 here for purposes.

7 Is there anything that they're
8 here to discuss, Fabian?

9 MR. BLACHE: Mr. Mark did ask to
10 be able to speak.

11 MS. PIERRE: Okay. At the end
12 of this, if you don't mind, we'll go through the
13 agenda and then we'll get back to you, okay?

14 AUDIENCE: Thank you.

15 MS. PIERRE: Special projects.
16 As we go forward as a board there's been -- we
17 know that we have statutes in place. And with
18 those statutes in place, I've given you some
19 recommendations as to some of the things under
20 the statute that we could possibly clear up,
21 meaning making rules and procedures that when
22 something happens it's not a subjective answer
23 that's given to a company or a guard, that we
24 have specific regulations and rules that will
25 accommodate those disciplinary actions.

1 And what I'd like to see if
2 there's anyone, any board members, who would
3 like to serve on that committee to bring some of
4 these things back to us to discuss.

5 It should never be a situation
6 where a company doesn't know what's going to
7 happen to them when they violate a rule or a
8 policy of this board. It shouldn't be something
9 that's suggested by us in making a decision. It
10 should be something that's written very clear
11 that they understand if you do this -- if you
12 drive without a driver's license, you're going
13 to be arrested. So those are the things that we
14 need to clear up. And I think we can do it in
15 committee.

16 And I'd like to ask you, Maria,
17 to serve on that committee.

18 MS. LANDRY: Sure.

19 MS. PIERRE: Durell, would you
20 be interested in serving on that committee?

21 MR. PELLEGRIN: Sure.

22 MS. PIERRE: Ed? Committee?

23 (Nonverbal response)

24 MS. PIERRE: Hector?

25 MR. ECHEGOYEN: I don't think I

1 can. I'm sorry.

2 MS. PIERRE: You don't think you
3 can?

4 MR. ECHEGOYEN: I just have too
5 much on my plate now. I'm sorry.

6 MS. PIERRE: All right. Well,
7 thank you.

8 So that committee will be
9 composed of Maria Landry.

10 MS. LANDRY: Yes.

11 MS. PIERRE: Ed Robinson and
12 Durell Pellegrin.

13 So at that time they will bring
14 back information to the board and, Fabian, we'll
15 probably need to get the attorneys involved to
16 make sure we're in compliance with all the
17 statutes when these rules are presented, okay.
18 So we'll discuss that further at the next
19 meeting. You have some examples before you and
20 that's just recommendations for you committee
21 members to have. I think I gave everybody a
22 copy of them, so.

23 MR. ROBINSON: Can we get the
24 phone numbers of both of those?

25 MR. BLACHE: Yes. I'll make

1 sure you have all the contact information.

2 MR. ROBINSON: We can have a
3 conference call.

4 MS. PIERRE: Yeah. You guys can
5 do it however you choose, to come to the board
6 meeting an hour ahead or, you know, a couple
7 hours ahead.

8 MS. LANDRY: Okay.

9 MS. PIERRE: Or stay a couple
10 hours after the meeting and come up with some
11 suggestions.

12 Now we have the executive
13 director's report.

14 MR. BLACHE: So the first thing
15 on my agenda is notifications in the January --
16 I'm sorry -- June. I get my Januarys and Junes
17 messed up with fiscal years in my head.

18 In the June meeting, we had a
19 conversation about notifications, so I just
20 wanted to give a quick update on that. Pursuant
21 to that meeting effective July 5th, we
22 immediately reimplemented rigorously sending out
23 the notifications.

24 What that entailed was a couple
25 of things. If you remember at the meeting, I

1 mentioned that one of my concerns about the
2 letters that were going out was that they were
3 incorrect. The letters were basically talking
4 about a month and day. And so what you'd get is
5 you'd get a notification that says this person
6 has to be renewed by this month and year. But
7 it wouldn't specify what date.

8 The rule accounts for the fact
9 that it has to be done 60 days in advance.
10 Well, 60 days in advance then meant to us that
11 we needed to send these notifications every day,
12 not just on Friday covering a week, and then not
13 knowing what that expiration date was in the
14 future.

15 So we worked with the database
16 administrator of the guard tracking system. It
17 took about five attempts to get it right. But
18 what we did is we got those letters changed so
19 that we could run them in such a way that if we
20 ran the letter on a Tuesday and we're looking
21 out 60 days, it accurately reflected the 60-day
22 notice so that we wouldn't have the possibility
23 that somebody could say, okay, well, we've
24 incurred some sort of a fine for this now and
25 the notice didn't come in 60 days, it came in 55

1 days, right? So we wanted to mitigate that
2 exposure. So we did that. And then we began
3 every day sending out those notices. We started
4 doing that, I believe it was right around July
5 5th, if I'm not mistaken.

6 In addition to that, we also
7 made an enhancement, and this was done by Summer
8 who picked up that task. She started sending
9 out the ones that fall on weekend days. Because
10 the prior year could have been a weekday, she
11 sends those out on Friday before that weekend.
12 So you're still getting the notices for those
13 days too.

14 We try to be as literal about
15 that as we can be because, you know, it was
16 something that was brought up. And we agreed
17 that, you know, there needed to be some rigors
18 of that process. And it was probably -- now
19 that we have gotten caught up on the application
20 side, an opportunity for us to task someone to
21 doing that specific thing.

22 On any given day it can take
23 anywhere from two hours to do that for the day
24 to -- it can go until 2 o'clock in the
25 afternoon. It just depends how many firearm

1 renewals, company registrations, instructor
2 rules, and guard registration renewal
3 notifications we're sending out. But they're
4 going out as the board asked for. I just wanted
5 to give you an update on that.

6 MS. PIERRE: Fabian, I have a
7 question as it relates to that.

8 MR. BLACHE: Sure.

9 MS. PIERRE: You said we're
10 caught up. We're caught up on ID, on
11 recertifications. Are we caught up on cards
12 going out too?

13 MR. BLACHE: So there's two
14 answers to that question.

15 MS. PIERRE: Okay.

16 MR. BLACHE: The first one is on
17 renewals and applications. We want to be within
18 30 days. When the flood happened -- let me
19 backtrack.

20 When I got here in March of last
21 year, we were behind months before the flood
22 happened. When the flood happened, it pushed us
23 back even further. At any given point in time
24 we've been behind on just entering applications
25 into the system of upwards of six to seven

1 months. Now we're to within about 30, 35 days.
2 That's what I call functional zero.

