

1           **LOUISIANA STATE BOARD OF PRIVATE SECURITY EXAMINERS**  
2                                   **QUARTERLY BOARD MEETINGS**  
3   **AND**  
4                                   **ADJUDICATORY HEARINGS**

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9           **Louisiana State Board of Private Security Examiners**  
10                                   **15703 Old Hammond Highway**  
11   **Baton Rouge, Louisiana**

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15                                   **February 21, 2013**

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20                                   **Reported By**  
21   **ANNETTE ROSS, CCR, RPR**

**APPEARANCES**

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Donald O. Cotton, District 5

Charles V. Duplechain, District 4

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George Rojas, Member at Large

James H. "Chip" Romero, Member at Large

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Certified Court Reporter, in

and for the State of Louisiana

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

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NEW BUSINESS

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MR. GURVICH: Welcome, everyone, to the quarterly meeting of the Louisiana State Board of Private Security Examiners. I'd ask Chief Rogillio, if you will be kind enough, to lead us in The Pledge, followed by a brief moment of silence.

(Pledge of Allegiance and moment of silence.)

MR. GURVICH: Thank you. May we please have a roll call.

(Roll call.)

MR. GURVICH: All right. There being a quorum present, we'll proceed. Chief, first of all, do we hear a motion to waive the reading of the minutes of the previous meeting?

MR. ROMERO: So moved.

MR. DUPLCHAIN: Second.

MR. GURVICH: Motion by Mr. Romero, second by Mr. Duplechain. Debate? Discussion? All in favor of the motion as stated say aye.

ALL BOARD MEMBERS: Aye.

MR. GURVICH: The motion passed unanimously.  
Next matter.

**NEW BUSINESS, DISCUSSION OF I-9s**

MR. ROGILLIO: I would like to move the adjudicatory hearings if you don't mind, amend the

1 agenda, down to the bottom of the list so that we can get  
2 on with some people who are here that need to leave. One  
3 of them, Mr. Gurvich invited, a Mr. Hope from Homeland  
4 Security, to come and speak, so you need to amend the  
5 agenda, if you will.

6 MR. GURVICH: I will make a motion to amend the  
7 agenda --

8 MR. ROMERO: Second.

9 MR. GURVICH: -- which, I believe, requires a  
10 two-thirds vote. Motion by Mr. Gurvich, second by  
11 Mr. Romero. Debate? Discussion? All in favor of the  
12 motion as stated say aye.

13 ALL BOARD MEMBERS: Aye.

14 MR. GURVICH: Any opposed? The motion passes  
15 unanimously. Would you like to get Mr. Hope up?

16 MR. ROGILLIO: Yes, sir. Mr. Hope, please take  
17 your position in the witness chair, please.

18 MR. HOPE: May I sit here?

19 MR. GURVICH: Make yourself comfortable.

20 MR. HOPE: Okay. Thank you. I was invited here  
21 to speak about the importance of I-9s and actually  
22 completing the I-9s as it pertains especially to  
23 sensitive areas such as security.

24 MR. GURVICH: Everyone here knows what the I-9  
25 is?

1           MR. HOPE: We'll talk a little bit about it.  
2 I'll show it to you, just to make sure that we  
3 understand.

4           First of all, I'm with the Department of Homeland  
5 Security, Homeland Security Investigations. We are  
6 responsible for everything customs and immigration  
7 related, which is -- one of the programs is Work Site  
8 Enforcement. It falls under three categories. It  
9 involves the enforcement of illegal workers, I-9  
10 compliance, and outreach, basically what I'm doing here  
11 today.

12           We have a huge shift in how we focus our attention.  
13 We used to do large, what we considered, raids in  
14 places. Now we shift it to I-9 compliance, basically  
15 audits of the I-9s. It's a huge issue, and we are  
16 currently going through another major I-9 initiative  
17 starting, I believe, sometime next month.

18           Where it particularly pertains to the security  
19 industry, not just -- it's important because it's federal  
20 law. 1986, decided that this I-9 form, which obviously  
21 comes in various forms, and it is again going to change.  
22 It's coming through with a new one that's going to  
23 change.

24           1986 Immigration Reform and Control Act created the  
25 need to identify people who are eligible to work in The

1 United States. There's only four groups of people who  
2 are eligible: citizens, nationals, lawful permanent  
3 residents, and aliens who are authorized to work.

4 Completing the form is mandatory. It's not in any  
5 way a suggestion. It's not just part of the packet.  
6 It's mandatory under federal law that it is completed in  
7 its entirety, each portion of it. It might also be of  
8 particular interest to the security industry.

9 Now let's take 9/11 for example. After 9/11, we all  
10 know terrorists came in. Most of them came in on student  
11 visas. So what ends up happening, government focuses on  
12 student visas after 9/11. We started to clamp down on  
13 them.

14 The security industry has access to pretty much  
15 everything. Anywhere you can put security, which mostly  
16 is critical infrastructure or normal places, security has  
17 access to. So one of the tools that we're hoping helps  
18 is, besides all the other things, probably background  
19 checks, is actually completing the I-9 form and obtaining  
20 the correct identification that goes with it.

21 Again, none of it is optional. You have to do it as  
22 it is written. The government really never offered much  
23 advice in the whole how to complete these I-9s ever until  
24 just recently. It was in 2007, we started a new program,  
25 which I will tell you a little bit about at the end.



1           Just so you realize, the I-9 must be completed the  
2 day someone starts hire, the Section 1, which is filled  
3 out by the employee. Section 2, by the employer, must be  
4 filled out within three days after that. But it is the  
5 company's overall responsibility for everything that  
6 falls on this form.

7           How do we check that? Through our I-9 audits. We  
8 do come out, and we audit. We are doing a lot of  
9 audits. And what do audits usually entail is fines. We  
10 come out and we fine people.

11           We pay particular attention to those industries that  
12 are critical infrastructure type industries, which,  
13 basically, security industry does fall under.

14           The I-9 should only be completed by your employees  
15 who have been trained to complete this I-9. I'm talking  
16 about when they go to do the verification for Section 2.  
17 They should have training. It can be internal training.  
18 It can be external training. It can be however they are  
19 trained. But it shouldn't be done, completed, by anyone  
20 who hasn't been trained.

21           And it should also be reviewed at least by one other  
22 person. We commonly see the same mistakes made on these  
23 forms, and the same mistakes repeated over and over and  
24 over can cost money.

25           Fines start at \$110 per violation, and they quickly

1 go up to \$1100. That's just civil fines. People who are  
2 trying to egregiously violate the law, usually, we go  
3 after them criminal, so that is a criminal matter also.  
4 So this little piece of paper can lead from civil fines  
5 all the way up to criminal violations, so it must be  
6 completed correctly.

7 Like I said before, we created a program in 2007.  
8 It's a free program that offers businesses a chance to  
9 partner with the government one on one. It's free. It's  
10 nonintrusive. All we do is work on employment compliance  
11 with the companies. It's called our Image Program. I'll  
12 leave the little brochures for you.

13 The program is one on one. We provide training in  
14 the completion of the I-9, how to do it all. We provide  
15 fraudulent document training, antidiscrimination training  
16 on the employment compliance side of it. In return, we  
17 ask the company enroll in E-verify.

18 If you don't know what E-verify, it's a free  
19 system. It's the best system we have. It's not 100  
20 percent foolproof. It's the best one we have. It takes  
21 the information from this I-9 and puts it in the computer  
22 and tells you who is work eligible. That's the  
23 cornerstone of our program.

24 We ask companies to enroll in E-verify and have a  
25 written policy. We also undergo a I-9 audit, a voluntary

1 I-9 audit with us. But the good news is, we provide all  
2 the training up front on the I-9s before you even turn  
3 them over to us.

4 We guarantee that any company that works with us, we  
5 don't fine them for up to 50 percent violations, which we  
6 haven't seen anyone have more than 50 percent who is in  
7 our program. And then it's up to us after that if we are  
8 going to issue a fine, which, to this date, we haven't  
9 done.

10 The program promotes the 12 best hiring practices.  
11 Please take one of these back with you. If you implement  
12 one or all of these, it will sure -- it will make your  
13 company stronger in employment compliance, any one of  
14 these issues.

15 We're talking -- I'm not going to read them out to  
16 you, but it has E-verify on here. It talks about having  
17 an internal training program. It also has established a  
18 tip mechanism within your company to report people who  
19 shouldn't be working at the company.

20 It's essentially very important, especially with  
21 large companies who don't always see their employees.  
22 The employees know what's going on, so sometimes that's  
23 helpful.

24 Anybody who becomes a member or wants to join,  
25 please take it back with you. But you can promote the

1 fact that you are a part of the Image Program, that you  
2 have gone through all the scrutiny of an audit through  
3 the government. And it provides you with a stable work  
4 force.

5 We also offer an endorsee, such as boards or  
6 associations who want to be endorsee members of it. All  
7 we ask the people who join with that is to endorse the  
8 program, endorse the 12 best hiring practices, and give  
9 us an opportunity to provide training to the members.

10 In return, we provide training to the members. Just  
11 as we would on an individual level, we provide to a large  
12 group.

13 And we also provide technical assistance. People  
14 who have trouble with certain elements of completing any  
15 of the process, they can just call us and we help them.  
16 We guarantee to help those people more than what you can  
17 get from the government under any other kind of  
18 circumstances.

19 I don't want to take up too much more of your time,  
20 but I will leave these brochures up here with my cards as  
21 well.

22 We have two important documents that you can take  
23 back. I don't have them with me, but you can get them  
24 online. One is the Handbook For Employers. It's the  
25 entire guide of how to complete the I-9 from start to

1 finish the correct way. If you have a HR group, make  
2 sure they have this M-274 Handbook For Employers.  
3 Without that, they might not be able to complete it.

4 When you put M-274 in Google search, it brings you  
5 right to this handbook. Also select documents -- Guide  
6 to Selected U.S. Documents, U.S. Travel and Identity  
7 Documents Book contains most of the U.S. government  
8 documents, including the new green card that's issued.  
9 It does not contain the new employment work authorization  
10 document. It's just a red version of the new green  
11 card.

12 And that's pretty much all I have. It's very  
13 important. Not just the law when we are talking about  
14 this group here, it's the overall security that we're  
15 trying to provide out there. It's more than just the law  
16 for this group to make sure that we are in compliance.  
17 Do we have any questions?

18 MR. GURVICH: Any questions for Mr. Hope?

19 MR. ROMERO: Mr. Chairman.

20 MR. GURVICH: Mr. Romero.

21 MR. ROMERO: Mr. Hope, there's been a number of  
22 questions that have been posed to me in the past, and it  
23 hasn't been exactly clear. What is the proper placement  
24 of the I-9 form within the employee box?

25 MR. HOPE: Okay. It should be kept separate,

1 and the reason why I say that, because anything that is  
2 attached to the -- anything that is with the I-9 form  
3 essentially becomes part of the I-9 form.

4 So if we were to do an audit, which we wouldn't know  
5 because we can't see into your files that they're  
6 actually with them, but if we were to do a search warrant  
7 requesting just I-9 files, anything that's touching  
8 that -- you can keep it with it. It's fine. But I'm  
9 just saying, anything that touches that I-9 essentially  
10 becomes part of the I-9. So you can keep it with it.  
11 But we recommend keeping it separate from those, because  
12 when we request it, it makes it easier for the company to  
13 pull it out and there is nothing else with it.

14 Now, you do have to keep supporting documents that  
15 you make copies of with it. It must be with the I-9  
16 form. But other than that, it's best that it's kept  
17 separate.

18 MR. GURVICH: What about, I think there was some  
19 direction where it was suggested that we keep a portfolio  
20 of I-9s on all employees. So maybe, the I-9, there is a  
21 copy in the employee file, but you have a portfolio that,  
22 if you wanted -- and they are going to be coming around  
23 and doing audits of security companies. And you would  
24 hand -- we would hand you the portfolio with I-9s in it  
25 and make your audit that much quicker and everything.

1 And our personnel department would be able to handle  
2 that, that much quicker. Is that the direction that you  
3 wanted to go with?

4 MR. HOPE: We are going to request the original  
5 I-9 form every time. So wherever that original is,  
6 that's where we're going to want it from. And if it's  
7 kept separate, it's easier for the company. The company  
8 has three days, by law, three days to reply to any notice  
9 of inspection. It can't be altered, except with a search  
10 warrant, so you have three days to actually -- so you can  
11 keep them wherever you want.

12 MR. GURVICH: In other words, we would have to  
13 present you basically all the employee files if it's just  
14 in the employee file, and then there is this big  
15 rigamarole where you have a bunch of files, or we could  
16 give you a single file with the original I-9s in it and  
17 you would be happy with that?

18 MR. HOPE: Yes. That's all we want. That's  
19 what we want. We don't want the rest of the stuff.

20 MR. ROJAS: Mr. Chairman.

21 MR. GURVICH: Mr. Rojas.

22 MR. ROJAS: The I-9, the original, comes to the  
23 state board.

24 MR. GURVICH: No?

25 MS. RYLAND: Only a copy.

1 MR. ROJAS: Just a copy of it?

2 MR. GURVICH: Just FYI, what we do, the state  
3 board here does -- we mandated, I think, ten years ago,  
4 sometime after 9/11, that we were going to send in an  
5 I-9. But it was always understood that, while the state  
6 board will require that, we require a copy. And you are  
7 requiring the original.

8 MR. HOPE: We are requiring, the company must  
9 maintain the original in some form or fashion where they  
10 can retrieve it within three days. Yes. So as long as  
11 they have access to it, you don't want to have the  
12 original, because then it becomes your responsibility to  
13 get it back to them, so copies is fine.

14 MR. GURVICH: Right. We don't want the  
15 originals.

16 MR. HOPE: Right.

17 MR. GURVICH: And now, just in order to get  
18 everybody's attention, what happens to people who violate  
19 or have an incomplete or missing I-9? What can happen?  
20 This will get your attention.

21 MR. HOPE: It's not a very easy process to  
22 start. Okay? What we do, we first start -- let me start  
23 at the beginning. We serve a notice of inspection. We  
24 show up out of the blue. Every time we come to your  
25 office, it's always out of the blue. We don't ever make



1 | appointments.

2 |       We show up and hand you the notice, request. Within  
3 | three days, you produce those documents. We get those  
4 | documents from you, and you don't hear from us again  
5 | until we're ready for the next step. So the whole time  
6 | everyone involved is in limbo, because, you know, really,  
7 | we don't keep people updated on how it's going. But what  
8 | happens if you're missing them is, it starts getting  
9 | fined. Every one is a fine. It's a finable offense.

10 |       MR. GURVICH: What's the range of the fines?

11 |       MR. HOPE: It starts at \$110 per violation up to  
12 | 1100.

13 |       MR. GURVICH: Per violation?

14 |       MR. HOPE: Per violation, yes, up to the top  
15 | level. That's based on the number of errors you -- it's  
16 | a complicated math formula. It's based on the number of  
17 | errors that you have and the number of employees that you  
18 | have. And, I-9s, you should have on hand. So it  
19 | basically falls into a bracket.

20 |       Most fines that I see -- well, when I was in  
21 | Tennessee -- I was in Tennessee before I came back to  
22 | Louisiana -- those fines ranged no less than 50,000.  
23 | That's all they messed with in Tennessee.

24 |       Now, in Louisiana, they are more -- they will do  
25 | anything over 5,000, but I don't see them too often.

1 They're usually at least 25, and they range up to a  
2 couple of hundred thousand, depending on the employees,  
3 number of employees in the company. So the more  
4 employees you have, the higher your fine could be.

5 MR. DUPLCHAIN: The audit would be only on  
6 present employees?

7 MR. HOPE: No, no. By law, you are required to  
8 maintain files for at least three years or one year after  
9 termination, whichever is longest. So we can technically  
10 go back on a few. We have been doing so many audits as  
11 of late, this is not a clue as to not take care of your  
12 old ones, but we have only been requiring current  
13 licensed.

