



Alabama Security Regulatory Board

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MINUTES

Board Meeting

February 9, 2023

The Alabama Security Regulatory Board met on Thursday, February 9, 2023, at its office located at 2777 Zelda Road, Montgomery, Alabama, to conduct business. The following Board members were in attendance: Mr. Kevin Murphy (Chair), Ms. Debra Davis (Member), Mr. Harold Stamps (Member) and Mr. Jacob Pugh (new member). Others attending were Mr. Keith Warren (Executive Director), Ms. Neva Conway (Legal Counsel), Mr. Randy Barrows (Board Administrator), Mr. Kevin Smith (Board Accountant), Mr. Denny Merritt (Board Investigator), Mr. Dennis Trammell (Investigator), Ms. Karen Harlow (Legal Assistant), and Ms. Renee' Reames (Recording Secretary). Mr. Warren called Board member roll and indicated that a quorum of the members was presented to conduct a meeting. Mr. Murphy, Board Chair, called the meeting to order at 1:30 p.m. Mr. Warren reported that Sheriff Jones had resigned.

The regularly scheduled Board meeting was advertised on the Board's website, www.asrb.alabama.gov, and the Secretary of State's website, www.sos.alabama.gov, in accordance with requirements of the Alabama Open Meetings Act.

APPROVAL OF MINUTES

Chairman Murphy presented, for the Board's approval, the minutes from the November 3, 2022 regular meeting. A copy of the minutes was provided to the Board members prior to the meeting for their review.

MOTION: Mr. Stamps made a motion to approve the November meeting minutes as presented. The motion was seconded by Ms. Davis and unanimously approved by the Board.

EXECUTIVE DIRECTOR'S REPORT

Mr. Warren presented the Executive Director's Report (report on file in the official Book of Minutes). He presented financial activities of the Board for the period ending January 31, 2023, to include a Cash Reconciliation Report and detailed listing of Obligations vs Budget Report for the Board's review. Mr. Warren reported on the total number of active licensees, along with the number of applications pending receipt of background checks. Mr. Warren reported on the number of complaints received in FY 2022 and FY 2023.

MOTION: Ms. Davis made a motion to accept the financial report as presented. The motion was seconded by Mr. Pugh and unanimously approved by the Board.

Mr. Warren also presented the Administrator's report of activities performed by the staff since last reported at the November Board meeting. He provided to the Board a copy of the memorandum to contract-security companies regarding the Board's rule change concerning disqualifying offenses for licensure (memo on file in the official Book of Minutes).

Mr. Warren reported that Sheriff Jones had resigned from the Board due to conflicts in his schedule. He reported that a new candidate had been recommended to the Sheriff's Association to appoint to the Board. Chairman Murphy announced that he would be resigning at the end of his term in September and commented on his 14 years of service on the Board. Mr. Warren reported that the Lieutenant Governor's office had been notified of Mr. Stamps' interest in continuing to serve on the Board and his term had expired in October 2022.

Mr. Warren reported that an FBI audit had been conducted and there were no findings of the Board; however, there were some findings concerning ALEA practices.

LEGAL COUNSEL REPORT

Ms. Conway reported that the Administrative Law Judge Recommendations had been received on 5 cases that the applicants had appealed the administrative denial of their license. Chairman Murphy presented the following recommendations that the license be denied:

- Case 2022-039D - motion by Ms. Davis and second by Mr. Pugh to uphold the denial of the license. The motion was unanimously approved by the Board.
- Case 2022-041D - motion by Mr. Stamps and second by Mr. Pugh to uphold the denial of the license. The motion was unanimously approved by the Board.
- Case 2022-043D – motion by Mr. Pugh and seconded by Mr. Stamps to uphold the denial of the license. The motion was unanimously approved by the Board.
- Case 2022-048D – motion by Mr. Stamps and seconded by Mr. Pugh to uphold the denial of the license. The motion was unanimously approved by the Board.
- Case 2022-001D – motion by Ms. Davis and seconded by Mr. Stamps to uphold the denial of the license. The motion was unanimously approved by the Board.

Ms. Conway reported that she would notify the contract-security company/employer to take precautionary action in employment practices.

OLD BUSINESS

2023 Proposed Legislation: Mr. Warren presented a copy of the proposed legislation. The Board discussed changes to Chapter 34-27C-4(e) that would continue to require a background check upon initial licensing and renewal of license, but a full background history would only be required upon initial licensing. The Board agreed to modify Chapter 34-27C-4(3) in removing the word "renewal" in the first paragraph and adding a new paragraph for renewals: "To renew a license or certification, the applicant shall be subject to a criminal history check approved by the Board. The cost of the criminal history check will be the responsibility of the licensee." The Board also agreed that the licensee shall submit to the Board a sworn affidavit about their background. The Board agreed that this change, by not requiring a full background history check for renewed licensees, would reduce delays in processing applications and would allow flexibility in choosing a vendor to process background history check for renewed licenses.

The Board also discussed changes to the Board's statute regarding a person continuing to work during the period between the appeal of their denied license and the Board voting on the recommendations of the ALJ based on the appeal hearing. The Board agreed to modify the language in Chapter 34-27C-4(g)(2) to allow a licensee to continue to work, when appealing a denied license, until the Board took action on the appeal. The Board agreed that the company/employer could take whatever employment action they chose when notified that a guard's license had been administratively denied license.

The Board discussed removing the conflicting language in Chapter 34-27C-2(b) regarding compensation.

MOTION: Ms. Davis made the motion to approve the changes to the Board's statute as discussed and prepare the proposed legislative changes to submit during the 2023 legislative session.

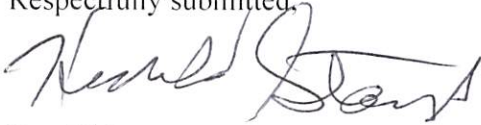
ANNOUNCEMENTS AND OTHER BUSINESS

Statement of Economic Interest: Mr. Warren reminded the Board members that the filing of a Statement of Economic Interest for the prior calendar year was due by April 30, 2023.

Next Board Meeting: Chairman Murphy reminded the members that the next meeting of the Board was scheduled May 11, 2023, at 1:30 p.m. at the Board's office.

There being no further business, Mr. Stamps made a motion to adjourn the meeting. The motion was seconded by Ms. Davis and unanimously approved by the Board. Chairman Murphy adjourned the meeting at 2:10 p.m.

Respectfully submitted,



Harold Stamps
Board Vice-Chair



Keith E. Warren
Executive Director

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