3 Functional zero is what you're
4 receiving in a 30-day period about what you can
5 enter in a 30-day period. That's a good place
6 to be. Because we can easily put our hands on
7 something if we have to find it. And we can get
8 it into the system which will correlate with
9 returning the background checks so we can get
10 the person moved from pending to active. So
11 I'll share a number with you that relates to
12 your question.

13 A month ago our pending -- and
14 this is people who are not active and aren't
15 eligible to have their permanent card yet. Our
16 pending was 2,333 guards. Yesterday our pending
17 was down to 2,007. So we've moved 300 off of
18 pending. That's a pace that will eventually
19 eradicate that pending to a functioning zero
20 level.

21 So we have several things we
22 have to get to functional zero. The first one
23 we achieved. Renee's been working tremendously
24 at this, is getting us to where we're within
25 about 30, 35 days on apps. The second thing is

1 making sure that all the renewals process the
2 week they arrive. The third thing is making
3 sure that the people who have submitted
4 fingerprints, for those that do submit
5 fingerprints, get the fingerprints into the
6 system, get them back from the system, and then
7 we can change that guard from --

8 MS. PIERRE: Pending.

9 MR. BLACHE: -- from a pending
10 status to an active status with the caveat that
11 their training is also in.

12 So there's all those other
13 pieces. We don't make a guard active so he can
14 get a card until the training is also recorded.
15 So we've made a tremendous amount of headway in
16 the last two months on these issues because we
17 finally had everyone who was swarming to the
18 applications to get that to 30 days. Got that
19 done. Now we've pushed those people and tasked
20 them to other things, and now we're impacting
21 other things that were impacted by the flood.

22 Make no bones about this. We
23 are still recovering. We still have a garage
24 that doesn't have a car in it because it has
25 stuff in it that we have to go through and get

1 out of here or get somewhere else to be able to
2 get that vehicle back in the garage. So anyone
3 who's of the notion that the place looks great
4 and the flood is a thing of the past, needs to
5 disabuse themselves of that notion.

6 We're still working through a
7 lot of other issues that are contingent to that.
8 There's a long tail on that. But we've done
9 what I think is an incredible job in a short
10 period of time.

11 This right now, if I was putting
12 pictures on the wall of what this place looked
13 like right now, this desk would not be here.
14 The floors would be concrete. You know, we'd be
15 gutted, you know, to the four-foot level. So
16 that was just a year ago. So that's where that
17 is.

18 Now, on the ID cards themselves,
19 which there's another part to that. The second
20 thing that came up in the June 28th meeting was
21 hard copies. Right after that meeting, Tina and
22 I got together and made sure that, you know, she
23 had all of her supplies and equipment and such.
24 And then we started running cards. I think the
25 first batch of cards that we ran was about

1 2,700.

2 Is Tina in here?

3 MR. BLACHE: It was how many?

4 About 3,000 did you say?

5 AUDIENCE: No. 2,000.

6 MR. BLACHE: 2,000. It was
7 2,000. And then subsequent to that we ran
8 another batch that was pretty -- pretty
9 substantial. At this point looking at this
10 pending number dropping the way it is, which
11 correlates to the issuance of those cards as
12 well, we're on a rapid pace now to get people
13 who are waiting to get off of a temporary blue
14 card into their hard card.

15 That's working out beautifully.
16 So the cards are being mailed out weekly,
17 generally speaking.

18 MS. PIERRE: Well, there should
19 be -- one question. There should be no one that
20 has a temporary card that's six months or a year
21 old --

22 MR. BLACHE: Oh, no.

23 MS. PIERRE: -- on the dates of
24 those cards.

25 MR. BLACHE: There shouldn't

1 be.

2 MS. PIERRE: 'Cause that's what
3 I'm finding is happening, Fabian. I'm seeing
4 blue cards, that people are coming in with
5 temporary cards that are over six months to a
6 year old. And I'm going, like, how can that be?

7 MR. BLACHE: That's been a
8 problem ever since I arrived. In June of last
9 year, I went to Essence. And I walked that
10 floor for two days by myself. And I was
11 inspecting cards, and I have pictures of the
12 cards where those cards were a year and a half
13 old. And that was in June of last year. So
14 there were a lot of mitigating factors to that.
15 A lot of it did have to do with the older
16 fingerprint system. We're on a newer system
17 now.

18 A lot of it had to do with
19 volume. A lot of it had to do with the fact
20 that we have -- we generate the most number of
21 fingerprints submitted to state police than any
22 other agency in the state. We have one
23 fingerprint tech who they claim is the best, and
24 we know she is. But, you know -- she is. Slow
25 and steady wins the race. I mean she prints

1 100, 120 prints a day --

2 MS. PIERRE: And none come back,
3 right?

4 MR. FABIAN: -- and 60 a day
5 their individuals can do.

6 We've got the right components.
7 What we had was bad workflows. We just didn't
8 have -- and good oversight on the workflows.
9 Putting more rigor to it, more oversight on the
10 workflows, getting people involved in helping
11 determine does this card have two 8-hour
12 classes? Yes. Is their background clear? Yes.
13 Well, they can be made out. All that drives
14 that process.

15 So the fact that we moved 300 in
16 a month, I think we can get this down to a range
17 of 250, 300 as a pending in the not too distant
18 future by year's end.

19 MS. PIERRE: So I guess your
20 answer is we should not see cards with those --

21 MR. BLACHE: Not age that long,
22 no. Absolutely not.

23 And it's curious to me why --
24 there's just a couple of things that are curious
25 to me, and it's just food for thought so that as

1 you deliberate as board members and as industry
2 people you think about some of these things.

3 For example, why did we not set
4 a time limit on a blue card in the first place?
5 If you look at the way the system is designed,
6 it's designed to be abused. The blue card has
7 no expiration date. The renewal card actually
8 is missing information that would be vital to
9 the renewal card. It doesn't tell you much.
10 It's just a place holder for them until they get
11 their card.

12 MS. PIERRE: Hence, the
13 committee.

14 MR. FABIAN: Yes. Absolutely.

15 MS. PIERRE: Those are the kinds
16 of things that the committee will be looking
17 at.

18 MR. FABIAN: Another thing that
19 will be --

20 MR. ROBINSON: Let me add to
21 what you're saying.

22 MR. BLACHE: Yes.

23 MR. ROBINSON: I understand what
24 you're saying. But there was some cases where
25 the regular card did not come back --

1 MR. BLACHE: Right.

2 MR. ROBINSON: -- for six months
3 or better.

4 MR. BLACHE: Right.

5 MR. ROBINSON: And that was, I
6 guess, processing.

7 MR. BLACHE: Oh, yeah. No
8 doubt.

9 MR. ROBINSON: So therefore,
10 they would have a six-month --

11 MS. PIERRE: While I do
12 understand that -- but here's the thing, if it's
13 going to be a temporary card -- and I have to
14 agree with you. If there's going to be a
15 temporary card, there should be a time limit on
16 it. It should be given three months, six
17 months. And then that company would have to
18 issue another blue card, if that was the case.