14 MR. DUPLCHAIN: Yes, because, I mean, this is  
15 the first I hear of that.

16 MR. HOPE: Yes. There is a retention period for  
17 your I-9s. In all practical sense, if you have employees  
18 that have been -- who are no longer employed and they are  
19 outside of that time frame of retention, don't maintain  
20 those I-9 forms, because if you do maintain them, you are  
21 responsible for if they are correct.

22 If an employee has been gone for ten years and you  
23 still have that I-9 from ten years ago and it's wrong,  
24 you are still responsible for that I-9, even though you  
25 could have gotten rid of it. So it is very important to

1 understand.

2 And that's just the civil aspects of it. If you're  
3 egregiously trying to violate any part of the I-9, we can  
4 go after you criminally.

5 MR. BAER: Where can you get the most current  
6 I-9? This is expired, correct, the sheet?

7 MR. HOPE: This one is expired. The reason why  
8 it's expired is because the new one has not come out  
9 yet. That's the other problem. This is the second time  
10 this has happened. I can't understand why this has  
11 happened twice. It should only happen the one time.

12 The I-9 is currently expired because they're coming  
13 out with a new one that's two pages long. It's the same  
14 form, same amount of information. They just spaced it  
15 out differently. It's two pages long. You can get this  
16 version right now just by going to [uscis.gov](http://uscis.gov) or putting  
17 "I-9 form" in the Google search. It actually pops up,  
18 first thing that pops up.

19 Now, one other thing to remember is, please never  
20 tell your employees which documents to provide. Make  
21 sure your HR staff knows. Do not tell them to bring  
22 specific documents to complete this I-9 form. They are  
23 given the option to bring in whatever forms they want  
24 from the list that's provided. You cannot direct them in  
25 any way. That is a document abuse or discrimination type

1 offense which falls into a total different ball game in a  
2 total different organization.

3 So make sure -- again, this book is very important.  
4 Make sure your HR group has this. Whoever touches these  
5 I-9s has reviewed this book.

6 MR. GURVICH: Chief, a question I have: What  
7 can we do to liaise, especially -- let's assume you have  
8 somebody who may not -- isn't in this room, not familiar,  
9 but has applied for a company license. Is it possible  
10 that we could include the Homeland Security materials  
11 with the application?

12 MR. ROGILLIO: I don't know that that's required  
13 of us.

14 MR. GURVICH: Well, it's not required.

15 MR. ROGILLIO: No.

16 MR. GURVICH: But it might save somebody a lot  
17 of grief.

18 MR. ROGILLIO: Well, it's possible.

19 MR. GURVICH: It's not required.

20 MR. ROGILLIO: But they can go online and get  
21 it.

22 MR. GURVICH: If they know.

23 MR. ROGILLIO: If they know that, yeah.

24 MR. GURVICH: And if they don't. I'm just  
25 trying to get, achieve compliance and do what we can to

1 help the industry and to make sure these folks are happy.  
2 I don't think there are very many -- you know, with all  
3 the other checks going on, there's quite a lot of checks  
4 that we mandate --

5 MR. HOPE: Right.

6 MR. GURVICH: -- I don't think any illegal alien  
7 could get on board with us, at least not for very long.

8 MR. HOPE: Right.

9 MR. GURVICH: But by the same token, it's a  
10 Homeland Security terrorist. I mean, I have always felt  
11 that, if you were going to be a terrorist, about the  
12 easiest way to get into a critical infrastructure place  
13 is to disguise yourself or actually be a security  
14 officer.

15 So I think we should take this seriously, and if  
16 there's anything we can do to liaise with them and make  
17 this a safer environment, you know, with all these  
18 petrochemical shipping things up and down the river here,  
19 that we ought to try to do it. That's me, personally.

20 MR. ROGILLIO: If we can get a brochure from you  
21 that we can copy?

22 MR. HOPE: They will be right here. Yes. I can  
23 send you the electronic version just as well.

24 MR. ROGILLIO: And put that in a company packet.

25 MR. HOPE: And what happened?

1           MR. DUPLCHAIN: I think this is a meeting that  
2 we should have had since 1986.

3           MR. GURVICH: We tried. We couldn't get the --  
4 I'll tell you that, and I'm not telling tales out of  
5 school, but we tried to get the old immigration service,  
6 I guess, right after 9/11 to come to do this  
7 presentation. We couldn't get them on the phone.

8           MR. HOPE: Don't forget too, if y'all consider  
9 the Endorsee Program, we provide any training you want to  
10 all your members any time you want.

11          MR. GURVICH: That was my next question.

12          MR. HOPE: Any time you want training, fraud,  
13 fraudulent document training, the I-9 compliance, so.

14          MR. GURVICH: Can you all come out? And let's  
15 say you have a personnel department that's just realizing  
16 the importance of this thing. Can you guys come out and  
17 give them a quick instructional and an overview?

18          MR. HOPE: I'm sure we could. I'm sure we could  
19 discuss that, yes.

20          MR. DUPLCHAIN: It would be better if we could  
21 have it like a day of a hearing.

22          MS. RYLAND: Well, I do a clerical class every  
23 quarter, the last Wednesday of every quarter. If they  
24 can be a part of that and have -- I mean, I'm the only  
25 one that does it, but, I mean, they can come in and be a

1 part of that. We discuss the I-9s. We go over what I  
2 know about it, what I have been told by them.

3 MR. HOPE: We're more than happy to do that.

4 MS. RYLAND: But we could bring you in as a  
5 segment of that clerical training class.

6 MR. HOPE: Sure.

7 MR. GURVICH: Well, I don't mean to suggest that  
8 we will iron out all of these operational difficulties  
9 right here right now. But that's probably something. If  
10 we initiate a liaison between the regulatory agency  
11 that's responsible for 9,000 security officers and  
12 Homeland Security, I think nothing but good can come from  
13 it.

14 And Mr. Hope can perhaps cue you in to the people  
15 you need to be talking to and vice versa. Maybe a  
16 newsletter, I think, would probably -- this would -- this  
17 subject alone would be worthy of a newsletter. But I  
18 think it has to be an ongoing process educationally with  
19 the new guys with new licenses.

20 And, to be honest with you, I think we probably need  
21 to retrain -- you know, you could have been doing this in  
22 human resources a long time in the contract security  
23 industry. And you don't realize the gravity of this.

24 MR. HOPE: We do have a free training forum  
25 coming up in New Orleans on May 23rd that covers each

1 subject: I-9s, antidiscrimination, fraudulent  
2 documents. Those are going to be put on -- it's put on  
3 by our agency, but the representatives from immigration  
4 and customs -- I mean, citizenship and immigration  
5 services will be there. An attorney from the Department  
6 of Justice, Office of Special Counsel, is going to be  
7 there doing the antidiscrimination.

8 This is not just a forum to explain. It's also an  
9 opportunity for people who want to ask questions from the  
10 agencies that actually regulate that. So it's May 23rd.  
11 I can send information out.

12 MS. RYLAND: My next class is March 27th, so  
13 maybe we can line up something and --

14 MR. GURVICH: Do we do e-mail blasts around  
15 here?

16 MS. RYLAND: No, because the e-mails always  
17 change, and there's no use in trying to do that. It's  
18 better to just do a memo on the website and send out a  
19 company memo.

20 MS. VINSON: Or do we have a link on the  
21 website? Like, I can't think of all the buttons right  
22 now. But why not, we could add their website as like a  
23 hyperlink on our site.

24 MS. RYLAND: We don't have that, but I think we  
25 could --



1           MR. HOPE: Yes. We have a couple of -- because  
2 there is a whole section of just the I-9s that's new  
3 that's really very helpful to the employers.

4           MS. RYLAND: I can see. We'll get together on  
5 that.

6           MR. HOPE: Yes.

7           MS. VINSON: If we just add it under an  
8 informational page, and people can click on that and go  
9 there themselves.

10          MR. GURVICH: And I don't know that this  
11 requires a motion of any kind, but I'm sure the entire  
12 board, I get the sense that the board heartily endorses  
13 this ongoing liaison. You guys get together and do  
14 whatever you can so that -- and you all are initiating an  
15 audit program with security companies anyway; is that not  
16 correct?

17          MR. HOPE: Oh, everyone.

18          MR. GURVICH: Well, everyone, right. And  
19 security companies are going to be a big part of that.  
20 And just I'd hate to see one of our guys get tagged for a  
21 big fine. And I think this is just the beginning of a  
22 process, I hope, and you guys -- everybody --

23          MS. RYLAND: Well, I have to say on behalf of  
24 the staff, we have a whole lot of stuff to do. And I  
25 don't mind helping and to having these classes and stuff,

1 | but I don't think we should be held responsible that we  
2 | make sure the security industry knows how to do the I-9.

3 |         MR. GURVICH: That's not what I'm suggesting.  
4 | Just put the insofar as we can. Maybe it's a hyperlink,  
5 | which I think is an excellent idea.

6 |         MS. RYLAND: And if they will agree to do these  
7 | once a quarter or twice a year or something, that will  
8 | work too. So we will just be the liaison between them.

9 |         MR. GURVICH: Just keep us posted generally from  
10 | time to time on how that's going. I think that there are  
11 | some things that have no cost, very little time  
12 | involved. And it may be. And I'm not a techy as you  
13 | have probably gathered by now. Ms. Vinson has probably  
14 | far more expertise in this than I do, but I think a  
15 | hyperlink would be a great idea. Maybe a brief blurb on  
16 | the website or something like that. You know, that's all  
17 | there is. But any more questions for Mr. Hope? I think,  
18 | somebody.

19 |         MR. BAER: Any idea when that new form will be  
20 | out?

21 |         MR. HOPE: No. They said 2013. It has to go  
22 | through all the approvals all the way up through the  
23 | attorneys in D.C. That's where it is right now. Then it  
24 | has to get federally registered. It's got to go through  
25 | all that process. I think that's where it is, being

1 registered, before it can be pushed out. It's coming  
2 soon, real soon.

3 MS. RYLAND: We can notify the industry. If you  
4 notify us and let us know, then we can notify the  
5 industry of that.

6 UNIDENTIFIED SPEAKER: When the new form is out,  
7 are we required to get all of our current employees to  
8 fill out the new form?

9 MR. HOPE: No. Employees only fill out the form  
10 one time, except for reverification when the document  
11 expires that requires the reverification. You never have  
12 to fill out another form on that employee.

13 MR. GURVICH: Any other questions?

14 UNIDENTIFIED SPEAKER: The training he talked  
15 about on May 23rd, he said, in New Orleans, where is that  
16 going to be at?

17 MR. HOPE: It's going to be at one of the  
18 hotels. It hasn't been decided, because they're waiting  
19 to see how many people are coming.

20 UNIDENTIFIED SPEAKER: Can you sign up for it?

21 MR. HOPE: Yes. it's [ice.gov/image](http://ice.gov/image). The form  
22 is listed on there right on the right-hand side. It's  
23 [ice.gov/image](http://ice.gov/image). And it's on May 23rd. It's free, just  
24 one day.

25 MR. GURVICH: Further questions? I think this

1 has been extremely informative, and I hope it's an  
2 ongoing liaison. Thank you very much for being here.

3 MR. HOPE: Thank you for your time. Thank you.

4 MR. ROGILLIO: Thank you, Mr. Hope.

5 MR. GURVICH: Okay. Did we have any other --  
6 some folks had gathered for a -- not an official hearing,  
7 but I know Mr. Kevorkian, Mr. Pierre.

8 MR. ROGILLIO: If you would like to take those  
9 matters --

10 MR. GURVICH: They are waiting in the audience,  
11 and I hate to see people waiting in the audience if it's  
12 something we can clear out pretty quickly.

13 **NEW BUSINESS, DISCUSSION OF SAFE MANAGEMENT**

14 MR. ROGILLIO: If we can ease down to the  
15 training issue under New Business.

16 MR. GURVICH: Is Ms. Pierre here? Here she is.  
17 Would you like to address the board?

18 MS. PIERRE: I think my letter in reference  
19 to -- which one of the things we have on the agenda? I'm  
20 talking about --

21 MR. GURVICH: The SAFE Management issue --

22 MS. PIERRE: Okay.

23 MR. GURVICH: -- which is not a formal hearing  
24 here today.

25 MS. PIERRE: I understand.

1 MR. GURVICH: But if you wanted to discuss it,  
2 that's certainly okay. Do we have your letter?

3 MS. PIERRE: Yes, you do.

4 MR. GURVICH: And has that been entered? It's  
5 in the packet which I haven't had a chance to read?

6 MR. ROGILLIO: Which matter are you taking  
7 first, the SAFE or?

8 MR. GURVICH: The SAFE Management, because I  
9 know we have a couple of people here. And there is  
10 another letter.

11 MR. ROGILLIO: There's another letter pertaining  
12 to military training.

13 MR. GURVICH: Is there a folder for this, or it  
14 just shows up in the general folder?

15 MS. RYLAND: It's in your general folder.

16 MR. GURVICH: General folder. Okay.

17 MS. VINSON: The last two pages.

18 MR. GURVICH: Right, okay. So we have a letter  
19 which we sent to the board by e-mail dated Thursday,  
20 February 7th, 2013. And, Ms. Pierre, did you care to  
21 address the board or just enter the --

22 MS. PIERRE: If the board has any questions as  
23 it relates to my letter, then I would be happy to answer  
24 whichever questions they may have.

25 MR. GURVICH: Right. Also, I would like at this

1 | time to enter into the record a letter dated Thursday,  
2 | February 21st, 2013, from Mr. Barkerding at Admiral  
3 | Security. And I don't believe that's in the records  
4 | since it just got here. But I will be happy to pass it  
5 | around for the board members to read, but I do want it in  
6 | the record. So, obviously, Mr. Barkerding isn't here,  
7 | couldn't be here, so he won't be addressing the board.

8 | MR. ROGILLIO: I don't know what it's pertaining  
9 | to.

10 | MR. GURVICH: He sent me a letter and asked me  
11 | to -- this issue.

12 | MS. RYLAND: Do you want me to make copies?

13 | MR. GURVICH: Yes.

14 | MR. ROGILLIO: The training, you're talking  
15 | about?

16 | MR. GURVICH: No. SAFE Management.

17 | MR. ROGILLIO: Okay.

18 | MR. GURVICH: Okay. Now, so --

19 | MS. PIERRE: Since he isn't here, I mean, if you  
20 | want me to just kind of briefly tell the board what this  
21 | is about?

22 | MR. GURVICH: Right. And why don't you take a  
23 | mic and spend a few minutes and state your issue. By the  
24 | way, this is not a formal hearing today, and the board  
25 | is -- this is not an adversarial rule situation where the

1 board can assess a fine or do anything. Ms. Pierre.

2 MS. PIERRE: Okay. Yes. My letter in reference  
3 to SAFE Management, it's just not about SAFE Management.  
4 It's about the board's decision when they are making  
5 special provisos for companies coming into our state. If  
6 we are going to make provisos for those companies, then  
7 we should at least have a way of policing it to make sure  
8 that they abide by the rules and regulations as set forth  
9 by this board. In my opinion, that did not happen. The  
10 board did not safeguard the rules and regulations they  
11 put forth or the stipulations they put forth for this  
12 company. It was no oversight. And the other thing --  
13 and that might be too ambitious.

14 MR. GURVICH: In regards to what specifics?

15 MS. PIERRE: In regard to the special conditions  
16 that you stated that they must follow to have these  
17 special conditions.

18 MR. GURVICH: Specific.

19 MS. PIERRE: Oh, one being every company would  
20 be identified, because everybody was wearing the same  
21 uniforms, that the companies would be identified by a  
22 particular button. That button would indicate which  
23 company that person was working for.

24 MR. GURVICH: And you're saying that didn't  
25 occur?

1 MS. PIERRE: I'm saying it didn't occur in all  
2 occasions. I'm saying that we had employees that were  
3 employed by us that worked with SAFE that wore buttons  
4 for other companies. And I didn't bring any of those  
5 people here today because I knew this wasn't a hearing.  
6 But, if need be, they would be willing to come forth to  
7 say that. They were issued buttons for various  
8 companies, be it Lofton, Elliott, and --

9 MR. GURVICH: Well, my question is, did anybody  
10 work in a, shall we say, secondary capacity, who had  
11 previously been employed by a local security contractor,  
12 who worked for SAFE, wherein the name of the local  
13 company did not appear on the button?

14 MS. PIERRE: The company in which they were  
15 employed did not appear on the button.

16 MR. GURVICH: Okay. Now, did that happen in  
17 your case?

18 MS. PIERRE: Yes, it did.

19 MR. GURVICH: Okay. You have those buttons  
20 available, or you gave --

21 MS. PIERRE: No. Those buttons were given back  
22 to them. Those buttons weren't retained by the company.

23 MR. GURVICH: You're saying they did not follow  
24 -- I don't know if I would quite call it a special  
25 condition. We just decided that it would be duplicative



1 and onerous for them to go through the process twice and  
2 pay twice. I don't know how many special provisos or  
3 conditions there were.

4 What we're trying to do is not impose government in  
5 an unwieldy duplicative way and add costs that, you know,  
6 didn't really appear to be reasonable or rational under  
7 the circumstances of this case. However, we did say that  
8 we would expect that the name of the local contractor  
9 would appear on the button.

10 Now, you say that, in some cases, it did not. Are  
11 there any other particular issues that you have?

12 MS. PIERRE: Well, the other, the other thing  
13 that was very concerning for, I think, myself and other  
14 companies is that one of the things you said during your,  
15 well, meeting saying about -- maybe you don't call it  
16 special conditions or however you want to phrase it. One  
17 of the things you said is that, will the companies be  
18 managing their people, or will you be managing their  
19 people? And I think you said, because that makes a  
20 difference to me if they have management of their people  
21 or you have management of their people, because if --

22 MR. GURVICH: Did I specifically say that, or  
23 was it a board member?

24 MS. PIERRE: I think you said that.

25 MR. GURVICH: I don't recollect.

1 MS. PIERRE: But it was in conversation about  
2 the management, because, if a company has an employee,  
3 then that employee is managed by that company. When  
4 that employee is no longer managed by that company, then  
5 it becomes a concern about, well, who do they actually  
6 work with or for, because if you have no oversight, no  
7 management of your people, then how can you say that they  
8 work for me? because you are giving them the directions  
9 and now you are telling them what to do and we have no  
10 supervision over them whatsoever.

11 MR. GURVICH: So the issues were, one, the  
12 Global Security Contractors' -- state security  
13 contractors' name wasn't on some of the buttons; and,  
14 secondly, you have some concerns about the fact that the  
15 supervisory chain of command was taken out of order?

16 MS. PIERRE: Completely taken away from the  
17 companies.

18 MR. GURVICH: All right. Now, is there any  
19 other particular issues that you had regarding -- did we  
20 get it?

21 MS. PIERRE: Those are the basic issues that are  
22 of concern.

23 MR. GURVICH: And everyone, I think -- okay.  
24 And we have your letter, and I would like to, on my  
25 authority as chairman, I will enter the letter into the

1 | official board record as we -- I will also do in the case  
2 | of Mr. Barkerding's letter. And so now we have a matter  
3 | of record. Did we get it all? Is that everything you  
4 | wanted?

5 | MS. PIERRE: That's basically it, yes.

6 | MR. GURVICH: Okay. Well, thank you for being  
7 | here today. And I believe we have Mr. Kevorkian also.  
8 | You may want to respond to those allegations. And if you  
9 | -- is that your intent for being here today?

10 | MR. KEVORKIAN: Yes, sir.

11 | MR. GURVICH: And, I mean, it's solely up to  
12 | you. If you would like to address the board, we would be  
13 | more than happy to hear from you as well. Find a mic.

14 | MR. KEVORKIAN: Thank you for letting me be here  
15 | today with you. The two points that Ms. Pierre  
16 | mentioned, the button, a concern of that was brought to  
17 | my attention. And when it was brought to my attention, I  
18 | immediately -- I was actually at the stadium when the  
19 | concern was brought up. I immediately went down and  
20 | checked using our crew calls, every single guard that was  
21 | there, and verified that they had the correct buttons  
22 | attached to the outside of their uniform.

23 | At that time I responded to the representative from  
24 | CGI, indicating we've -- I personally checked. I have  
25 | reviewed the policy with my check-in administration

1 team. And, after that, I asked the question: Why would  
2 a guard who works for CGI accept a button that does not  
3 say CGI?

4 We -- Ms. Pierre is correct with the process. When  
5 someone came up on our credential -- and this is an  
6 example of the credential. It has the name. It has the  
7 employee ID number. And the employee ID number tells us  
8 which company they work for. And based off of that, we  
9 would actually issue the button for that company.

10 I didn't randomly -- I purchased the number of  
11 buttons based off of the number of guards that were  
12 credentialed and scheduled. We would issue the button at  
13 the beginning of the shift and then accept the button  
14 back at the end of the shift.

15 MR. GURVICH: My question is, is somewhere on  
16 the uniform, was one able to distinguish the name of the  
17 actual security contractor as opposed to just SAFE  
18 Management?

19 MR. KEVORKIAN: Yes, yes. Every subcontractor  
20 received a button, and, to my knowledge, they received  
21 the accurate button. This was the only point this time  
22 that it was brought to my attention by CGI was the only  
23 point that that even occurred. But like I said before, I  
24 went back and checked with my check-in administration  
25 team and reviewed the process to make sure that we were

1 giving out the accurate button to every single guard that  
2 came in.

3 MR. GURVICH: So one, a member of the public,  
4 public law enforcement would be able to ascertain the  
5 true employer from the indicia that was on the person's  
6 outfit. So there was that tag, plus there was a button?

7 MR. KEVORKIAN: Well, the tag, the credential,  
8 everyone who worked had to have this credential on, and  
9 it did have their employee ID on there. This was in  
10 addition to the button for every single guard that  
11 worked.

12 MR. GURVICH: So there was the button and that  
13 tag?

14 MR. KEVORKIAN: Yes.

15 MR. GURVICH: And so were there any cases, then,  
16 wherein the identity of the security contractor was not  
17 on the button or it was the incorrect name?

18 MR. KEVORKIAN: Not to my knowledge, no. It was  
19 brought to my attention in an e-mail from Marian Pierre.  
20 I verified it that day. I, like I said, reviewed the  
21 process with my team to make sure we were following the  
22 guidelines that had been laid out to be in accordance  
23 with the board and responded in an e-mail to Marian  
24 Pierre's representative. But that was the only instance  
25 it was even brought to my attention.

1 MR. GURVICH: Any comments or questions from  
2 board members?

3 MR. ROJAS: Yes, Mr. Chairman. Do you have any  
4 of those buttons with you?

5 MR. KEVORKIAN: I did not bring a button with  
6 me. I apologize.

7 MR. ROJAS: You brought the badges, but not the  
8 buttons?

9 MR. KEVORKIAN: I can certainly pass this badge  
10 around if you want to see it.

11 MR. ROJAS: No. I think it was the button she  
12 was making reference to.

13 MR. KEVORKIAN: Yes. I don't have a button. I  
14 apologize.

15 MR. GURVICH: Did all the buttons have some sort  
16 of name on them?

17 MR. KEVORKIAN: Yes. Every single -- we -- I  
18 purchased buttons for every single subcontracted company,  
19 so it had "Security" on the top and on the bottom. Under  
20 the Super Bowl logo, it had the name of the company.

21 MR. GURVICH: Was there a shortage; you had an  
22 adequate --

23 MR. KEVORKIAN: No. I made sure I purchased --  
24 I I have a storeroom full of buttons right now.

25 MR. GURVICH: Comments? Questions? Ms. Pierre,

1 a brief rejoinder? Well, you need to take a microphone.  
2 You can take it right there if you like.

3 MS. PIERRE: I can't attest to how many times it  
4 happened with anybody else. The only thing I can tell  
5 you about is what happened with our company. And maybe  
6 nobody brought it to Mike's attention, and maybe his  
7 staff didn't bring it to his attention. But it was  
8 brought to my attention.

9 The other thing is that, when you asked why an  
10 employee would take a button of another company, then I  
11 can't answer that for you. But I can answer to the fact  
12 that they identified themselves as CGI employees. And as  
13 Mike said, they had on a lanyard that said "CGI  
14 employees." So if that's the case, why even give them a  
15 button from another company? I mean, because that's his  
16 job and his company's job to make sure that the buttons  
17 are given to the proper company, not the guards.

18 MR. GURVICH: Well, let me ask you a question.

19 MS. PIERRE: Sure.

20 MR. GURVICH: How many folks did you -- do you  
21 recollect that you furnished to the --

22 MS. PIERRE: How many do I recollect that we --

23 MR. GURVICH: How many folks did you all have at  
24 the game or what of all these NFL activities?

25 MS. PIERRE? Maybe 60.

1 MR. GURVICH: Now, of those 60, how many are  
2 talking about that did not have the correct button?

3 MS. PIERRE: Well, I don't have a count of  
4 that. I didn't keep a count of that.

5 MR. GURVICH: Was it all of them had an  
6 incorrect button?

7 MS. PIERRE: No. It wasn't all of them.

8 MR. GURVICH: Was it most of them had an  
9 incorrect button?

10 MS. PIERRE: Most of them may have had a correct  
11 button, but it did happen.

12 MR. GURVICH: Okay. Can you quantify it a  
13 little better? Was it a small minority that didn't  
14 have --

15 MS. PIERRE: It might have been a smaller  
16 amount.

17 MR. GURVICH: Okay. But you don't want to  
18 speculate as to exactly how many --

19 MS. PIERRE: No, I don't. The thing is, is that  
20 whether it was 1 or whether it was 100, it happened. And  
21 so my point is that I wanted to bring it to this board's  
22 attention. If you do nothing about it, I just wanted you  
23 to make your --

24 MR. GURVICH: We can't do anything about it  
25 today. It's not officially --



1 MS. PIERRE: Right. If nothing is done about  
2 it --

3 MR. GURVICH: This is just a comment.

4 MS. PIERRE: -- it's just information for this  
5 board to consider. Whenever they are doing something  
6 like this again that these type of things happen, and,  
7 possibly, this board may consider having more oversight  
8 when these kinds of things are happening and it's under  
9 your governing.

10 MR. ROMERO: Mr. Chairman.

11 MR. GURVICH: Mr. Romero.

12 MR. ROMERO: Ms. Pierre, were the company  
13 principals in a position to verify the credentialing  
14 before the credentials were provided?

15 MS. PIERRE: I have no idea. I don't know how  
16 that works, Chip, because we weren't there. Our  
17 management staff was not there. Our people were sent to  
18 a particular location for a particular time, and then  
19 they were turned over to SAFE.

20 MR. ROMERO: Was it possible for your management  
21 people to be there?

22 MS. PIERRE: Only, only to the point of where  
23 they entered. As far as going, finding them, and being  
24 in control of them to see if everybody had the right  
25 badge, if that's what you are saying, no, we didn't.

1 MR. ROMERO: Thank you.

2 MR. KEVORKIAN: Mr. Romero, can I speak to  
3 that?

4 MR. GURVICH: Certainly.

5 MR. KEVORKIAN: We did allow each subcontracting  
6 company to have personnel at the check-in location. And,  
7 on numerous occasions, I do know that there was a  
8 representative from CGI within five feet of the location  
9 of where the individual checked in and would have  
10 received a button.

11 MR. ROMERO: Okay. Thank you.

12 MR. GURVICH: Any further comments or  
13 questions? All right. Well, I want to thank everyone  
14 for being here. I think we hashed it out, and it's  
15 really up to the board staff from here on out. Thank  
16 you, sir, for being here. Ms. Pierre, thank you as well.  
17 Next matter, Chief.

18 **NEW BUSINESS, TRAINING, DISCUSSION OF MILITARY TRAINING**

19 MR. ROGILLIO: Do you want to discuss the  
20 military training letter now?

21 MR. GURVICH: Okay. Well, come on back up.  
22 There's a request; there's a military training letter in  
23 here somewhere?

24 MR. ROGILLIO: It should be.

25 MR. GURVICH: It's not a matter of record. I

1 will enter it into the record.

2 Okay. We have a letter signed by Ms. Pierre dated  
3 February 1, 2013. I believe it has to do with military  
4 folks and the board situation. Ms. Pierre.

5 MS. PIERRE: Okay. The letter basically is  
6 telling you guys that I would just like you to reconsider  
7 the way military people are viewed as it relates to  
8 hiring practices with the security industry. We are  
9 committed to hiring heroes and working with them, and we  
10 are finding that 22 percent of the young men and women  
11 returning to Louisiana are not employed, are looking for  
12 employment.

13 I have spoken with them on several occasions, the  
14 people that are working with hiring heroes, and it seems  
15 that a lot of them are interested in the security  
16 industry but can ill afford the costs associated with  
17 it. So what I'm asking the board to consider is a, I  
18 guess a abbreviated training program for these young  
19 people coming back to Louisiana and looking for  
20 employment.

21 The only thing that can do for us is improve our  
22 industry. When you look at the fact that they have  
23 between 14 and 23 weeks of training coming out of the  
24 military, and by the nature alone, the Marines are  
25 considered sentry, we might want to look at that.

1           Right now you are considering only if they have been  
2 a security guard in the military. And I say to you, all  
3 those people go through this training process, that they  
4 protect this nation. And I think that we would be a  
5 better industry if we are able to employ some of these  
6 young people coming back with an abbreviated training,  
7 maybe four hours of training as we do with out of state  
8 companies that come in. And maybe they could learn the  
9 law and maybe the -- maybe have to redo firearms or  
10 something like that.

11           But if they are honorably discharged and they are  
12 interested in this industry, I think it would make this  
13 industry better for all of us and give us an opportunity  
14 to repay them or pay them for their service to our  
15 country.

16           MR. GURVICH: Thank you. Any comments or  
17 questions for Ms. Pierre?

18           UNIDENTIFIED SPEAKER: I have to say that I  
19 agree with Ms. Pierre.

20           MR. GURVICH: So noted.

21           MR. ROMERO: Mr. Chairman.

22           MR. GURVICH: Mr. Romero.

23           MR. ROMERO: Ms. Pierre, I would agree with you  
24 as well insofar as I think it would certainly benefit the  
25 industry for us to promote those serving in the military

1 to come into our industry. I think we do have some  
2 requirements, legislation and regulations, that has to be  
3 looked at, and we need to instruct to that.

4 Same thing, quite frankly, with law enforcement.  
5 The purpose of the duties of law enforcement isn't much  
6 different than security as with the military. So I would  
7 agree with you if there would be a mechanism that we  
8 could still provide the instructions as necessary to make  
9 sure people understand the requirements of the Louisiana  
10 State Board of Private Security. So if there is a  
11 mechanism to facilitate that, I would be in agreement.

12 MS. PIERRE: Here's my suggestion for the four  
13 hours of training, just making them familiar with the  
14 state laws and the requirements of security.

15 MR. GURVICH: We will take it into  
16 consideration. Any further comments or questions for  
17 Ms. Pierre? Thanks for being here.

18 MS. PIERRE: Okay. Thank you.

19 MR. GURVICH: Chief, next matter.

20 **LEGAL UPDATE/LEGISLATION**

21 MR. ROGILLIO: Legal Update/Legislation.

22 MS. MCLEARY: It's a fiscal only session  
23 starting this spring. Don't anticipate any bills that  
24 would affect the industry, but, as always, we will  
25 monitor those and see if any are filed.