19 MR. ROBINSON: I agree with
20 that.

21 MR. BLACHE: People all work in
22 a variety of different environments, right? You
23 know the Hawthorne effect. If you're observing
24 something, it changes its behavior. So if you
25 put a time limit on the card, even the agency

1 that produces the product has to do something.
2 Because you don't want to run into a situation
3 where you're eclipsing that time period over and
4 over again, right?

5 Here's another example of a
6 process that just plays into that. We have a
7 blue form. And we have event industry people,
8 for example, who work events. And we make them
9 do a separation form. They call it termination
10 form. I call it separation, okay. But we make
11 them do a separate form after they do an
12 application on someone. We give them 20 days to
13 send us the application, right. So the person
14 can work a five-day event and be gone before the
15 application arrives.

16 No one had the foresight to say
17 why don't we just put something for the
18 termination, the separation, on the blue form in
19 the empty space at the top. So that if you're
20 doing that, you simply fill out this one thing.
21 You put when they were released on there. We
22 receive it. We have one piece of paper to
23 track. We enter the information. We enter the
24 separation date, we move on.

25 Instead, it's two different

1 mailings sometimes. So think about that from a
2 process standpoint. I've got a stack of apps in
3 one person's office. And then I get mail that
4 gets busted and I've got termination forms in
5 somebody else's hands. And there's a crisscross
6 there sometimes. And that will impact card
7 generation as well. Because if we term
8 somebody, why would we be issuing a card and
9 making them active if they're not working at the
10 time.

11 As it stands right now, the
12 credential is not the guard's, it belongs to the
13 company. And technically the individual is
14 supposed to send it back to us. So why would we
15 spend the resources, the time, pay the salary,
16 and use the materials to generate a card on
17 somebody that when you get it, they're already
18 termed. And the terms in the mail this way, and
19 the cards in the mail that way.

20 So I'm just pointing that out so
21 that you understand the complications of the
22 process and how they all dovetail into spiraling
23 into these type of pending numbers when there's
24 a hiccup or an issue. And these are things that
25 we meet about and talk about, looking at, and

1 finding ways to resolve them.

2 MS. PIERRE: It is our intent --
3 it is this board's intent to make sure that we
4 streamline some of those things, to look at
5 those things individually and come up with ways
6 to make it work better in our system. Work
7 better for the companies. Work better for the
8 guards, and work better for the agency. Because
9 I agree with you, we're doing stuff -- we're
10 doing double work in some cases.

11 MR. BLACHE: Absolutely.

12 MS. PIERRE: And it's the same
13 thing for the companies. We're finding
14 ourselves doing terminations, doing temp cards
15 and all this kind of stuff when we can do one
16 form that says this guard is going to work from
17 this date to this date and the termination date
18 will be this date, if they're working a
19 convention or a festival.

20 MR. BLACHE: I'm glad you said
21 that. So I've showed you guys different
22 iterations of our Image Trend database, which
23 we're moving towards. And one of the things
24 that we are doing in that, because it is a
25 database and it generates the license, we are

1 creating an event credential. It's very
2 specific to that scenario.

3 So when a company owner, a QA,
4 or office manager is bringing someone on board
5 who is going to work a small event, they will be
6 able to choose that application, specify the
7 duration of the event. We'll be able to run the
8 clear deal on our side because we're not going
9 to have fingerprints yet or anything. Make sure
10 that that person doesn't have something
11 egregious in their background that would exclude
12 them from being able to work the event.
13 Generate the card, which will come out with the
14 QR code with the expiration date 15 days in the
15 future or whatever the case may be. And then
16 that scenario resolves itself. Now that's
17 covered.

18 Because now not only do we know
19 who they are the moment you generate the app,
20 rather than 20 days later, paper app, but we
21 have the ability to do some things to make sure
22 they're not on a sex offender registry, those
23 types of things. And then that credential
24 basically expires at sunset and that's the end.
25 And then they can come back through that process

1 again the following year for the same event and
2 go through the same thing all over again.

3 And then, of course, there will
4 be a separate application for the standard
5 two-year credential for the guards who work in
6 the industry because it's their livelihood
7 rather than the ones that do it to supplement
8 their income.

9 The other thing I have on here,
10 and this is just real quick. I won't belabor
11 you with this. We talked in June about training
12 and testing. And we're still moving forward
13 with taking advantage of the fact that the
14 statute says we can implement continuing
15 education. We want to do that.

16 One of the mandates from the
17 board or the bulk of the board that hired me was
18 -- and what they had litmus tested with the
19 industry was -- and I hear this all the time.
20 In fact there was a gentleman sitting in my
21 chair in the office last night who said the
22 exact same thing. He said, I just don't think
23 16 hours is enough. I said, well, you know,
24 that's a slippery slope. Because when you start
25 talking about more time, more training, you're

1 talking about more dollars.

2 So the way we think that we can
3 address this is a couple of things. First of
4 all, during the flood we lost one of the
5 computers that had the entire training
6 curriculum on it. Hector saw what was the last
7 printed vestige of it, which was pathetic. We
8 have spent since -- it was bad. We have spent
9 since August until -- it was earlier this week.
10 We finally now have captured whether it was
11 through scanning or flash drives or server or
12 other trainers, the entire original manual
13 that's the most up-to-date version. And it's
14 now editable, and we have multiple copies of it.
15 Because that's our starting point.

16 Within two weeks, the education
17 committee is going to get a copy -- the whole
18 board will, but the education committee will
19 receive a copy of the proposed revisions to that
20 manual. It will be probably the first revisions
21 to that manual in a decade. It's going to have
22 an entirely new section on it that focuses on
23 the event industry and counter-surveillance in
24 particular.

25 We want to make sure that we're

1 teaching security officers the value of their
2 presence and their eyesight and their vision and
3 their knowledge of their locations. And making
4 sure that they understand the things they should
5 be reporting to supervisors, things of that
6 nature.

7 We're going to brush up a bunch
8 of things that are woefully out of date. For
9 example, I think it says felony level is \$500.
10 That's now up to a \$1,000. It's changed twice
11 and never got adjusted in the official manual.