1 MR. GURVICH: They still can file five bills?

2 MS. MCLEARY: Right, correct, each legislator.  
3 But, and we will monitor the filed bills to make sure  
4 that there's nothing that affects the industry one way or  
5 the other.

6 MR. GURVICH: Right. And I don't think we have  
7 anything in any great urgency that we are trying to do.

8 MS. MCLEARY: No, sir. I don't believe we do.  
9 And no bills have come out of the legislative  
10 subcommittee.

11 MR. GURVICH: Do you and Frank feel comfortable  
12 that, if somebody were trying to do something that would  
13 affect the industry, you will be there enough to know  
14 about it?

15 MS. MCLEARY: Yes, sir, definitely. And we have  
16 a software, a service, actually, Legiscon, that we sign  
17 up for. And there are key words. We monitor every  
18 committee, every bill that comes up on a daily basis.  
19 Frank is down there for a multitude of purposes, but he  
20 always has an eye out for private security bills.

21 MR. GURVICH: I really don't want any more of  
22 this Fourth Judicial District Court thing, you know, that  
23 we had to --

24 MS. MCLEARY: Right.

25 MR. GURVICH: Did we ever get that report?

1 MS. MCLEARY: We did. We did last session.

2 MR. GURVICH: That just fragments and damages  
3 the industry.

4 MS. MCLEARY: We will be on the lookout and we  
5 can report that back the next -- I believe we will be in  
6 session during the next meeting, next quarterly meeting,  
7 so we'll be able to update you then should any be filed.

8 MR. GURVICH: Okay. Any further legal  
9 comments/questions? Next matter.

10 **OLD BUSINESS, STATUS REPORTS**

11 MR. ROGILLIO: The next matter is Old Business,  
12 Status Reports, number of officers.

13 MR. GURVICH: Okay. Everybody can take a look.  
14 Anything, any significant changes in operations, numbers,  
15 income?

16 MR. ROGILLIO: Nothing to amount to anything,  
17 sir.

18 MR. GURVICH: How are we doing relative to the  
19 projected budget?

20 **NEW BUSINESS, MISCELLANEOUS, PURCHASE OF VEHICLE,**  
21 **SCANNERS**

22 MR. ROGILLIO: We are doing quite well. I do  
23 have to -- further down, you will see that we need to  
24 amend the budget. There are some items that are going to  
25 have to be purchased.

1 MR. GURVICH: What particular items, Chief?

2 MR. ROGILLIO: With your permission, with the  
3 board's permission, one of the things is, we need to  
4 purchase a new van. Our van is beginning to give us some  
5 transmission problems, and if you had any transmission  
6 repairs, you know it's normally upward of \$2500 or so.

7 MR. GURVICH: How many miles do you have on that  
8 thing?

9 MR. ROGILLIO: A hundred and -- what, Dickie?

10 MR. THORNTON: 109.

11 MR. ROGILLIO: 109,000.

12 MR. GURVICH: Heck. That's low mileage. In the  
13 security industry, that's low mileage.

14 MR. ROGILLIO: What I'm concerned about is him  
15 getting in Shreveport or someplace like that and not  
16 being able to go and we've got to make arrangements.

17 MR. GURVICH: And you indicate in here how much  
18 you propose to spend?

19 MR. ROGILLIO: Well, there is a contract with a  
20 -- with several firms. And the vehicle we have chosen is  
21 a vehicle like he now drives, which is what he wants and  
22 I think it's what we need for the office.

23 MR. GURVICH: Do you have the money to do it?

24 MR. ROGILLIO: Yes, sir.

25 MR. GURVICH: Okay. Where are the contracts?



1 MS. RYLAND: It's not actually the contract.  
2 It's the information that comes from the contract that we  
3 have to --

4 MR. GURVICH: Right, right. There's the vehicle  
5 information, 20,514. Are you asking for board approval  
6 for the purchase?

7 MR. ROGILLIO: Yes, sir.

8 MS. RYLAND: And that's not including the  
9 registration fees, does it?

10 MR. GURVICH: This probably doesn't have tax,  
11 title, and license.

12 MR. ROGILLIO: Right, right.

13 MR. GURVICH: Okay. So moved to approve the  
14 vehicle information --

15 MR. DUPLCHAIN: Second.

16 MR. GURVICH: -- with the associated tax, title,  
17 license, and other costs. I think we have a motion by  
18 Mr. Gurvich, second by -- was that Mr. Duplechain down  
19 there and who else?

20 MS. VINSON: Me.

21 MR. GURVICH: And Ms. Vinson. Debate?  
22 Discussion? All in favor of the motion stated say aye.

23 ALL BOARD MEMBERS: Aye.

24 MR. GURVICH: Any opposed? The motion passes  
25 unanimously.

1 MR. ROGILLIO: The next thing is --

2 MR. GURVICH: Now, the budget thing, you say we  
3 need to amend it?

4 MR. ROGILLIO: What we are hoping to do is  
5 provide a scanner in each of the offices. We are in the  
6 process of attempting to go paperless as much as  
7 possible, because we are beginning to run out of room to  
8 store file cabinets and documents.

9 And in order to do that, each office, each person in  
10 each office is going to have to have a scanner. And then  
11 we're going to have to have a larger scanner which would  
12 be in Jane's office hooked to her computer. And that's  
13 about a \$20,000 item. It may not run that much, but we  
14 would like to be able to ask for that much just in case  
15 it runs over.

16 MS. VINSON: Does our copy machine scan?

17 MR. ROGILLIO: It does, yes.

18 MS. RYLAND: It does, but it's not going to  
19 handle what we do every day. We had the guy that -- if  
20 Wayne don't mind, we had the guy that is on our contract,  
21 Michael Morgan, to come in and look at everything and  
22 give us the best scenario that he could offer. And he  
23 even found the scanners for us that are much lower than  
24 what we would have probably picked and said this will  
25 work; however, they are like a thousand dollars per

1 scanner, but they should last us four to five years. And  
2 so he is really trustworthy, and, you know, we feel  
3 like --

4 MR. GURVICH: What's the total amount? I see  
5 this per scanner price. How many scanners did y'all want  
6 to buy?

7 MS. RYLAND: We're going to have to have 12.

8 MR. GURVICH: So multiply 12 times \$2719?

9 MS. RYLAND: No, no, no. The 900.

10 MR. GURVICH: Oh, the 925.

11 MS. RYLAND: And we'll have to have one of the  
12 27 and then another computer.

13 MR. GURVICH: Give me your rough guesstimate on  
14 the total cost.

15 MS. RYLAND: 20,000 is what we said. We may not  
16 use that much, but he said we might get into it and have  
17 to add some equipment to make things work with the  
18 server. I mean, he is not sure that will happen, but --

19 MR. GURVICH: Well, give me a number that you  
20 know you can -- we'll give you an authorization, I'm  
21 sure, but I don't want to cut you short.

22 MS. RYLAND: Well, I would say seventeen five at  
23 the minimum.

24 MR. GURVICH: Well, why don't we add a little  
25 onto that, not saying to spend it, just saying you have

1 the authorization.

2 MS. RYLAND: That's what I'm saying. With the  
3 20,000, we have that leeway.

4 MR. GURVICH: Is 20,000 enough?

5 MS. RYLAND: Yes, yes. That will be plenty.  
6 And that's what he told us.

7 MR. GURVICH: All right. Do I hear a motion?

8 MR. KENNEDY: Yes. Motion to give them  
9 \$20,000.

10 MR. ROJAS: Second.

11 MR. GURVICH: Motion by Mr. Kennedy to authorize  
12 \$20,000 for expenditures on this system. Who seconded  
13 that?

14 MR. ROJAS: Second.

15 MR. GURVICH: Okay. Motion by Mr. Kennedy,  
16 second by Mr. Rojas. All in favor -- well, debate?  
17 Discussion? If not, I will call for the vote. All in  
18 favor say aye.

19 ALL BOARD MEMBERS: Aye.

20 MR. GURVICH: Any opposed? Motion passes  
21 unanimously. Now, that's all your equipment purchases,  
22 right? Do we need to amend the budget?

23 **NEW BUSINESS, MISCELLANEOUS, AMEND 2012-2013 BUDGET**

24 MR. ROGILLIO: We need a motion for the  
25 amendment.

1           MR. GURVICH: So I will move to amend the budget  
2 to take account of the equipment, two equipment purchases  
3 or the system and the vehicle purchases just enunciated.  
4 Do I hear a second?

5           MR. DUPLCHAIN: Second.

6           MS. VINSON: Second.

7           MR. GURVICH: Motion to amend the budget jointly  
8 seconded by Mr. Rojas and Ms. Vinson. Was there anyone  
9 else?

10          MR. KENNEDY: Yes.

11          MR. GURVICH: And Mr. Kennedy.

12          MS. RYLAND: Hold on one second. We need it  
13 amended, the budget itself, due to income and increases  
14 in expenses.

15          MR. ROGILLIO: Yes. The budget needs to be  
16 amended.

17          MR. GURVICH: Then I will withdraw the motion.  
18 Now tell me what it is you need.

19          MR. ROGILLIO: I think you need another motion  
20 is what you need to amend the budget as is --

21          MR. GURVICH: We'll make one motion. What part,  
22 besides the two deals we just talked about, what else?

23          MR. ROGILLIO: Well, the income is different.

24          MR. GURVICH: Is it up? Down?

25          MR. ROGILLIO: It's up.

1 MR. GURVICH: How -- let's see, do we have a  
2 comparative 2012-2013, or do we just have the 2013?

3 MS. RYLAND: No. There are some notes made on  
4 the expenditure list on the expense budget of why that we  
5 need to amend it.

6 MR. GURVICH: Okay. So you are saying we are  
7 making more money now than we were?

8 MS. RYLAND: Well, the revenues need to be  
9 amended, but, actually, yeah. But it's not a tremendous  
10 amount. But the expense budget is our main concern. We  
11 need to do both of them, but if you notice on there, she  
12 has listed the printing, the office supplies, and the  
13 retirement. And you will see different notes that she  
14 has on there. And those things are things that we need  
15 to amend to add to the budget.

16 MR. GURVICH: Now, so you want to amend the  
17 budget, the whole budget?

18 MR. ROGILLIO: Yes, sir.

19 MR. GURVICH: Okay. And so it's all presented  
20 here. Does the amended budget take into account of what  
21 we just spent, the scanning system and the vehicle?

22 MR. ROGILLIO: Yes, sir.

23 MS. RYLAND: That's in there, yes.

24 MR. GURVICH: Okay. I will make a motion to  
25 amend the budget in conformance with the documents

1 presented by the board staff today. Is that adequate for  
2 your needs?

3 MR. ROGILLIO: Yes, sir.

4 MR. GURVICH: Do I hear a second?

5 MR. KENNEDY: Second.

6 MR. GURVICH: Motion by Mr. Gurvich jointly  
7 seconded by Mr. Duplechain and Mr. Kennedy. Debate?  
8 Discussion? All in favor of the motion as stated say  
9 aye.

10 ALL BOARD MEMBERS: Aye.

11 MR. GURVICH: Any opposed? The motion passes  
12 unanimously. Does that get you where you want to be?

13 MR. ROGILLIO: Yes, sir. That's it.

14 MR. GURVICH: Okay. Next matter.

15 (Mr. Duplechain leaves room.)

16 MR. ROGILLIO: Let's see, we have taken care of  
17 the training and SAFE. Let's see, hearings.

18 MR. GURVICH: We did office, and I guess we did  
19 financial.

20 MR. ROGILLIO: We can go to the adjudicatory  
21 hearings. I don't think -- maybe one person is here, one  
22 or two people here out of all five of those, so if you  
23 want to, we will call the names.

24 **NEW BUSINESS, MISCELLANEOUS, ATTORNEY GENERAL CONTRACT**

25 MR. GURVICH: Let me get to this point. Under

1 | Miscellaneous, I wanted to present to the board a  
2 | contract. It's an attorney general contract on the case  
3 | pending before the board to retain independent defense  
4 | counsel. I will pass around to the board the contract  
5 | and make a motion to approve it as presented. Do I hear  
6 | a -- well, I will wait for a second until you all have  
7 | had an opportunity to look at the contract.

8 |           MS. MCLEARY: Chairman Gurvich, considering this  
9 | is a pending litigation against the board, an appeal from  
10 | a decision of the board, litigation strategies are one of  
11 | those circumstances in which you can go into executive  
12 | session to discuss.

13 |           MR. GURVICH: Yes. I understand that. I don't  
14 | really propose that we discuss litigation strategies. I  
15 | just want to get the contract approved. The litigation  
16 | is going to be what the litigation is going to be. I  
17 | don't -- I hadn't anticipated discussing strategies.

18 |           MS. MCLEARY: Just the nature of the defense.

19 |           MR. GURVICH: Right. I don't know that it's  
20 | necessary. I mean, if someone wants to move to go into  
21 | executive session, we certainly can. I don't know that  
22 | it's necessary under the circumstances. If y'all would  
23 | like to take a minute -- in fact, why don't we go on to  
24 | something else while the board has an opportunity to read  
25 | the contract. We will always come back to it.



1 MR. ROGILLIO: Do you want to begin with the  
2 adjudicatories, then?

3 **ADJUDICATORY HEARINGS, RONALD MACOMBER**

4 MS. MCLEARY: We only have one, I believe. It's  
5 a continuation of Mr. Ronald Macomber's hearing that was  
6 previously held in December. It's just a few matters  
7 that the board had wanted -- a few witnesses the board  
8 had wanted to hear from and a few matters to tie up.

9 MR. GURVICH: If we have got witnesses and all  
10 that sort of thing. Do we have some hearings that really  
11 are just --

12 MS. MCLEARY: We don't have any others, sir.

13 MR. GURVICH: We only have one hearing?

14 MS. MCLEARY: Yes, sir.

15 MR. GURVICH: I thought we had --

16 MS. MCLEARY: No, sir. We had three no-shows  
17 and one -- Ms. Lori Kent, I believe, is her name -- will  
18 be continued. She was going to proceed with getting an  
19 expungement that would try to remedy the reasons for her  
20 denial. And the others have not shown up, so.

21 MR. GURVICH: Well, has everybody had a chance  
22 to read the contract? Do I hear a second to the motion?

23 MR. BAER: Second.

24 MR. GURVICH: Motion by Mr. Gurvich to approve  
25 the contract, second by Mr. Baer. Debate? Discussion?

1 All in favor of the motion as stated say aye.

2 ALL BOARD MEMBERS: Aye.

3 MR. GURVICH: Any opposed? The motion passes  
4 unanimately. By the way, this has nothing to do with --  
5 you are the board's attorney. This is just for one case.

6 MS. MCLEARY: Understood.

7 MR. GURVICH: It doesn't affect anything else  
8 that we're doing.

9 (Mr. Duplechain reenters room.)

10 MR. GURVICH: All right. So now we have the  
11 hearing. How many witnesses do we have?

12 MS. MCLEARY: We have five. Yes, sir. The  
13 board had wished -- there were actually -- this is an  
14 appeal from a staff action. Staff had denied  
15 Mr. Macomber's application for an instructor license with  
16 his new company. Most of it was heard December 7th.

17 There were two issues, really, as far as the reasons  
18 for his denial. The first one was alleged improper  
19 grading of tests while he was an instructor with Weiser  
20 Security. And then the second issue was six guards that  
21 were previously trained under Mr. Macomber under Weiser  
22 and had to be, after a subsequent audit, retrained.

23 And the board had chosen to want to hear from some  
24 of those guards who had to be -- allegedly had to be  
25 retrained. Four of those six guards are here today as

1 the board requested. And then, Ms. Tina Martin, who was  
2 a part of the audit and the investigation, was not able  
3 to be present the first hearing and she is present and  
4 under subpoena today.

5 MR. GURVICH: Okay. So how many folks do you  
6 have?

7 MS. MCLEARY: We have four guards and Ms. Tina  
8 Martin.

9 MR. GURVICH: Five witnesses.

10 MS. MCLEARY: Yes, sir.

11 MR. GURVICH: And who is the individual, the  
12 contractor -- or the instructor seeking the license; is  
13 he here today?

14 MS. MCLEARY: Yes, sir. Mr. Ronald Macomber.

15 MR. GURVICH: Where is Mr. Macomber?

16 MR. MACOMBER: Here, sir.

17 MS. MCLEARY: And I'm not sure if he has any  
18 additional witnesses. I do not know.

19 MR. GURVICH: All right. So we are going to  
20 have a contradictory hearing.

21 MR. DUPLCHAIN: We already voted on --

22 MR. GURVICH: So I would ask Mr. Macomber, if  
23 you would, step forward and find a microphone over here.

24 MR. DUPLCHAIN: This was voted on while I went  
25 to the rest room?

1 MR. GURVICH: That's right. Oh, I'm sorry. I  
2 didn't know you -- did you wish to record a vote?

3 MR. DUPLECHAIN: I would like to have a closed  
4 hearing on it.

5 MR. GURVICH: Do you want to move for executive  
6 session?

7 MR. DUPLECHAIN: I sure would.

8 MR. GURVICH: There is a two-thirds' vote  
9 required, and you need a second. Is there a second to  
10 Mr. Duplechain's motion to go into executive session?  
11 There being no second, the motion fails. Would you like  
12 to record a vote, though, Chuck?

13 MR. DUPLECHAIN: No, sir.

14 MR. GURVICH: Okay. Then we will record that as  
15 an abstention?

16 MR. DUPLECHAIN: No, sir. I resign.

17 (Mr. Duplechain leaves hearing.)

18 MR. GURVICH: All right. Well, we are not  
19 accepting your resignation until later, and you'll have  
20 an opportunity -- I don't think the board wishes to act  
21 on his resignation. Does anyone? He said he resigned,  
22 but we will let him cool down. Next, so here we are with  
23 Mr. Macomber. And is this a continuance?

24 MS. MCLEARY: It is.

25 MR. GURVICH: All right. So we are taking up

1 | where we left off; is that right?

2 | MS. MCLEARY: Yes, sir.

3 | MR. GURVICH: All right. So where did we leave  
4 | off?

5 | MS. MCLEARY: We left off with, my case in chief  
6 | was almost completed. There was a lot of hearsay  
7 | testimony about Ms. Tina Martin's involvement. There  
8 | were three, apparently, HR professionals who could help  
9 | conduct the audit and she was one of them and she was not  
10 | present.

11 | MR. GURVICH: We are still on your case in  
12 | chief?

13 | MS. MCLEARY: Yes, sir.

14 | MR. GURVICH: Okay. go ahead, then. I just  
15 | want to make sure to let everybody have a chance to open  
16 | all -- but that's already happened, so we are still on  
17 | your case in chief. So why don't you call your  
18 | witnesses.

19 | MS. MCLEARY: Yes, sir. I'd like to call  
20 | Ms. Tina Martin. Okay.

21 | DIRECT EXAMINATION OF MS. MARTIN BY MS. MCLEARY:

22 | Q. Ms. Martin, could you please state your name for the  
23 | record for us here today.

24 | A. Tina Martin.

25 | MS. RYLAND: She needs to be sworn in.

1 MS. MCLEARY: Oh, I'm sorry.

2 MR. GURVICH: Yes. All the witnesses need to be  
3 sworn.

4 MS. MCLEARY: Yes. If you would just stand and  
5 face this lady right here.

6 (Ms. Tina Martin, Ms. Ashley Ruffin, Mr. Keith Paul, and  
7 two gentlemen are administered the oath.)

8 MS. MCLEARY: Okay. Thank you.

9 BY MS. MCLEARY:

10 Q. If you would, please start again. State your name  
11 here for the record.

12 A. Tina Martin.

13 Q. And, Ms. Martin, are you employed by a security  
14 company?

15 A. Yes.

16 Q. And what company is that?

17 A. Weiser Security.

18 Q. In what capacity are you employed?

19 A. I'm the human resource manager.

20 Q. Did you have occasion to have any dealings with  
21 Mr. Ronald Macomber while he was employed with your  
22 company?

23 A. Yes.

24 Q. And what was the nature of those interactions?

25 A. We both were state board instructors and coworkers.

1 Q. Okay. Were you asked -- are you aware of an audit  
2 conducted by your company into Mr. Macomber's activities  
3 as an instructor?

4 A. Yes.

5 Q. And were you involved with that audit?

6 A. Not to the extreme.

7 Q. Okay. What was your involvement?

8 A. I basically gave the information to my branch  
9 manager when I saw something, a discrepancy, in the  
10 training -- of the grading, I should say. I informed my  
11 branch manager.

12 Q. You had access to the records of his grades from his  
13 classes that he instructed?

14 A. Yes.

15 Q. Okay. And how did you come about looking into  
16 that?

17 A. I have to put the gray sheets and the blue ones, the  
18 copy of the blue and whites, inside of each employee's  
19 folder; so, therefore, I see the copies, also the  
20 originals, because I mail the originals in to the state.

21 Q. And what did you see in Mr. Macomber's training  
22 records that caused -- was there anything in  
23 Mr. Macomber's training records that gave you concern?

24 A. The grading, the scores.

25 Q. And what were you concerned about his scores?

1 A. There were lots of 100s on first and second eight  
2 hours continuously.

3 Q. In your experience as an instructor, is that common?

4 A. No.

5 Q. What did you do when you saw a lot of 100s on  
6 Mr. Macomber's tests?

7 A. I alerted my branch manager.

8 Q. And then what happened?

9 A. He -- she took it from there. I was out of it.  
10 Once I alerted her, I continued to do my job, and that  
11 was the most of it.

12 Q. Were you asked at some point to regrade those,  
13 Mr. Macomber's tests, that he had provided?

14 A. Yes.

15 Q. And what were your results from that regrading?

16 A. There were answers that were wrong, but they weren't  
17 indicated on the original grading. Like looking at the  
18 answer sheets, there was nothing written, marked wrong,  
19 but the answers were incorrect. So I was marking the  
20 incorrect ones, which was decreasing the 100s scores to  
21 90s and 80s and whatever it should have been at that  
22 time.

23 Q. So you, as an instructor, obtained different score  
24 results on Mr. Macomber's tests than he had?

25 A. Yes.



1 Q. And as a result, you turned this over to whom, you  
2 said?

3 A. My branch manager.

4 Q. And who would that be?

5 A. Nicole Errigo.

6 Q. Okay. Do you know what happened from that point on?

7 A. She then took it to the support center.

8 Q. Okay. Were you at all involved any further with any  
9 of those individuals that Mr. Macomber had previously  
10 instructed?

11 A. "Involved," what do you mean?

12 Q. In any kind of regrading, retesting, retraining?

13 A. Yes. Once instructed by the support center to  
14 retrain, I did just that.

15 Q. And how many individuals would you say you  
16 retrained?

17 A. I'm trying to visualize the room. About six for the  
18 retraining, and I had two new guards at the time, so I  
19 had about six.

20 Q. And you personally reinstructed them?

21 A. Yes.

22 Q. And did you provide them with the full state-  
23 required curriculum in your teaching?

24 A. Yes.

25 Q. Do you keep sign-in sheets or anything about that

1 retraining?

2 A. Yes.

3 Q. And were those provided to Weiser?

4 A. Yes.

5 MS. MCLEARY: And I believe, for the board's --  
6 those, those sign-in sheets, were previously provided and  
7 into the record last session.

8 I have no further questions of you, Ms. Martin, but  
9 Mr. Macomber may have some questions. So, if you would,  
10 just answer his questions.

11 MR. MACOMBER: Yes, I do.

12 CROSS-EXAMINATION OF MS. MARTIN BY MR. MACOMBER:

13 Q. Let me see where I start. You testified under oath  
14 here that you have never had any of your students, being  
15 an instructor, get 100 percent?

16 A. I'm sorry?

17 Q. In your professional experience, you never had  
18 guards get 100 percent on the test was what you just  
19 said?

20 A. No. I did not say that. I was asked questions.

21 MR. MACOMBER: If you read back the minutes, I  
22 think she said something that, in her capacity as an  
23 instructor, experience, she has never had guards pass 100  
24 percent.

25 MS. MCLEARY: Mr. Macomber, I believe I asked

1 her if it was typical.

2 MR. MACOMBER: Typical.

3 MS. MCLEARY: Correct.

4 BY MR. MACOMBER:

5 Q. Could that be maybe because of the training?

6 A. I'm not understanding your question.

7 Q. Maybe they got 100 percent because I --

8 MS. MCLEARY: Speak up a little bit for her if  
9 you don't mind.

10 BY MR. MACOMBER:

11 Q. Maybe they got 100 percent because I trained them  
12 and I was involved with them; could that be a possible?

13 A. I don't have a response to that. I don't know how  
14 you train. We both instruct differently.

15 Q. Thank you. You testified also that you retrained  
16 six of the people that I had trained, and you used the  
17 correct curriculum and time? because the board can go  
18 back to the December 7th hearing, where I had witnesses  
19 testify.

20 MS. MCLEARY: If I can object to his question,  
21 actually, I did not ask if she provided the time. I  
22 asked if she provided the curriculum provided for.

23 MR. MACOMBER: I'm sorry, ma'am. In the  
24 testimony, the curriculum was --

25 MS. MCLEARY: If you will rephrase.

1 MR. GURVICH: Rephrase the question somewhat.

2 BY MR. MACOMBER:

3 Q. Okay. Back in December 7th, I had witnesses that  
4 testified under oath that they were not properly trained  
5 the curriculum.

6 MS. MCLEARY: I will object to that. I don't  
7 believe that that was what was testified to.

8 MR. MACOMBER: I believe so. I had a witness  
9 sitting here.

10 MR. GURVICH: In the previous hearing?

11 MS. MCLEARY: In the previous hearing.

12 MR. MACOMBER: Yeah. I had a witness here --

13 MS. MCLEARY: I have the minutes and they can  
14 look.

15 MR. MACOMBER: Okay.

16 MS. MCLEARY: But I don't believe that your  
17 witness was able to say whether or not he was -- he  
18 actually, I believe, did say he believed he was taught  
19 the curriculum, but it was he was not there for the eight  
20 hours. But I do believe your witness did testify that he  
21 was taught the curriculum.

22 MR. MACOMBER: Correct. That's what I was  
23 getting at. Thank you.

24 MS. MCLEARY: Would you like for me to look it  
25 up, because -- or just take note of it?

1           MR. MACOMBER: I'm just saying that she wasn't  
2 here last time, and I had a witness testify of what she  
3 didn't do. And now she is here today and she's saying  
4 she did do it. So I'm just wondering --

5           MR. GURVICH: Well, what is on the last time is  
6 on the record.

7           MR. MACOMBER: Okay. Thank you.

8           MR. GURVICH: So we are dealing with today's  
9 issues, and so I guess we can figure out how we are going  
10 to ultimately handle this, because I guess we have to  
11 pause at some point before we render a decision on this  
12 to allow everybody time to review the minutes from the  
13 previous meeting.

14          MS. MCLEARY: We could. I believe they have  
15 been provided in your packets.

16          MR. GURVICH: Right. We're just seeing them  
17 today. We might need to take some time to do that.

18          MS. MCLEARY: Yes, sir. Ms. Martin, there was a  
19 lot of hearsay testimony about Ms. Martin's involvement,  
20 and the board's request was --

21          MR. GURVICH: We allow that sort of thing in  
22 administrative hearings.

23          MS. MCLEARY: Right. You had just wanted her to  
24 fill in some of the gaps and have Mr. Macomber have an  
25 opportunity --

1 MR. GURVICH: Let's try and keep this relevant.  
2 Let's limit the reliance on hearsay as much as we can,  
3 even though it's allowed. And we want everything to go  
4 to the probity of the evidence.

5 Okay. Where were we? Mr. Macomber was cross-  
6 examining your witness. Mr. Macomber.

7 MR. MACOMBER: Thank you. That was my point I  
8 wanted to make.

9 MR. GURVICH: All right. Redirect?

10 MS. MCLEARY: No, sir. No questions.

11 MR. GURVICH: Okay. Thank you, ma'am, for being  
12 here. Next witness.

13 MS. MCLEARY: It was the board's request that we  
14 have some of the guards that Ms. Martin had retested and  
15 so we were able to identify those and they are subpoenaed  
16 here today.

17 MR. GURVICH: Is there some possible -- just  
18 looking to expedite this, could we agree that they are  
19 going to say essentially the same thing as the previous  
20 witness?

21 MS. MCLEARY: I believe so. Well, I believe  
22 that Mr. Macomber's issue has been all along that the  
23 actual time of 16 hours in the classroom was not -- they  
24 didn't actually sit in a classroom for 16 hours. There  
25 was significant testimony the last time about the

1 facility, that there was a problem with the TV, I  
2 believe, or recording device, and the availability of the  
3 room.

4 There was some testimony that I read, and I point to  
5 you, that the instructor in Weiser had contacted the  
6 board and advised them of these issues, and they were  
7 told, if the curriculum is taught, the actual physical  
8 presence in the room for 16 hours was not required. That  
9 was what Mr. Macomber's significant issue was with saying  
10 that Ms. Martin's retraining was not sufficient, was not  
11 adequate, and wasn't in compliance with board regs.

12 I believe that they all could say that they weren't  
13 present in the room sitting there for 16 hours, but that  
14 they did -- were taught the full curriculum. That was  
15 what would be my -- what I would elicit from them.

16 MR. GURVICH: Well, Mr. Macomber has the right  
17 to cross-examine these witnesses --

18 MS. MCLEARY: Correct.

19 MR. GURVICH: -- and I certainly don't wish to  
20 circumscribe that right in any wise, but if there is a  
21 way to do this quicker.

22 MS. MCLEARY: But I believe -- Mr. Macomber, are  
23 there other issues that you would want from these  
24 witnesses, other than the fact that they weren't  
25 physically present for 16 hours?

1 MR. MACOMBER: Yes. If I'm being accused of  
2 this, she did the same thing, so I just want to know  
3 where the fairness is on that. And I do have questions  
4 for them, because --

5 MR. GURVICH: Well, okay. And I don't wish to  
6 circumscribe the right to cross-examination. If you want  
7 to -- how many more have we got, three witnesses or  
8 four?