12 And what we're going to do
13 ultimately is come up with twelve prescribed
14 hours of revised material that everyone will get
15 a chance to put their eyes on. Put it on the
16 website. You know the website post section
17 allows you to comment. Everyone will have a
18 chance to chime in and give their ideas and
19 inputs. We want that.

20 And then the goal would be down
21 range in a month or so to come out with
22 something we can recommend to the board through
23 the committee that would be ratified and then
24 submitted to every licensed trainer in the state
25 to say this is what you teach now. Throw away

1 anything else that you had from the board and
2 you start with this.

3 And we're prescribing 12 hours
4 because we feel like companies, as you mentioned
5 one day, companies do a lot of different types
6 of security business. You have armored car.
7 You have just unarmed. You have armed. You
8 have events. You have different type of venues;
9 hospitals, whatever. We want to leave some
10 hours in there for the trainer and the
11 contractor or the companies' discretion to say
12 here's some proprietary stuff that we want you
13 to teach to the officers that we would be
14 spinning our wheels trying to figure out in
15 every single scenario and every site what that
16 would be.

17 And then design a test around
18 those 12 hours so that the remaining -- the
19 remaining four hours make up the two eight
20 hours. There's your 16 hours.

21 And this would be a 2017
22 iteration of the state board training. We'd
23 make sure we get all the trainers in. They go
24 through it, that they understand it. And then
25 there's another part to that where once that

1 happens, we'll start having inspectors going out
2 and sitting in classes and making sure that
3 they're training to the curriculum. And making
4 sure that the training that we've developed is
5 being effective and get feedback in the field
6 from the students and the trainers so that if we
7 need to make revisions, we need to make
8 revisions.

9 One thing I don't want to see
10 happen, once this training is revised, is that
11 we spend another ten years waiting to revise it
12 again. That should never happen. Every trainer
13 that I have talked to says we need to be looking
14 at this annually and making revisions as we go.
15 We can do interim things with it. We can add
16 stuff. We can subtract things. But it needs to
17 be a living, breathing document, not just a
18 stagnant binder of information that has a decade
19 life span. That's not how training is done. So
20 that's a really important piece of that. That's
21 for the curriculum update.

22 The last part of that is the
23 SORT Louisiana. SORT is the security officer's
24 remote training that we want to start using for
25 certain scenarios. So for example, we've got

1 people that come from Alaska that want to take
2 the test to be a QA or a company owner, because
3 they don't have to physically have a office
4 here. The only thing they have to have is a
5 location of service, okay?

6 Well, I don't know what the
7 exact expense is to fly in from Alaska and stay
8 in Baton Rouge, Louisiana, but I can imagine
9 it's pretty exorbitant. I think that it would
10 be prudent for us to design a system where if
11 someone is getting licensed remotely, they would
12 have the option to pay a different testing fee.
13 And they could use an online portal to take
14 their test that would grade the test and tell us
15 whether or not they understand the rules, the
16 law, and how to administer their program in the
17 state of Louisiana.

18 In this way, instead of -- one
19 quote I got one time was nearly \$12,000.
20 Instead of spending \$12,000, \$7,000, you can
21 spend a couple hundred dollars and you can take
22 the test online. So that's one thing we're
23 still in the developing stages of. I have some
24 samples of that that I'm not yet ready to
25 actually demo because there's some things in it

1 I want to brush up and change. I want you to
2 see it the way we envision it.

3 The other way we would use SORT
4 would be for refresher training. We know that
5 there's nothing in our rules and law that
6 already says how refresher training should go.
7 So what we would like to do for refresher
8 training for security officers since we don't
9 want to monkey with the 8 -- with the 16-hour,
10 two-day class deal is have it so that before
11 they renew two years down range, they go online,
12 they do a very noninvasive, noncumbersome type
13 of online training program that we develop.
14 They go into the portal. They go through the
15 training. They take the test at the end, and it
16 grades the test. They produce their
17 certificate. They furnish that to us. We
18 update it in the system that says they have done
19 their refresher. And then when they put their
20 renewal through, we look at it and say you've
21 done the refresher. We have the renewal. We
22 have the fee. We can issue the renewal.

23 And the goal of that is to try
24 to start taking some of the onus on the expense
25 of that off of the industry side and start

1 making the guards more responsible for the
2 credential. The big vision, the big play, is to
3 eventually migrate to a point where we've got a
4 security credential for officers that is their
5 credential, and then the registration is what it
6 was intended to be. It was intended to be a
7 nominal fee to register the guard to say they're
8 affiliated with your company.

9 But right now the way it's been
10 administered for many years, and I don't agree
11 with it, is that the card belongs to the
12 company. The guard leaves. They have to send
13 it back. And then it's like they're starting
14 all over again. Now, there's dollars and cents
15 aspect and component to that, that you guys will
16 have to sort out and figure out.

17 But from a process standpoint,
18 what we want is you to be able to log into my
19 portal and say I have Joe Green, Junior here.
20 He is a state board licensed security officer.
21 He's got his training. His firearms are still
22 certified. I can put him to work on an armed
23 post. And I don't have to wait 20 and -- 14
24 more days to find out that you actually have a
25 sex offender on an armed post, who should never

1 have a gun in the first place and shouldn't have
2 gone to the range to shoot at all, which is what
3 happens right now.

4 MS. PIERRE: I totally agree.

5 MR. BLACHE: And that's the part
6 of it that we have to fix because the statute
7 requires us to protect the people of the state
8 of Louisiana. And any time I can go out and do
9 an inspection and find somebody on the post that
10 doesn't have eight hours training here or 16 or
11 certification with a weapon, we're in trouble.

12 MS. PIERRE: The other component
13 to that is if it's the guard's license, it gives
14 them the ability to work for multiple companies,
15 if they choose to. And so that way you can go
16 into the portal. You can see if the guard is
17 certified, has all the qualified training. And
18 he can register now to work for A, B, C, D, E, F
19 company and work for them. And you can see that
20 that guard is working for those companies.

21 And then it becomes the guard's
22 responsibility to make sure that they keep their
23 license up-to-date.

24 MR. BLACHE: Right.

25 MS. PIERRE: I think that's the

1 best scenario. It's being used across the
2 country.

3 MR. BLACHE: And that doesn't
4 preclude people from subsidizing the fee upfront
5 and getting it back and things like that. You
6 know, that's a different issue. But I think it
7 really is important if -- I've said this before.
8 I know I do a lot of refrains of things that I
9 say, but I never know who's in the audience so I
10 always like to repeat certain things.