9 MS. MCLEARY: Four.

10 MR. GURVICH: Four. Okay. Call them up. You  
11 have the absolute right to cross-examine them.

12 MR. MACOMBER: Thank you, sir.

13 MS. MCLEARY: Keith Paul, is Mr. Paul here? You  
14 can sit by me over here.

15 DIRECT EXAMINATION OF MR. KEITH PAUL BY MS. MCLEARY:

16 Q. Good morning.

17 A. Good morning.

18 Q. If you could, just state your name for the record  
19 for us.

20 A. Keith Paul.

21 Q. And just speak up so they can all hear.

22 A. Keith Paul.

23 Q. And, Mr. Paul, are you employed by a security  
24 company?

25 A. Yes, I am.



1                   MR. GURVICH: And have you been sworn as a  
2 witness?

3                   MR. PAUL: Yes, sir.

4 BY MS. MCLEARY:

5 Q. And you are a licensed guard?

6 A. Yes, ma'am.

7 Q. Who do you work for?

8 A. Weiser Security.

9 Q. When you were hired at Weiser, were you provided  
10 guard training?

11 A. Yes.

12 Q. Who provided you that training?

13 A. Mr. Ron Macomber.

14 Q. Do you remember when Mr. Macomber provided that  
15 training to you, what year?

16 A. Yeah. It was in February 2012.

17 Q. Where was that training held?

18 A. It was at the Work Force Center in Houma.

19 Q. Okay. And was that over a period of two days?  
20 Three days?

21 A. Two days.

22 Q. Two days. And do you remember what time you guys  
23 started in the mornings?

24 A. I want to say it was eight, nine o'clock.

25 Q. What time would you report to the center?

1 A. I was there for -- I was like there for seven  
2 o'clock.

3 Q. And what time, about, did the training start on the  
4 first day?

5 A. I want to say it was no later -- we started before  
6 nine o'clock.

7 Q. Okay. Did you guys break for lunch?

8 A. Yeah. We "broke" for lunch.

9 Q. Okay. And did you guys have training after lunch  
10 too?

11 A. We had training after lunch also.

12 Q. Until about what time?

13 COURT REPORTER: Wait. What was that answer?  
14 "Did you guys have training after lunch too?"

15 MR. PAUL: Yes. We had training after lunch.

16 BY MS. MCLEARY:

17 Q. Until about what time?

18 A. I want to say, the first day, we didn't leave -- it  
19 was after five o'clock.

20 Q. Okay. And what about the second day, what time did  
21 you get there?

22 A. About the same time.

23 Q. And did it start about the same time also?

24 A. It started about the same time.

25 Q. Did you guys break for lunch?

1 A. We "broke" for lunch.

2 Q. About how much time did Mr. Macomber give you guys  
3 for lunch?

4 A. I don't know. I don't know. It was 30 minutes to  
5 an hour.

6 Q. And what time did y'all end on that last day?

7 A. The last day, I want to say it was about 4:30, 4:40.

8 Q. Did he give you a test at the completion of that  
9 second day?

10 A. Yes, he did.

11 Q. Were you free to leave after the test, or did you  
12 have to stay?

13 A. We left after the test.

14 Q. Okay. Do you remember what time the test started?

15 A. We tested like throughout the -- pretty much the  
16 whole day.

17 Q. Okay. Whenever you were done, you could just go?

18 A. Yeah.

19 Q. Okay. At some point were you told that you would  
20 have to be retested -- I mean, retrained?

21 A. Yeah. Later, I guess it was all of a sudden, but we  
22 pretty much did the same thing we did the first time with  
23 Mr. Ron.

24 Q. Who had -- do you remember who told you, you had to  
25 be retrained?

1 A. Oh, I think Mr. Matt or something had called us and  
2 said we were going to need retraining.

3 Q. Okay. Do you remember who provided that training,  
4 the second training team?

5 A. Yeah. Ms. Tina Martin.

6 Q. And where was that training held?

7 A. The same place, at the Work Force in Houma.

8 Q. Same place. Was it -- on that first day that  
9 Ms. Tina Martin taught you, what time did you get there?

10 A. We started about the same time. Again, I was very  
11 early.

12 Q. And y'all broke for lunch?

13 A. Yes. We did break for lunch.

14 Q. And what time did you finish up in the afternoon?

15 A. I don't know. The first day, it was about 3:30,  
16 something like that.

17 Q. Okay. Now, what you were taught during that first  
18 day, was it similar to what Mr. Macomber had taught you?

19 A. Yes. Everything that we did the first day, second  
20 day was the same as Mr. Ron did.

21 Q. At that second day went about the same time?

22 A. About the same time.

23 Q. And were you again free to leave after you took your  
24 test?

25 A. Yes, ma'am.

1 Q. And do you remember about what time that was on the  
2 second day for Ms. Tina Martin's training?

3 A. Yeah. It was about the same time, almost four  
4 o'clock.

5 Q. And the content of the training, you said, was?

6 A. Pretty much basically the same thing.

7 MS. MCLEARY: I thank you. That's all I need to  
8 hear from you today. And Mr. Macomber may ask you some  
9 questions.

10 MR. GURVICH: Mr. Macomber, your opportunity to  
11 cross-examine this witness.

12 MR. MACOMBER: Yes.

13 CROSS-EXAMINATION OF MR. PAUL BY MR. MACOMBER:

14 Q. Mr. Keith, thank you for coming today. You stated  
15 in your training -- who was present, besides myself,  
16 during the training class?

17 A. Ms. Brandy Favors.

18 Q. Okay. Was there any other management from Weiser;  
19 just Ms. Brandy, correct?

20 A. Yeah. Brandy and yourself.

21 Q. Did you have security experience before I gave you  
22 that test?

23 A. Yes, sir.

24 Q. And how long experience did you have?

25 A. I want to say about a year and a half, two years.

1 Q. And I remember that was Amelia Bell where you were  
2 trained --

3 A. Amelia Bell Casino, yes, sir.

4 Q. -- and also licensed by the state board gaming  
5 division?

6 A. Yes, sir.

7 Q. So when you took my test, was it very hard for you?

8 A. No. It wasn't hard.

9 Q. Because of the experience you had had?

10 A. Yes.

11 MR. MACOMBER: Okay. Board, I would like to  
12 also -- thank you, Mr. Keith. I'm done with you. The  
13 paper that Weiser had turned in as evidence stating that  
14 Mr. Paul only received one day of training, you can see  
15 his testimony, he had taken two days of training. I want  
16 that to be on the record, please.

17 MR. GURVICH: Okay. And this is from the  
18 previous hearing?

19 MR. MACOMBER: Yes.

20 MR. GURVICH: Okay. There is no objection to  
21 that?

22 MS. MCLEARY: No, sir.

23 MR. GURVICH: Okay. Then I'll allow it.

24 MS. MCLEARY: Ms. Ashley Ruffin. I call  
25 Ms. Ashley Ruffin.

1 DIRECT EXAMINATION OF MS. ASHLEY RUFFIN BY MS. MCLEARY:

2 Q. Thank you for coming today. If you could, state  
3 your name for the board.

4 A. Ashley Ruffin.

5 Q. And speak up a lot, because this lady down here is  
6 going to have to write it down.

7 A. Ashley Ruffin.

8 Q. Okay. If you would, Ashley, do you work for a  
9 security company?

10 A. Yes, ma'am.

11 Q. What company would that be?

12 A. Weiser Security.

13 Q. And are you a licensed guard for them?

14 A. Yes, ma'am.

15 Q. How long have you worked there?

16 A. Since February of 2012.

17 COURT REPORTER: I didn't hear her answer.

18 MS. RUFFIN: February of 2012.

19 MS. MCLEARY: Jane, I don't think the mics are  
20 on.

21 MR. ROGILLIO: They're on.

22 MS. MCLEARY: It is? Could you turn it up a  
23 little bit? No?

24 MS. RYLAND: No. It's as high as it will go.

25 MS. MCLEARY: Okay.

1 BY MS. MCLEARY:

2 Q. Ms. Ashley, were you trained when you were first  
3 hired on with Weiser?

4 A. Yes, ma'am.

5 Q. Do you remember who provided that training to you?

6 A. Yes, ma'am.

7 Q. Who was that?

8 A. Mr. Ron.

9 Q. Mr. Ron?

10 A. Uh-huh.

11 Q. And where did y'all have it?

12 A. In Houma at the Work Force.

13 Q. Were you in the same class that Mr. Keith was in?

14 A. Yes, ma'am.

15 Q. Okay. And what time do you remember training  
16 starting that day?

17 A. Whatever time Mr. Keith made it there. The  
18 supervisor Brandy, I didn't have a ride at the time, so  
19 she made sure I was there early that day. And then, the  
20 second day, Keith, as of my supervisor concerned too, he  
21 gave me a ride the second day. So I had to be there for  
22 two days.

23 Q. Okay. So you were present at the same time  
24 Mr. Keith was?

25 A. Right. So when we took a break, I took a break.



1 Q. So, in addition to lunch, did y'all take other  
2 breaks?

3 A. No. We just took lunch.

4 Q. Just took lunch?

5 A. Uh-huh.

6 Q. Did y'all leave for lunch?

7 A. Yes. We went and ate at McDonald's.

8 Q. Okay. And, the second day, did y'all have -- was a  
9 test provided to you the second day?

10 A. Yes, ma'am.

11 Q. And were y'all -- did you have to wait on Mr. Keith,  
12 or did he have to wait on you after you finished your  
13 test?

14 A. I had to wait on him, because he was driving, so.

15 Q. And you finished before he did?

16 A. Oh, no. That was my first time ever taking it, so.  
17 I waited on -- he waited on me.

18 Q. He waited on you?

19 A. Yeah, because I took my time.

20 Q. Okay. Do you remember about what time you got home  
21 that second day?

22 A. It was around like 4:00, 4:30, 3:00, around that  
23 time.

24 MS. MCLEARY: No further questions.

25 MR. GURVICH: Mr. Macomber.

1 MR. MACOMBER: Yes. I just have two questions.

2 CROSS-EXAMINATION OF MS. ASHLEY RUFFIN BY MR. MACOMBER:

3 Q. Thank you, Ashley, for being here today. Like you  
4 stated, you had no prior security experience. But did  
5 you feel like, when I taught you the class --

6 MS. MCLEARY: Mr. Macomber, I will object, as  
7 she did not testify that she had no prior security  
8 experience.

9 MR. MACOMBER: I'm sorry. I thought she said it  
10 was the first time she ever took the test.

11 MS. MCLEARY: Took the test, but that she just  
12 -- that's not the same as saying she didn't have security  
13 experience.

14 MR. MACOMBER: I'll rephrase it.

15 BY MR. MACOMBER:

16 Q. Did you feel like you got proper, adequate training  
17 to go take the test and pass it by me?

18 A. Yes, sir.

19 MR. MACOMBER: That's all I have.

20 MS. MCLEARY: I have no further questions for  
21 her. And I don't know if you would like for me to talk  
22 to the other two witnesses to be able to -- I don't know  
23 if their testimony will be substantially similar. I  
24 suspect it may be. I only called them at the board's  
25 pleasure.

1 MR. GURVICH: And I'm, you know, the big  
2 expediter in all this just to try and save time.

3 MS. MCLEARY: Right.

4 MR. GURVICH. But, in the end, his wishes as to  
5 whether or not he wants to cross-examine these folks will  
6 be controlling, because that's absolutely.

7 MS. MCLEARY: Mr. Macomber, I have not spoken to  
8 them.

9 MR. MACOMBER: That's fine. I just have one  
10 more question for Ms. Ruffin. I'm sorry.

11 MS. MCLEARY: Oh, I'm sorry. I thought you were  
12 done.

13 BY MR. MACOMBER:

14 Q. You trained with me for two days?

15 A. Yes, sir.

16 MR. MACOMBER: Let the record show that the  
17 testimony that Weiser turned in also of Mr. Paul's, it  
18 reads that she was retrained because she only took one  
19 day of training, but she testified today she took two  
20 days. So that's the second witness in a row for false  
21 statement on this document provided to you.

22 EXAMINATION OF MS. RUFFIN BY MR. GURVICH:

23 Q. Ma'am, you said you had how many days of training?

24 A. Two.

25 Q. And how many hours during those two days?

1 A. They were both for eight days.

2 Q. Eight full hours?

3 A. Uh-huh.

4 MR. GURVICH: Okay. All right. Well, I guess  
5 that's --

6 MR. BAER: Mr. Chairman.

7 MR. GURVICH: Yes. Mr. Baer.

8 EXAMINATION OF MS. RUFFIN BY MR. BAER:

9 Q. Did they indicate to you why you had to retrain?

10 A. They told me I was not properly trained. But I took  
11 the test again. I'm not the smartest person, but I  
12 passed it the second time. And so I'm like what did he  
13 do differently that Ms. Tina didn't do? I passed it the  
14 second time, so I knew -- when I took the test, when I  
15 saw it again, I kind of went fast, because I saw it  
16 already. So I knew some of the stuff that was on there.  
17 And I just took my time.

18 MR. GURVICH: Further questions?

19 MR. MACOMBER: I'm fine. Thank you. Thank you,  
20 Ashley.

21 MR. GURVICH: Redirect? Recross? Thank you,  
22 ma'am.

23 MR. MACOMBER: You're welcome, sir.

24 MS. MCLEARY: These are just witnesses the board  
25 wanted to hear. I will put on the other two if it's the

1 board's pleasure or if Mr. Macomber would like to call  
2 them, but.

3 MR. GURVICH: Okay. So what is it that you want  
4 these two witnesses to say?

5 MS. MCLEARY: Nothing. I only subpoenaed them  
6 because the board asked me to subpoena them the last  
7 time.

8 MR. GURVICH: If they were to testify, that they  
9 would say what?

10 MS. MCLEARY: I don't know. You guys wanted to  
11 hear -- it was Mr. Macomber's assertion that they did in  
12 fact receive two days of training. The documents  
13 provided by Weiser said that they did not.

14 MR. GURVICH: He wants to cross-examine the  
15 witness?

16 MS. MCLEARY: The board wanted to hear from --

17 MR. GURVICH: Unless he knowingly --

18 MS. MCLEARY: -- the guards who were retrained.

19 MR. GURVICH: Do you want to cross-examine?

20 MR. MACOMBER: No, sir. I mean, these are good,  
21 hardworking people. I mean, there is no reason for them  
22 to come in here and lie or anything, but I believe, like  
23 the two witnesses testified, I did train them properly.

24 MS. MCLEARY: They are not in support of my  
25 case. I subpoenaed them because the board wanted to hear

1 from --

2 MR. GURVICH: You wanted to proffer the  
3 witnesses and say that, if called, they would?

4 MS. MCLEARY: I don't need to proffer them for  
5 my case. Again, I subpoenaed them.

6 MR. GURVICH: You don't need --

7 MS. MCLEARY: No, sir. They are at the board's  
8 pleasure if they have any questions.

9 MR. GURVICH: Okay. Well, then that settles  
10 that. Great. Thank you, all of you, for being here  
11 today. It's most important that folks follow up on these  
12 allegations and things like that.

13 So you are going to close?

14 MS. MCLEARY: I can.

15 MR. GURVICH: Unless -- your case in chief is  
16 finished?

17 MS. MCLEARY: Yes, sir.

18 MR. GURVICH: Okay. Mr. Macomber, do you have  
19 any witnesses of your own that you wanted to call?

20 MR. MACOMBER: No. just the ones I used on the  
21 7th. I may have a couple letters, but I think that's  
22 just more of an overkill.

23 MR. GURVICH: Are we ready for closing remarks?

24 MS. MCLEARY: Yes, sir.

25 MR. GURVICH: Okay. Because I'm going to give

1 | everybody a few -- I guess we have to go back and look at  
2 | the record from the previous hearing.

3 | MS. MCLEARY: Right. There was significant  
4 | testimony. My case in chief is --

5 | MR. GURVICH: Okay. Go ahead and state your  
6 | closing, then.

7 | MS. MCLEARY: We are here today because board  
8 | staff action denied Mr. Macomber's application for his  
9 | instructor -- instructor application with the new company  
10 | he -- after Weiser had terminated his employment. Weiser  
11 | conducted a length, lengthy internal audit, the  
12 | documentation of which and the audit document itself was  
13 | provided to the board when they provided Mr. Macomber's  
14 | termination documents.

15 | And the board reviewed that documentation. The  
16 | board subsequently got an application from Mr. Macomber  
17 | to be an instructor at a new company. Mr. Rogillio  
18 | testified that he relied significantly on the findings in  
19 | Weiser's audit and the findings of their HR manager of  
20 | the regrading of the -- that he relied significantly on  
21 | Weiser's assertions in the audit document.

22 | Following up on that, we provided -- or we had  
23 | testimony provided to the board by Ms. Charmaine -- I'm  
24 | sorry, Charlene Sutherlin last time about the scope of  
25 | the -- and Mr. Patin -- the scope of the audit. They had

1 found that Mr. Macomber's tests that he had graded during  
2 his instruction of their guards were overly -- I don't  
3 know if it's lenient or if he just put 100 or they were  
4 incorrect. His grading of many of their instructor tests  
5 were incorrect.

6 Ms. Martin testified today that she did regrade  
7 several of those tests and did find that they were in  
8 fact incorrectly graded.

9 There was testimony last time, I believe subsequent  
10 to board questioning, that only one of those 44  
11 individuals who were found to have incorrect scores would  
12 have failed. The 43 of the 44, in fact, would have  
13 otherwise passed the test. Their scores provided to the  
14 board by Weiser and by Mr. Macomber were just simply  
15 incorrect. Several of them were just 100 percent, 100  
16 percent on the test. After regrading, they were found to  
17 be 94, 96, 98, and other various test scores.

18 One of those individuals was found to have failed  
19 the test with, I believe, a 33 score. And it was  
20 reflected, Mr. Macomber's grading reflected 100 percent  
21 on that test. That person that was testified to last  
22 time was retrained, retested, and is now a properly  
23 licensed guard. But of those 44 individuals that they  
24 had audited and found incorrect scores from Mr. Macomber,  
25 one in fact had failed, and but he reflected a



1 100 percent and did pass him on to work as a guard.

2 There was also testimony the last time and this time  
3 about the retraining needed. Mr. -- the documentation  
4 provided by Weiser did reflect that they had not received  
5 adequate training, and their audit reflected that.

6 Mr. Rogillio relied on that. And Ms. Martin did testify  
7 today that she had to in fact retrain those individuals.

8 Case in point, the board action, Mr. Rogillio relied  
9 on the Weiser audit. It was found that Mr. Macomber did  
10 not properly grade and score scores of guard applications  
11 and guard tests. And, those, he knew those grades would  
12 be submitted to the board and would result in licensure  
13 of those guards. And one in fact shouldn't have even  
14 been licensed as a guard, because he in fact failed the  
15 test.

16 Mr. Rogillio testified that he felt this was  
17 significant enough to deny his subsequent licensure as an  
18 instructor for another company.

19 MR. GURVICH: And it's your assertion as the  
20 board's counsel that, in every case, the tests were  
21 graded more lenient than they should have been?

22 MS. MCLEARY: Yes, sir. I believe the testimony  
23 last time and the documentation provided into the record  
24 was that the test scores Mr. Macomber provided were  
25 higher than those that were actually earned by

1 the guards.

2 MR. GURVICH: In every case?

3 MS. MCLEARY: Yes, sir.

4 MR. GURVICH: So there is no element of  
5 randomness here?

6 MS. MCLEARY: No, sir.

7 MR. GURVICH: It didn't veer on the other side?

8 MS. MCLEARY: It appeared to be and the  
9 testimony was that, more often than not, a 100 percent  
10 score was given to the person, to the guard, and a  
11 100 percent score wasn't achieved by the guard.

12 MR. GURVICH: That's it?

13 MS. MCLEARY: Yes, sir.

14 MR. GURVICH: Mr. Macomber, final words  
15 regarding this matter?

16 MR. MACOMBER: Yes, sir. Off the top of my  
17 head, since she brought that up, Mr. Wayne relied on, if  
18 I remember, the last hearing, the investigation that  
19 Weiser completed, where he did testify -- he did say it  
20 was a good investigation, but there was a lot of hearsay  
21 and things like that. So he relied upon that  
22 investigation by Weiser, not by official documents for  
23 you guys.

24 Second of all, the individual that they mentioned  
25 failed is no longer a security officer. He quit Weiser

1 back in the day because he was being forced to come and  
2 take that class again. So he is not a licensed security  
3 officer anywhere in the state. So that's not true.

4 Also --

5 MS. MCLEARY: Excuse me. I don't believe I said  
6 he was currently a -- after the point it went, I mean --

7 MR. MACOMBER: I'm sorry. I thought you said he  
8 was a state licensed security guard now.

9 MS. MCLEARY: No. I didn't say now. I said,  
10 after he submitted the paperwork, he was in fact licensed  
11 and worked. And then you said just now he quit after,  
12 shortly thereafter.

13 MR. MACOMBER: Yes.

14 MS. MCLEARY: So please don't say that I'm not  
15 being honest or lying or --

16 MR. MACOMBER: I'm not saying that.

17 MS. MCLEARY: You did actually just say that.  
18 So, no, I didn't.

19 MR. GURVICH: We are not worried about  
20 personalities here.

21 MS. MCLEARY: No. But I'm not going to say  
22 that -- I'm not --

23 MR. GURVICH: Let's give this man an opportunity  
24 to stay his final words on that matter.

25 MR. MACOMBER: Okay. The witnesses that were

1 provided today was not by my doing. I don't have any  
2 contact with any of them. They are nice people, but I  
3 don't have any contact with any of them, so there is no  
4 way I can even talk to them and tell them what to say or  
5 what not to say as testimony. They came here on their  
6 own with Weiser. So, as you can see, they testified in  
7 front of their employer that I did no wrongdoing. So I  
8 think that should be the board decision that these  
9 witnesses, plus the one I had last time, and I have still  
10 got two statements from people saying I did properly  
11 train them.

12 MR. GURVICH: Those were from the previous  
13 hearing?

14 MR. MACOMBER: Yes, sir.

15 MR. GURVICH: So you had two; you did call  
16 witnesses at the previous hearing?

17 MR. MACOMBER: I had one, and I have two written  
18 statements, so it will be three.

19 MR. GURVICH: Okay.

20 MR. MACOMBER: And, like I said, the documents  
21 that were turned in here, you know, Mr. Wayne even said  
22 he was just going by what was given to him. He had  
23 nothing personal against me. We didn't know each other.  
24 But he was just going by what everything that was on  
25 here.

1           And, like, I testified here before today that two of  
2 the witnesses took two days of training. Here, Weiser  
3 gave you guys a document stating they only had one day of  
4 training, so that was a false statement. So it's  
5 basically what I believed it was.

6           I think someone on the board had mentioned that they  
7 were upset I left them, going over to another company,  
8 were afraid I was going to take new work. So that's all  
9 I have to say.

10          He did grant me my license temporary until this  
11 hearing. I have had no wrongdoings. I train everybody.  
12 I'm an old school guy. Okay? I was a cop for a long  
13 time. I like to sit in the classroom, and I like to tell  
14 stories, tell people so they don't fall asleep at these  
15 videos and all this training. So I make it fun for them,  
16 interesting, so maybe that's why most of them got a  
17 better grade than other instructors that just throw them  
18 in the classroom to watch the video and come back and  
19 check on them every hour. And, don't worry, I won't  
20 mention names on who does that, but I have been witness  
21 to that.

22           MR. GURVICH: Okay. So everybody has had a  
23 chance to speak their piece. Two things: first of all,  
24 this is an appeal of board action?

25           MR. ROGILLIO: Yes, sir. It was an appeal.

1 MS. MCLEARY: Appeal of staff action.

2 MR. GURVICH: The board denied the application  
3 for an instructor's license, and Mr. Macomber appealed  
4 it.

5 MR. ROGILLIO: Yes, sir.

6 MR. GURVICH: Secondly, we had testimony from  
7 the previous hearing. And so I think at this time I  
8 would like to -- I don't think we need to go into recess,  
9 but I'd like to give the board members time to read the  
10 testimony from the previous hearing, obviously, which I  
11 believe starts on page --

12 MR. BAER: Page 65.

13 MR. GURVICH: -- page 65. Mr. Macomber was --  
14 or page 64, the very bottom of page 64.

15 MR. ROMERO: Mr. Chairman.

16 MR. GURVICH: Mr. Romero.

17 MR. ROMERO: Based on the testimony given, would  
18 you entertain a motion at this time?

19 MR. GURVICH: Well, I'm certainly open to  
20 suggestions. If anybody wants to take time to read the  
21 transcript from the previous hearing -- but, certainly,  
22 the floor is open.

23 MR. ROMERO: Based on testimony, I would like to  
24 make a motion to authorize the board staff to issue  
25 Mr. Macomber an instructor license without restriction.

1 MR. GURVICH: We have a motion by Mr. Romero.

2 MS. VINSON: Second.

3 MR. GURVICH: Second by Ms. Vinson. So we have  
4 a motion on the floor. Debate? Discussion?

5 MR. BAER: Question for Ron.

6 MR. MACOMBER: Yes, sir.

7 EXAMINATION OF MR. MACOMBER BY MR. BAER:

8 Q. When they regraded the tests, test scores were  
9 different, how did you come up with 100 and then some of  
10 those came up with a 30, 70, 72, 92, anything but 100;  
11 how did you come up with --

12 A. I'm sorry. I thought it was like 90s and stuff like  
13 that. I'm sorry.

14 Q. Yes. How did you score, how did you put 100 when it  
15 wasn't 100?

16 A. I put 100 on it because I believed that was the  
17 right answer. Like I said, my method of training is, I'm  
18 in with them like this the whole time. I don't leave a  
19 room and come get me when the video is over. I instruct.  
20 I tell stories. I give scenarios about what's going on.

21 Q. Right. But they have a test, and it's right or  
22 wrong, yes or no.

23 A. Right. And if I gave them a test, they took 100 --  
24 they scored 100 on it, then they retested several months  
25 later. From my understanding, some of them were kind of

1 | upset they had to retake it. And so they might have  
2 | missed the answers because they were not paying attention  
3 | or, whatever the reason was. I wasn't there. I can't  
4 | answer that completely.

5 | MR. GURVICH: Ms. Vinson had a comment or a  
6 | question.

7 | EXAMINATION OF MR. MACOMBER BY MS. VINSON:

8 | Q. The problem here isn't -- the question isn't about  
9 | your training. The question is about your grading.

10 | A. Correct.

11 | Q. So, because you tell stories and you sit in the  
12 | classroom, does that mean that you don't compare their  
13 | answers to an answer key --

14 | A. No. I just --

15 | Q. -- and that you just give everyone a hundred?

16 | A. No, ma'am.

17 | Q. That's what we're trying to figure out.

18 | A. No, no, ma'am. I just --

19 | Q. So there is no question about what you are doing.  
20 | The question is about the end result.

21 | A. Right.

22 | Q. And if you are submitting and completing state board  
23 | training verifications --

24 | A. Correct.

25 | Q. -- that say 100 and the answer key doesn't really



1 reflect 100, are you not paying attention as you grade  
2 the answer keys?

3 A. That could be possible, but I don't give them 100  
4 just because they took my class. I feel like I'm more  
5 informative, so they have the knowledge and they get the  
6 right answers.

7 Q. But they are not giving the right answers, because  
8 you are not correctly grading the tests.

9 A. I'm just going by what they say. I don't know. I  
10 haven't seen the incorrect paperwork, the improper  
11 grading.

12 Q. I think you have been provided the paperwork.

13 A. For the tests that say nothing?

14 MR. GURVICH: Did you respond to the question  
15 completely, or do you have more you want to say?

16 A. I mean, it's a test. I gave them the test, and I  
17 know they passed the test. I know they deserve the  
18 grades. So if I have missed one which should have been  
19 an A instead of a C and they missed one and I said 100,  
20 then that's my mistake, but.

21 BY MS. VINSON:

22 Q. Yes. But when they are given -- when they get a 33  
23 and --

24 A. That was only one person. And, like I said, that  
25 person --

1 Q. That's the only one that we found or that they  
2 found.

3 A. They found, but he wasn't here to testify to all  
4 that, so I don't know if they documented -- or doctored  
5 the paperwork. I have no idea.

6 MR. GURVICH: Mr. Kennedy had a comment or a  
7 question.

8 EXAMINATION OF MR. MACOMBER BY MR. KENNEDY:

9 Q. Let me ask you, what is your procedure when you  
10 grade; do you grade them personally, or do you have them  
11 mark the answers as to correct --

12 A. I do it personally.

13 Q. -- by reading them out?

14 A. We used to have them sit there, and I go over each  
15 one with them, because, I feel like, if they even mark A  
16 and it should have been B, they should know the right  
17 answer. Even though it's marked wrong, they should know  
18 the right answer before they go out in the field and do  
19 their security work.

20 I don't think it was proper training if I sit there  
21 and say, okay, you missed four or five and they don't  
22 know the right answer. They still get it marked on the  
23 test, and then I give them the correct answer.

24 Q. My question is, did you grade it personally, each  
25 one, or did you call the answers out to them and let them

1 | actually grade themselves?

2 | A. On both, I did on two occasions that one, because I  
3 | didn't know we could do that. I thought we were supposed  
4 | to just go over it with them. And then, the other time,  
5 | I did it personally once I was told, just do it  
6 | personally.

7 | Q. The bottom line is, there is zero tolerance on the  
8 | first eight hours of state board training. You have a  
9 | Test B and a Test A.

10 | A. Correct.

11 | Q. The answers are written in stone.

12 | A. Right.

13 | Q. Your determination has nothing to do whether they  
14 | answer it right or wrong. They answer it according to  
15 | that answer key.

16 | A. Correct.

17 | Q. If you grade them personally, then it's difficult  
18 | for me to realize how you scored a 100 on a person who  
19 | actually answered 33 percent of them.

20 | A. Oh, correct.

21 | Q. I can understand maybe missing one while you are  
22 | going through 100, maybe a 98 or a 96.

23 | A. Correct, correct.

24 | Q. Because, remember, they were two points apiece.  
25 | There's 50 questions.

1 A. Correct.

2 Q. All right. But I cannot see how, if you grade it  
3 yourself, they only scored a 30 and you gave them a 100.

4 A. That wouldn't have been right, because, my  
5 understanding, that individual went on to be a site  
6 supervisor. So I don't know why I would give him a 100  
7 like that with a 30 percent, go. That's not proper. I  
8 would not do that.

9 MR. GURVICH: Further comments/questions? We  
10 have a motion on the floor. I will call for the vote.

11 MR. BAER: I second the motion.

12 MR. GURVICH: Well, I had Ms. Vinson seconding  
13 it --

14 MR. BAER: Oh, okay.

15 MR. GURVICH: But if you would like to join in  
16 the second, then I will record that there are two  
17 seconds, that of yourself and Ms. Vinson.

18 MS. RYLAND: Do you want a roll call?

19 MR. GURVICH: Yes.

20 (Ms. Ryland polls board members.)

21 MR. BAER: Yes.

22 MR. COTTON: No.

23 MR. GURVICH: I will abstain at this time.

24 MR. KENNEDY: No.

25 MR. ROJAS: No.

1 MR. ROMERO: Yes.

2 MS. VINSON: No.

3 MR. GURVICH: Okay. Mr. Romero's motion fails,  
4 four nays, two yeas, and one abstention. The floor is  
5 open. The floor is open. The floor is open. The floor  
6 is open. I don't know what else to say.

7 MS. VINSON: I'll make a motion.

8 MR. BAER: His license is being denied?

9 MR. GURVICH: No. The vote was to grant him the  
10 license, in effect, overturning the board staff's  
11 action. That motion was defeated. So the floor is open.  
12 Right now he has a denied license at the board staff  
13 level, but he is appealing to us to, in effect, overturn  
14 that determination by board staff.

15 MR. ROMERO: Mr. Chairman.

16 MR. GURVICH: And I am looking desperately for  
17 someone to make a motion. Mr. Romero.

18 MR. ROMERO: Is it my understanding that he has  
19 a temporary?

20 MR. ROGILLIO: Y'all gave him a conditional  
21 license --

22 MR. ROMERO: He has a conditional license.

23 MR. ROGILLIO: -- based on bringing these  
24 witnesses back up --

25 MR. GURVICH: Right.

1 MR. ROGILLIO: -- for continuance.

2 MR. KENNEDY: Is that not what we just voted  
3 on?

4 MR. GURVICH: No. The permanent license.

5 MR. ROMERO: The motion was to issue the license  
6 unrestricted. He has a conditional license now.

7 MR. GURVICH: So the floor is open.

8 UNIDENTIFIED SPEAKER: Mr. Chairman, I don't  
9 think everybody understood the question from the board.  
10 I think you need to be more specific about what they are  
11 voting on.