11 We're the 14th largest tourist
12 destination. We are in the top three in the
13 nation for critical infrastructure and key
14 resources. We've got pipeline, petro, oil and
15 gas, you name it. The Mississippi River, one of
16 the most vital drainage arteries in the North
17 American continent. There's so much about this
18 state that a lot of people take for granted and
19 don't understand. And professionalizing the
20 security industry and making people accountable
21 to themselves for how they present themselves in
22 this industry is critically important.

23 You know, there's a lot -- you
24 look at SMG. They have their own department of
25 public safety. They got their own officers,

1 right? Because there's a certain persona that
2 they want to present because they're a big venue
3 used for a lot of things. They want to make
4 sure that, you know, they present it the right
5 way.

6 And in addition to that, you're
7 going to find companies there, the landmarks,
8 the L and R's and so on, right? And they work
9 in tandem. For the public who really doesn't
10 know much about security policing, it's all the
11 same thing to them, you know. It really is.
12 They don't blur that line. They just don't.
13 It's all the same to them, and I think that's
14 the importance of what we're trying to do here,
15 is make sure -- you know, we can't create a
16 six-month police academy like the one that I
17 went through. We don't have to necessarily tack
18 in the direction of some states where they have
19 60 hours of security training before you can
20 even get a license. Some people here, just
21 because of the economic background that we have
22 and the way our state is postured, don't have
23 the capacity to do that.

24 But with what we already have as
25 a foundation, we can make some substantive

1 tweaks and start getting the people who function
2 as security officers on board with the idea that
3 when you get locked into this industry, this is
4 something that belongs to you and you should do
5 everything in your power to make sure you
6 maintain it and keep it in good standing. And
7 it makes you at the ready.

8 We want -- I've said this
9 before. We want you to be able to go to
10 Craigslist and say I need 55 people. Because
11 you can then go on to the system and look and
12 see if those 55 people are licensed and
13 credentialed. We don't want you going on
14 Craigslist today and then saying you need 55
15 people because we know for a fact that 77
16 percent of those 55 people are going to lie on
17 their application and say they've never been
18 arrested or convicted.

19 Cindy and I had a conversation
20 yesterday. A gentleman sent me a sheet out of a
21 notebook requesting a hearing. And we told him
22 we'd be happy to grant him a hearing once he
23 answers all of our interrogatories. But the
24 point was the man said on his application I've
25 never been arrested or charged for a felony or

1 misdemeanor. He, on the second question, said
2 I've never been convicted of a crime. He has 18
3 charges on a 15-page rap sheet.

4 And then proceeded to cuss her
5 out when she was -- she reached out to see if
6 she could possibly clear some things and see if
7 maybe he could be considered. And his response
8 to her was you have no business asking me
9 anything about my background. There's laws
10 against that.

11 So this is what we're dealing
12 with. And that's sadly the norm in a lot of
13 instances. So I think it's our responsibility
14 as a board to try to help the people that
15 service our marketplace, raise their game up.
16 And I think we have ways that we can push them
17 in that direction without being cost prohibitive
18 and without it being difficult.

19 So by using an online system,
20 they can use a phone, a tablet, a computer.
21 They can start and stop their refresher
22 training. It doesn't have to be something that
23 takes them a whole day. It could be a couple of
24 hours. It could be an hour. It's got to just
25 be more than what they have now, which is

1 nothing, so that they understand it. And that
2 they're getting something out of it. And every
3 year we'll revise it and tweak it, based upon
4 the recommendations from the instructors.

5 So that's my update.

6 MS. PIERRE: Does anyone have
7 any questions for Fabian as it relates to
8 notifications?

9 MR. PELLEGRIN: Only question I
10 have is how close are we to the e-licensing
11 phase?

12 MR. BLACHE: We're getting very
13 close. Where we're bogging down and have bogged
14 down was with our data. Our data has been real
15 sketchy. As we -- you know, it's always funny
16 sausage making. When you dig into the database
17 and you start looking at the data and you say,
18 okay, export me a spreadsheet that gives me
19 everybody's name, address, phone number, date of
20 birth, height, weight, social security number,
21 you know, all that stuff, and who they've worked
22 for and how many times they've been registered,
23 etcetera. You find all kinds of anomalous
24 stuff. We've got a lot of duplication. We've
25 got bad socials. We've got bad name spellings.

1 We've got people in the system twice with
2 different last digit and an S on the end of
3 their last name. Just really weird stuff.

4 So what we're trying to do is
5 clean a lot of that up so when we do our second
6 data export -- which we had planned actually for
7 July and it wasn't ready. We was also still at
8 that time a little too far behind on
9 applications. We want to make sure we're
10 capturing at least everybody who's in that
11 functional zero range, right? We found a lot of
12 problems with the data.

13 So me and the staff have been
14 working on termination forms and active status.
15 That's why you see that pending dropping so
16 fast. We want to get that to a good level and
17 then do our data export and then start our
18 testing. So I think we're probably -- we end
19 our contract with them November. We started
20 development in December of last year, so I think
21 we're probably on track for November, December,
22 somewhere right around there. We should be
23 ready to have tested the new data and be
24 comfortable enough that we can go live and then
25 fix things along the way as we encounter each

1 applicant. But it's going to be amazing.

2 MR. ROBINSON: Question. I
3 remember one time you were discussing the fact
4 that hopefully eventually that dues would be at
5 the same time.

6 MR. BLACHE: We've already
7 started doing that. We're using an attrition
8 process for that.

9 What Mr. Robinson is talking
10 about, we're moving all the guards to one
11 expiration date, and that's March 31st in two
12 years. Some of you have heard about that before
13 and you've been to some of my sessions.

14 So the way we're doing that is
15 we're not just wholesaling, pushing everybody to
16 a March 31 date. But as we come upon renewals,
17 we're adjusting those expiration dates, with the
18 goal being that over a period of time you
19 eventually will know that every guard that you
20 have that works for you and renews every year,
21 every two years, will renew on the same day,
22 which will be a blessing for you
23 administratively.

24 If we could really, really get
25 fancy, do what some of the other states have

1 done and get our firearm recertifications to
2 every two years with firing twice in that period
3 and then we could match the certification date
4 the same way the EMS does it, because EMTs and
5 paramedics certify on 3/31 and renew on 3/31
6 with their license. And this way the whole
7 process happens between October 1st and March
8 31st. Then it's a big swell of activity. You
9 knock it out. And then you get a breather for a
10 while.