12 MR. GURVICH: Well, why don't you restate  
13 Mr. Romero's motion, Annette.

14 MR. ROMERO: I can paraphrase it.

15 MR. GURVICH: Did you want to comment on your  
16 motion?

17 MR. ROMERO: Yes. To summarize the motion, it  
18 was to authorize the board staff to issue an unrestricted  
19 instructor license. He already has --

20 MR. KENNEDY: A restricted.

21 MR. ROMERO: Yes. And based on the testimony  
22 that was given, I made my motion.

23 UNIDENTIFIED SPEAKER: And yes would mean that  
24 he would get the license, and no would mean that he would  
25 not get the license?

1 MR. ROMERO: Correct.

2 UNIDENTIFIED SPEAKER: Okay.

3 MR. GURVICH: Now, by the way, at any time any  
4 member can ask me to restate the motion if you don't  
5 understand it, at which time I will probably advert to  
6 Annette to actually literally say what the motion said,  
7 because I wouldn't have remembered it verbatim. But we  
8 can always have the motion restated if you like. Does  
9 anybody feel the need of that, what we voted on?

10 My understanding, and I think Mr. Romero has  
11 confirmed the understanding that he has a conditional  
12 license. But what we're today is to discuss and rule on  
13 the permanent license. And right now the motion to grant  
14 the license, permanent license, has been defeated. So  
15 there is no motion on the floor, and, therefore, anybody  
16 can make a motion.

17 MR. KENNEDY: So we need to address basically  
18 the temporary license that he has.

19 MR. GURVICH: Well, you could address the  
20 temporary license that he has, or you could address the  
21 board's -- the board staff's decision on the permanent  
22 license, which the board staff denied that. We granted  
23 on an interim basis a conditional license because we knew  
24 that several months would go by before we could  
25 reconvene, and so we granted a conditional license at

1 | that time.

2 |       So, I mean, there's one or two ways you could handle  
3 | it, but it seems to me that, in effect, we have got to  
4 | determine the licensure of this -- the status of this  
5 | man's permanent license, which is either to grant it or  
6 | not. Anything else, I mean, I guess we could certainly,  
7 | if someone wanted to extend the time on his interim  
8 | license, I guess one could. The floor is open.

9 |       MR. ROMERO: Mr. Chairman.

10 |       MS. VINSON: Mr. --

11 |       MR. GURVICH: Okay. Mr. Romero was a little bit  
12 | ahead of you.

13 |       MS. VINSON: That's all right.

14 |       MR. GURVICH: So I'll grant him the floor.

15 |       MR. ROMERO: I would just ask the question, what  
16 | would be the purpose of continuing a conditional license  
17 | based on the testimony and the circumstances that we are  
18 | dealing with? It seems to me at this point, either the  
19 | license has to be approved or denied. I don't see where  
20 | we have any room other than that.

21 |       MR. GURVICH: I would tend to support that  
22 | view. I mean, someone may differ, but I don't disagree.  
23 | Ms. Vinson had a comment or a question or a motion.

24 |       MS. VINSON: I believe I had a motion.

25 |       MR. GURVICH: Okay. Thank God.



1 MS. VINSON: I would like to make a motion to  
2 issue a license as an instructor and put Mr. Macomber on  
3 probation for one year, with an audit of his training  
4 files to happen within that year.

5 MR. GURVICH: I will second that. Any other  
6 seconds?

7 MR. ROMERO: I'll second it.

8 MR. GURVICH: Mr. Romero. Jointly seconded by  
9 Mr. Gurvich and Mr. Romero. Motion on the floor.  
10 Debate? Discussion? Counsel, final words, brief.

11 MS. MCLEARY: No, sir.

12 MR. GURVICH: Mr. Macomber, anything further?

13 MR. MACOMBER: No, sir.

14 MR. GURVICH: Debate? Discussion? There being  
15 none, I will call for a vote. Let's do a roll call.  
16 Does anybody have a question as to what we are doing? We  
17 are granting a probationary permanent license with an  
18 audit to follow. Call for the vote.

19 (Ms. Ryland polls board members.)

20 MR. BAER: Yes.

21 MR. COTTON: No.

22 MR. GURVICH: Yea.

23 MR. KENNEDY: No.

24 MR. ROJAS: Yes.

25 MR. ROMERO: Yes.

1 MS. VINSON: Yes.

2 MR. GURVICH: All right. The motion passes,  
3 five yeas, two nays. Well, congratulations, sir, but  
4 it's a probationary license.

5 MR. MACOMBER: Yes, sir.

6 MR. GURVICH: And you can expect, I believe,  
7 within the terms of the motion, there will be a follow-on  
8 audit within the year.

9 MS. MCLEARY: Mr. Gurvich, the question too is  
10 the nature of the license, I mean, whether -- is he  
11 employed in-house? Where is he employed? I believe  
12 there are some questions about that.

13 MR. GURVICH: Yes. That would certainly be  
14 appropriate for -- but probably to another venue. In  
15 terms of what we are doing, we have granted him whatever  
16 license he wants as long as he is otherwise eligible for  
17 a license of whatever kind he wants.

18 MS. MCLEARY: Okay.

19 MR. GURVICH: So I don't really know where we  
20 are, and, that, I don't know if that's really properly  
21 before the board, but.

22 MR. MACOMBER: It's just an in-house.

23 MR. GURVICH: An in-house license.

24 MS. MCLEARY: You are in-house now?

25 MR. MACOMBER: Yes.

1 MS. MCLEARY: Okay.

2 MR. GURVICH: Okay. I mean --

3 MS. MCLEARY: You're currently employed  
4 in-house?

5 MR. MACOMBER: Yes.

6 MS. MCLEARY: Okay.

7 MR. GURVICH: In terms of what we're here today  
8 to deal with, I think we've dealt with it, but --

9 MS. MCLEARY: He is eligible to apply to you  
10 guys for whatever he needs.

11 MR. GURVICH: Right, right, for whatever license  
12 he is eligible otherwise for. Okay. Thank you, sir.

13 MR. MACOMBER: Sir, question on that.

14 MR. GURVICH: Yes.

15 MR. MACOMBER: The license I was issued, the  
16 card and the -- was sent to Inner Parish, what do I do  
17 with that one? I wait for the new one to come in or?  
18 because it was only good --

19 MS. RYLAND: They are exactly the same. You're  
20 not going to get any.

21 MR. MACOMBER: Okay. I just wanted to make sure  
22 it was nothing different, like --

23 MR. GURVICH: That is not really something we  
24 are going to deal with today. That's for you and the  
25 board staff to work out.

1           MR. MACOMBER: That's fine. As long as I have  
2 it, that's fine.

3           MR. GURVICH: I want to thank everyone for being  
4 here, particularly our witnesses, for spending your time  
5 and coming before the board. And we appreciate your  
6 efforts to get this right.

7 **NEW BUSINESS, DISCUSSION OF USDOJ AUDIT**

8           MR. ROGILLIO: You all have this in your  
9 packet. I need to mention to you about this. We were  
10 recently audited by the U.S. Department of Justice as to  
11 fingerprints because we are, of course, supposed to take  
12 our prints to state police, and they use the automated  
13 system for submitting those prints.

14           You will notice, the only -- in the audit report,  
15 the only thing that we were in noncompliance with is  
16 holding public hearings or meetings and bringing up an  
17 individual's rap sheet. We can no longer do that.

18           They -- the lady who came here, said, if you are  
19 going to do that, you need to go into executive session  
20 and only have the individual who is affected to be here  
21 as long as the board and the staff is here. But no  
22 public can be here, and your can't enter it into the  
23 public record.

24           So I just want to make y'all aware of that. If we  
25 have a guard that we deny because of a felony conviction

1 or --

2 MR. GURVICH: Or any criminal.

3 MR. ROGILLIO: -- for any criminal mater.

4 MR. GURVICH: Moral turpitude would be the same  
5 problem.

6 MR. ROGILLIO: Right. You as a board would have  
7 to go into executive session in order to discuss that  
8 individual's background and his criminal history. And,  
9 again, only he or she could be here along with the board  
10 and the staff, of course. And it would not be part of  
11 the court reporter's record. So I just want to make  
12 y'all aware of that.

13 MR. GURVICH: Right. So we will need to go into  
14 executive session on that particular content.

15 MR. ROGILLIO: Yes, sir. And we will have to  
16 clear the room and only the individual who is involved be  
17 here to.

18 MR. GURVICH: Counsel, that's your job to remind  
19 me --

20 MS. MCLEARY: Yes, sir.

21 MR. GURVICH: -- because I may start off and  
22 forget.

23 MS. MCLEARY: I got it.

24 MR. ROGILLIO: I was under the impression that  
25 we, as long as they appealed it, we were able to

1 introduce it. And we had been doing that for years.

2 MR. GURVICH: Well, I suppose you could  
3 introduce it with a protective order of some nature.

4 MS. MCLEARY: It's just the nature of the open  
5 meeting was the only real issue.

6 MR. ROGILLIO: It cannot be part of the public  
7 record, which is what (indicating).

8 MR. GURVICH: Right. We have to come out of the  
9 executive session and then vote, but that won't really be  
10 a discussion of the man's criminal history.

11 MR. ROGILLIO: Well, no. You still vote, I  
12 think, in the executive --

13 MS. MCLEARY: No. You vote in public session.

14 MR. GURVICH: You come out -- you do your  
15 executive session, you come out and vote, but that's just  
16 a vote of whether you want to grant or deny the license.  
17 You don't really have to say -- you don't have to state  
18 any reasons at all.

19 MR. ROGILLIO: You are not bringing up the  
20 record is what. That's the problem they had with this,  
21 and.

22 **DETERMINATION OF DATE OF NEXT MEETING**

23 MR. GURVICH: All right. So have we basically  
24 come to the point where we've just got to determine the  
25 next date?

1 MS. MCLEARY: Yes, sir.

2 MR. ROGILLIO: June 20th okay?

3 MR. GURVICH: June 20th?

4 MR. ROGILLIO: I just throw that out.

5 MR. GURVICH: What's -- okay.

6 MR. KENNEDY: What's June 20th? A Thursday?

7 MR. ROGILLIO: That's a Thursday, yes.

8 MR. GURVICH: We have to meet by when? The end  
9 of the quarter.

10 MR. ROGILLIO: Well, you satisfied -- this is  
11 what? This is February. So, yeah. April, May, June.  
12 Yeah.

13 MR. GURVICH: Do we have to meet once a calendar  
14 quarter or once every three months?

15 MR. ROGILLIO: No. Once a calendar quarter.

16 MR. GURVICH: So this is our first quarter?

17 MR. ROGILLIO: Yes, sir.

18 MR. GURVICH: So we have to meet by June 30th.

19 MR. ROGILLIO: Right. And June 20th would  
20 satisfy that. And that's right before the new budget  
21 would take effect, July 1st.

22 MR. GURVICH: You will have all your documents  
23 ready on the financials and everything? Someone had  
24 indicated displeasure with June 20th?

25 MS. VINSON: No.

1 MR. ROJAS: I'll make a motion: June 20th.

2 MR. GURVICH: All right. June 20th at 9:30, is  
3 that acceptable? I'll make a motion.

4 MR. ROMERO: Second.

5 MR. GURVICH: Second by Mr. Romero. All in  
6 favor say aye.

7 ALL BOARD MEMBERS: Aye.

8 MR. GURVICH: Any opposed? The motion passes.  
9 The next meeting will be in the board office at 9:30 on  
10 June 20th, which happens to be, I am told, a Thursday.  
11 Questions? Ma'am.

12 MS. MCLEARY: Just one housekeeping on the  
13 professional services contract for the lawsuit, just to  
14 make sure that previous experience having represented  
15 other state agencies, make sure to get that approval from  
16 the attorney general's office in writing. I know this is  
17 their standard contract and rates and all.

18 MR. GURVICH: I will proceed to get that.

19 MR. ROGILLIO: Okay.

20 MR. GURVICH: Okay. Questions from the Public.  
21 We invite members of the public in the audience to  
22 address the board in any wise you wish. No force or  
23 violence upon the members, but.

24 **NEW BUSINESS, DISCUSSION OF FESS CLASSROOM TRAINING**

25 MR. ROGILLIO: I have one.



1 MR. GURVICH: Yes.

2 MR. ROGILLIO: The attorney -- and this is for  
3 discussion. It's not for a vote or anything. But the  
4 attorney for the FESS Corporation or FESS Security outfit  
5 came and met with me and brought me 85 copies of  
6 classroom training that FESS claims was mailed here, and  
7 we never got it. And his question was -- and I said, "I  
8 can't approve this. If the board wants to allow me to  
9 accept the copies, then so be it." But this is like 150  
10 violations.

11 MR. GURVICH: That emanate from the hearing  
12 which is the subject of the lawsuit?

13 MS. MCLEARY: New Business.

14 MR. ROGILLIO: This is New Business.

15 MS. VINSON: They sent it regular postage?

16 MR. ROGILLIO: That's what they said. We never  
17 received it. And I am only bringing this up, because the  
18 attorney asked me if I would ask you guys to allow this  
19 to be submitted. We don't normally accept copies. But  
20 in light of all the issues we have had, you may want to  
21 consider.

22 MR. GURVICH: The fact that there is a lawsuit  
23 pending, to me, makes no -- in no wise should FESS be  
24 handled any differently than you regularly handle  
25 everybody else. That's my two cents.

1 MR. KENNEDY: I agree.

2 MR. ROGILLIO: Because I was asked, I'm asking  
3 you and I'm satisfying that and I will let him know that.

4 MR. GURVICH: So these are documents that were  
5 filed late?

6 MR. KENNEDY: Never filed.

7 MR. ROGILLIO: We got these from the attorney.  
8 We did -- we went and did a background on training and  
9 did a training report. And none of these first and  
10 second eight hours had been submitted to us. And we have  
11 a printout of all the people that are affected and that  
12 are in these training forms.

13 MR. GURVICH: And this relates back to the --

14 MS. RYLAND: This has no relation to that. This  
15 is something totally new.

16 MR. GURVICH: A whole brand new thing.

17 MR. ROGILLIO: A whole brand new thing. When we  
18 went back and checked the records --

19 MR. GURVICH: It's my sense that, and anybody is  
20 free to disagree and we can certainly entertain a formal  
21 motion on it, but I don't think the fact that they have a  
22 lawsuit pending against the board changes anything.  
23 Whatever you would normally do, do.

24 MR. ROGILLIO: Well, normally, it has to be an  
25 original. And in producing these copies, if they had our

1 stamp on there, it would show that we in fact would have  
2 gotten them. But we never received this.

3 MR. GURVICH: Is it the sense of the board that  
4 we handle this exactly the same as we would any other?

5 ALL BOARD MEMBERS: Yes.

6 MR. ROGILLIO: Yes. That's fine. As I said, he  
7 asked me to ask and I'm asking, so I'd be glad --

8 MS. RYLAND: It's like 150, so that's the --

9 **QUESTIONS FROM THE PUBLIC**

10 MR. GURVICH: Questions from the Public. There  
11 being no further business, I will entertain a motion to  
12 adjourn, "cine die."

13 MS. VINSON: Motion to adjourn.

14 MR. ROMERO: Second.

15 MR. GURVICH: Motion by Ms. Vinson, Second by  
16 Mr. Romero. All in favor? Any opposed? This meeting is  
17 adjourned. Thank you.

18 **(End of proceedings.)**

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**C E R T I F I C A T E**

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I, Annette Ross, Certified Shorthand Reporter in and for the State of Louisiana, as the Officer before whom these proceedings were taken, do hereby certify:

That the proceedings as herein before set forth in the foregoing 115 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 original blue stamp on this page.

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ANNETTE ROSS,  
CCR NO. 93001

23rd day of March, 2013