11 That would be the ultimate goal.
12 The first step toward making it easier for you
13 to run your offices is getting that 3/31
14 expiration date. That means every year some
15 percentage of your staff will expire on March
16 31. Over time it will probably be nearly a
17 50/50 split. But this way you get a reprieve on
18 that whole process throughout the year. You
19 know exactly when you need to ramp up and who
20 you need to touch and who you need to make sure
21 has done their refreshers, if we have that
22 implemented at that time.

23 But we're starting that already.
24 So as the renewals are going in -- Bridgette
25 does the vast majority of the renewals right

1 now, she's putting 3/31/2020 expiration dates.
2 Because anything after July 1st goes out three
3 years in advance, and then everything up between
4 until January 1st and June we push the date out
5 two years in advance. So a first-timer could,
6 you know, have an extra bit of time or a
7 slightly shorter bit of time. But when they
8 renew, then they're on a solid two
9 years schedule. Great question.

10 MS. PIERRE: So did that answer
11 your question, Mr. Durell --

12 MR. PELLEGRIN: Yes.

13 MS. PIERRE: -- on the
14 e-licensing?

15 Anybody have any questions for
16 Mr. Fabian as it relates to reporting?

17 Make a motion that we accept the
18 executive report.

19 Do I have a second?

20 MR. ROBINSON: Second.

21 MS. LANDRY: Second.

22 MS. PIERRE: Okay. Thank you.

23 We move and second.

24 Thank you, Mr. Fabian, for the
25 presentation.

1 MR. BLACHE: You're welcome.

2 Yes.

3 MS. PIERRE: I think your
4 comments are very good. I think we need to move
5 in that direction. And what I'd also like to
6 add to that is that we need to look at
7 continuing education for guards and as state
8 laws change and as we move forward, there may be
9 some continuing education points that we can
10 look at with you guys. And look at it if we can
11 legally do it, because other states are doing
12 it. Other states are doing it. We're trying to
13 clean up the industry, making sure that the
14 guards that are out there are well-trained and
15 they understand and know the laws as they
16 change. 'Cause laws change all the time. And
17 so they need to be familiar with what their
18 regulations are, any regs that affects them.

19 MR. ROBINSON: I think what you
20 said is going to be real good. I don't know if
21 you remember, you and I were at a meeting with
22 the chief of police.

23 MS. PIERRE: Um-huh. I do.

24 MR. ROBINSON: And now the
25 police is starting to depend on security

1 officers. They have vision because they're not
2 everywhere. So therefore, if they pull up on
3 the scene or they're there, they want to take
4 the security officers.

5 MR. BLACHE: Right.

6 MR. ROBINSON: They have more
7 security officers than you have police officers.

8 MR. BLACHE: Yeah. That's why
9 that vigilance counter-surveillance component is
10 being added to the revised curriculum, and we're
11 going to try to touch up on all the different
12 aspects of that. Because I think it's important
13 for them to know how valuable a role they can
14 possibly play in the omnipresence aspect of
15 policing.

16 MR. ROBINSON: Well, and the
17 shortage they have right now, they need more
18 eyes and individuals.

19 MS. PIERRE: So it's a
20 partnering agreement that they're looking to get
21 into, an endeavor with the security industry not
22 just, you know, a --

23 MR. BLACHE: And I didn't
24 mention something, but if you'll give me one
25 moment, I will. One of the things that we have

1 coming down the pike, and I've discussed this
2 already with the person who has the LSA and the
3 LACP, is we're working on a project we call
4 Operation Forged Alliance. And what that would
5 be is a way for us to do what police does with
6 security. It would be an opportunity for law
7 enforcement officers to understand our statute
8 and the fact that they have a right to inspect.
9 And what we would be encouraging is for when
10 they see armed guards, don't just assume that
11 that person should be armed and should be there.
12 Check their credential and notify the board if
13 they're not properly credentialed.

14 If you get state troopers,
15 constables, sheriffs' deputies, and police
16 officers doing that, we have the entire state
17 blanketed.

18 MS. PIERRE: I've got to tell
19 you, I don't know about any other parish or
20 city, but in New Orleans they do check. That's
21 one of the things we ask for. Whenever they
22 come on the scene, let me see your license.

23 MR. BLACHE: We would like to
24 see that everywhere. It would be a boom to us,
25 it would be a benefit to them. My pitch on it

1 to the officers, having been a law enforcement
2 officer since 1985 myself, is don't assume the
3 person standing near you, behind you with a
4 weapon is supposed to have that weapon or
5 supposed to be there. You might want to do some
6 due diligence because there's a possibility --

7 MS. PIERRE: The only thing you
8 need to make sure is they take step two. Step
9 one they do already. They ask you for your
10 license. Step two is that they don't report it
11 to the state board. That might be the step that
12 we need to talk to the chief about.

13 MR. BLACHE: But that's what the
14 Operation Forged Alliance thing is about. And
15 you'll hear more about that as I continue my
16 dialogue with them on that.

17 MS. PIERRE: Okay. Thank you.
18 Anything else? If not, we'll
19 open the floor to public comments.

20 Do we have anybody here who
21 wants to make a public comment?

22 Okay. Come on up. Why don't
23 you go right over here and that microphone
24 should be on if you can't speak loud enough for
25 everybody to hear you.

1 Why don't you introduce
2 yourself. Tell us who you are, your name and
3 where you're located.

4 MR. KAUFMAN: My name is Mark
5 Kaufman. I'm the Director of Public Safety for
6 the New Orleans Convention Center. I'm new to
7 the position. I just arrived here in July, but
8 I'm from Louisiana. I've known Mr. Robinson for
9 probably 25 plus years.

10 And today once we were notified
11 that the committee or the formulation of the
12 committee was on the agenda, we had some
13 concerns. Because in the past there were some
14 exceptions made to prevent the -- or to keep the
15 convention center from not competing or not
16 being able to compete with other cities for
17 conventions like Vegas and New York.

18 And what we're looking at is --
19 it's fine to put all these rules into place, but
20 please allow us some input, like, we could come
21 back to you in 30 days and see how this is going
22 to impact the convention center. And maybe
23 increase some of the fees of these conventions
24 coming to New Orleans and may influence them to
25 either come or not come or go somewhere else.

1 And also, give us the
2 opportunity -- the conventions we already have
3 booked, they already know what the fees are
4 going to be for security, badge checkers,
5 ushers, thing of that nature.

6 So how would that impact the
7 conventions already coming, already booked, if
8 you now change the rules and, you know, require
9 them to pay additional -- instead of having a
10 badge checker, now everybody becomes a guard, so
11 now you have to pay across the board as a guard.
12 Just allow us to come back in 30 days and show
13 you as a committee how it's going to impact us
14 in the city, that's all we're asking.

15 MS. PIERRE: We'll be glad to
16 take that under consideration, Mr. Kaufman. But
17 what I must say to you is that I need to ask you
18 a question.

19 MR. KAUFMAN: Sure.

20 MS. PIERRE: When companies come
21 and they book conventions, they specifically ask
22 for what they want in contract. Is that not,
23 correct?

24 MR. KAUFMAN: I think you need
25 to be more specific.

1 MS. PIERRE: Okay. If they --
2 if a company presents a plan -- and correct me
3 if I'm wrong. When a company presents a plan to
4 the convention center, someone contacts them and
5 say that I want to do a convention here and I'd
6 like you to do the security for me. They give
7 you the rooms that they're going to use, the
8 amount of people that's going to come. And so
9 then it's the companies', the security
10 companies' job to then put together a proposal
11 of some kind that then has to be approved by you
12 guys?

13 MR. KAUFMAN: No.

14 MS. PIERRE: You don't review
15 them anymore?

16 MR. KAUFMAN: No.

17 MS. PIERRE: Okay. They used to
18 review them.

19 MR. KAUFMAN: Yes.

20 MS. PIERRE: So let me just say
21 then they ask for security. But here's my issue
22 with that. If you ask for security, then it
23 should be security. If that person is going to
24 be identified as an usher, identify him as such,
25 an usher. Because far too many times you call

1 an usher a security guard, and that usher is not
2 a security guard. They've not been licensed by
3 anyone. And they're performing the functions of
4 a security guard, not an usher. An usher tells
5 me where to sit. They don't inspect my bags --
6 my bags. They don't look in them. They don't
7 inspect my badges. Ushers direct you.

8 So that's my confusion with what
9 happens when a company comes in. And it used to
10 be -- and I think Ed could speak to this, that
11 it used to be that you would present your
12 proposal to the convention center, and they
13 would say, oh, no, you don't have enough guards
14 or you don't have enough coverage here. And
15 then they would approve or disapprove it, making
16 you add or subtract from where you needed to
17 have them. If they had roll-down doors, they
18 would say you have to have somebody there for so
19 many hours.

20 MR. ROBINSON: They've stopped
21 that.

22 MS. PIERRE: They've stopped
23 that? So that kind of helped the companies to
24 be in compliance. But I just have a problem
25 when a company calls an usher a security guard,

1 and then they're not -- they're not a security
2 guard, they are an usher or vice versa.

3 MR. KAUFMAN: Okay.

4 MS. PIERRE: And that's what we
5 want to be clear on. And I think we've had some
6 conversation about it before as to what they
7 are. Because we've had not only the convention
8 center, we've had people come before this board,
9 the previous board before, where the UL or LSU
10 or Southern or one of them, they say, I put out
11 a contract and I need security guards. And then
12 when we get -- when an investigator gets there,
13 they say, oh, that's not a security guard,
14 they're ushers.

15 And so -- but the company didn't
16 hire ushers. Their contract called for security
17 guards. So if they call for security guards,
18 then they should be registered with the state
19 board, is that correct?

20 MR. KAUFMAN: If they're a
21 security guard, yes.

22 MS. PIERRE: Right. So we just
23 want to not have blurred lines between what that
24 is and not call one something that they're not.

25 MR. KAUFMAN: Well, okay.

1 Perfect example, all right. You have ushers
2 that work at the Superdome. They're there to
3 keep people from going into aisles that they
4 don't have tickets for. Are they a security
5 guard?

6 MS. PIERRE: Not if they're
7 doing that.

8 MR. KAUFMAN: They're keeping
9 somebody from going to a designated place. As a
10 door check, they're checking tickets.

11 MR. BLACHE: Can I comment on
12 that?

13 MR. KAUFMAN: Well, can I
14 finish?

15 MR. BLACHE: Go ahead.

16 MR. KAUFMAN: What we do at the
17 convention center is when somebody books the
18 room, they book a certain amount of halls. They
19 submit to us a fire plan. We recommend to them
20 on the fire plan, you have to have guards, not
21 ushers, guards, at all these locations because
22 they're emergency exits.

23 From there, that fire plan is
24 submitted to the New Orleans Fire Marshal for
25 approval. They determine that's correct or they

1 may look at it. If it's over 50,000 square
2 feet, you have to have so many firemen present.

3 We give the companies a list of
4 vendors to choose from. And they'll say -- for
5 instance, Mary Kay. Mary Kay is a bunch of
6 ladies, well-dressed, they're there for a makeup
7 show. They're coming for their convention.
8 They're used to going to different cities.
9 They're not hard to police. They go and come.
10 They're very polite. But they're asking for
11 somebody at that door to be an usher, check my
12 ticket, look at my badge. Because we could have
13 multiple shows going on at the same time.

14 Can I come into the convention?
15 You have the correct badge. So I think there is
16 a difference between a guard --

17 MS. PIERRE: There is.

18 MR. KAUFMAN: -- because other
19 buildings, the Superdome, they have ticket
20 takers. They have guards. They have event
21 staff. And they all have the overall function
22 of keeping people from going certain places, but
23 they don't exactly have the same licenses.

24 What we're saying is, let us
25 come back to you. Let us make a proposal to you

1 of how this is going to affect tourism, affect
2 conventions coming to the building, affect shows
3 that are already booked. And let us show you
4 the difference that maybe the committee will
5 take and listen to some exceptions. That's all.

6 Yes, we understand guards need
7 to be certified. Guards need to be trained. We
8 welcome you to come in and make sure that those
9 guards have the proper certification. We
10 welcome you to penalize the companies that don't
11 play by the rules. We welcome all of that. But
12 still, let us show you that it's not just a
13 blanket guard or a guard card across the board.
14 There are some exceptions. That's all.

15 MS. PIERRE: Mr. Kaufman, that's
16 exactly what this committee will start to do.

17 MR. KAUFMAN: Perfect.

18 MS. PIERRE: Is to be able spell
19 those things out that are gray areas for some
20 companies, to spell that out and they will
21 identify that. Because the statute is not very
22 clear on that. So we want to make sure that
23 anybody that's operating understands exactly
24 what a guard is, exactly what an usher is and
25 exactly what a ticket taker is.

1 MR. KAUFMAN: And that's all
2 we're asking for.

3 MS. PIERRE: So that's exactly
4 what we want to do.

5 You want to say something,
6 Mr. Fabian?

7 MR. BLACHE: I do.

8 With respect to the analogy you
9 gave, was it about the Superdome?

10 MR. KAUFMAN: Sure.

11 MR. BLACHE: Once I'm in the
12 Superdome, with the exception of areas that are
13 ticketed differently, if I'm in -- whatever, the
14 loge area, I don't know what they call it.

15 MR. KAUFMAN: The loge.

16 MR. BLACHE: I can go and visit
17 anybody in any seat I want. They don't prevent
18 me from going into other aisles that I don't
19 have a ticket for.

20 MR. KAUFMAN: If you have a loge
21 ticket.

22 MR. BLACHE: That's what I
23 said --

24 MR. KAUFMAN: That's not
25 correct.

1 MR. BLACHE: -- the section I'm
2 referring to. But I go to football games. I
3 have people that have seats in the general
4 vicinity where I am. I can go and sit next to
5 them and talk to them during halftime or break.
6 No one stops me from doing that.

7 The difference, I think, is the
8 controlling of the entrance into the building in
9 the first place. I think those two things are
10 different.

11 But I want to point something
12 out to you that's in the definition of a
13 security officer in our statute. And I'm just
14 going to read two short lines. The first one
15 under 1886 says prevention of unlawful intrusion
16 or entry. And then H says control regulation or
17 direction of the flow or movement of the public
18 except on public streets.

19 So you can kind of see where we
20 are talking about the same things, and there are
21 some definitional concerns there. But when
22 you're talking about unlawful intrusion and
23 entry and control regulation or direction of the
24 flow or movement of the public, by the
25 definition of Title 37, that's a security

1 officer.

2 MR. KAUFMAN: Then everything
3 you just said says that ushers aren't allowed to
4 control their sections. They're not allowed to
5 direct patrons to other sections. They're not
6 allowed to keep people from going in sections
7 without being properly ticketed, therefore
8 they're a guard.

9 MR. BLACHE: I'm not saying
10 that. I just wanted to point out what that
11 language is and make sure that you understand
12 that from our perspective, here's the bigger
13 point. This is the convention center, this
14 table. It's about that long. It's about a mile
15 long when you walk it. The person who's manning
16 the door and the roll-up gate at H --

17 MR. KAUFMAN: Should be the
18 guard.

19 MR. BLACHE: -- who is a
20 security person and the plan calls for that,
21 should be the same type of person that's at B.
22 Because it's the same door and it's the same
23 roll-up gate. That's my only final comment.

24 MR. KAUFMAN: Okay.

25 MS. PIERRE: Well, Mr. Kaufman,

1 thank you for coming before us today.

2 MR. KAUFMAN: Thank you.

3 MS. PIERRE: We are taking a
4 look at those kind of things because we want to
5 clear up those gray areas that are not
6 completely clear because we don't want to have
7 companies misunderstand what a security guard is
8 versus what an usher is. Because nine times out
9 of every ten, we see contracts all the time that
10 says I want -- you know, it says that they have
11 a request for proposal for security guards.
12 They don't say ushers. They don't say ticket
13 takers.

14 Now, if they use that guard as
15 an usher or a ticket taker, that's a story of a
16 different color. But the thing is, is that they
17 need to understand and they all need to be clear
18 on what a security guard is and what an usher
19 is, what their performance can and cannot be.

20 So when a company says like --
21 for instance, the LSU games or Southern games,
22 they never put anything out and say they want
23 ushers. They say they want security officers.
24 But then we go to those sites, and everybody's
25 an usher. Where's the security guard? Your

1 contract says that they're contracting with you
2 for security.

3 So I've heard this in the past
4 over 24 years that I've been in business. I've
5 heard companies come before and say, oh, no,
6 they're not security guards, they're ushers.
7 That's why they're not licensed. But if you
8 look at that contract with those agencies, it
9 says that they're hiring security officers.

10 So either they're misleading
11 their client or they're trying to mislead the
12 board. And so those are the areas we want to
13 clear up. And we agree with you that it should
14 be spelled out.

15 MR. KAUFMAN: Okay.

16 MS. PIERRE: So there will be no
17 misunderstanding about who does what. That's
18 our effort. That's what we intend to do.
19 That's what this committee is going to do. But
20 we welcome your comments.

21 MR. KAUFMAN: Thank you.

22 MR. CROUCH: I just want to say
23 something. The board cannot do anything without
24 you knowing about it.

25 MR. KAUFMAN: Okay.

1 MR. CROUCH: The promulgation
2 process for rules is pretty elaborate. And us
3 as lawyers, our job is to keep our clients
4 between the chalk lines. And so there's a
5 90-day or 120-day process that's wide open to
6 everybody whenever an agency wants to change its
7 rules.

8 But also keep in mind that there
9 are limits to what an agency can do by rule.
10 One of the things that an agency cannot do is
11 change a statute by rule. The Administrative
12 Procedures Act is primarily designed to let the
13 public know how an agency is going to implement
14 the statutory law. But you can't by rule change
15 a definition or something that is in a statute
16 that -- you just can't do that. That's illegal.
17 So any change that this -- I'm
18 sure the board will be glad to receive input in
19 the process of --

20 MS. PIERRE: Sure.

21 MR. CROUCH: -- developing
22 what's going to be done with any rule change
23 that's -- you know that's contemplated. But the
24 actual process, everybody in the industry will
25 know about it.

1 MR. KAUFMAN: Okay.

2 MS. PIERRE: And I think some of
3 the recommendations and some of the things that
4 we've heard from committee members and board
5 members, I think you're going to be very
6 satisfied with what the outcomes are and we
7 would welcome your input.

8 MR. KAUFMAN: Thank you.

9 MS. PIERRE: So thank you very
10 much for being here. Congratulations on your
11 new position.

12 MR. KAUFMAN: Thank you.

13 MS. PIERRE: Any more public
14 comments? No public comments? None?

15 Anybody have any questions? If
16 not, then I think this was a short meeting, and
17 I thank you all for coming. And I make a motion
18 that we adjourn.

19 MS. LANDRY: I'll second.

20 MS. PIERRE: Meeting's
21 adjourned.

22 The next meeting will be
23 December 14th at 9:30, Thursday, at this
24 location.

25 (Deposition concluded at 10:45

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R E P O R T E R ' S C E R T I F I C A T E

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I, Kimberly L. Gibney,

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Certified Court Reporter, Certificate

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No. 2016010, as the officer before whom this

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correct transcript to the best of my ability and

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11 signature and original required seal on this
12 page.

13 Signed: October 2, 2017

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15 _____
16 Kimberly L. Gibney, CCR
17 No. 2016010
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