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Update

## Meet Kristine Farmer



I am pleased to introduce Kristine Farmer. She joined the PILB as the Southern Nevada Investigator on May 15. She served as the first female police officer for the Boulder City Police Department. She worked as a private investigator for 4 ½ years and qualified as an

expert in child abuse and sex-related crime investigations. Kristine says her two greatest accomplishments are her two beautiful daughters, ages 5 & 14.

## From the Executive Director

It is that time of year again....RENEWALS!

Renewals were mailed on May 19. If you have not received your renewal package, please contact our office. Hopefully, within about 10 days or so, you may download a renewal form at [nevadapilb@qlsuite.us](mailto:nevadapilb@qlsuite.us)

If you are unsure of the fees that are due, please contact our office and we will be happy to assist you.

This web-based program will eventually allow us to process applications more efficiently. It has already simplified many of the daily tasks that take place in this office. It allows us to access information quicker and easier. In the very near future, the public will have limited access to conduct status checks through the Licensing website. Licensees will be able to log in and change their contact information and renew online. This is the first of many changes

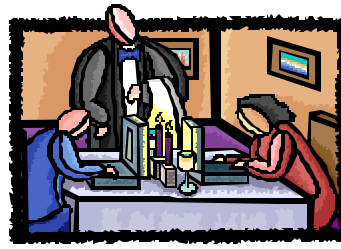
this office has implemented to better service the industries we regulate and serve with additional plans to enhance this system already underway.

Of course, this has not been glitch-free. During this conversion process we have encountered some problems along the way, but this is how we determine what needs to be fixed, or developed in a different manner. I am confident that once all the kinks are worked out, it will be smooth sailing from here on out. Thank you so much for your patience and understanding.

Kristine Farmer has joined the ranks of the PILB and she has hit the ground running. She went to the ICSC show to check out some alleged activity, and along the way conducted compliance checks with the contracted security companies.

The June Board meeting is fast approaching. We have several "hot topics" on the agendas. You should have received the Notice of Public Hearing and Work shop notices. If you have not received them, please contact our office, or they will soon be available on our website [nevadapilb@qlsuite.us](mailto:nevadapilb@qlsuite.us)

If you cannot attend the meeting, please submit your written comments to our office no later than June 1, 2006.



## Mystery Shoppers

This office recently received a complaint which has caused us great pause. The complaint involves certain mystery shopping businesses, one licensed and the other unlicensed.

The complaint names and provides written documentation of the licensee as having "teamed-up" with the foreign unlicensed entity to provide mystery shops in Nevada. This Office was unable to determine that a legal partnership exists between the two parties.

Lacking any previous disciplinary history, the licensee was warned accordingly pursuant NAC 648.270 which reads, "Each person who is a partner in a business whose activities are required to be licensed by chapter 648 of NRS must be licensed pursuant to the provisions of that chapter." Then, "the fact that the person aided, abetted, counseled, encouraged, hired, commanded, induced or procured, could not or did not entertain a criminal intent shall not be a defense to any person aiding, abetting, counseling, encouraging, hiring, commanding, inducing or procuring him (NRS 195.010)." The licensee was warned pursuant NRS 648.210 that such activity in violation of NRS 648.060 and NRS 648.205 inclusive is a misdemeanor for the first violation and a gross

misdemeanor for the second and subsequent violations. Pursuant to NRS 648.150(2), the licensee was ordered to immediately cease and desist all business activities in violation of NRS 648 and NAC 648 and was strongly advised that failure to comply with this order would be sufficient cause for disciplinary action.

Both the licensee and the unlicensed "partner" had documented in written form that their auditors "are independent contractors," that "our shoppers are independent contractors," that "at no time should any shopper be under the impression that he or she is an employee of the licensee" and that "you [the shopper] are responsible for having your own insurance for whatever type of activity you might be involved with while performing shops." We disagree for the following reasons.

The "mystery shop" or service evaluation is the function which binds the licensee to the regulatory requirements and authority of this government agency; thus, any person hired or retained to conduct any "shop" must be a registered employee of the licensed private investigator. The only exception would be for the licensee to directly subcontract with another Nevada licensed private investigator.

The document in question also reads, "Mystery shopping companies hire individuals to go into businesses under cover; the secret shoppers evaluate the service, write up a report and turn it in for a check." It is obvious to us as it would be to anyone engaged in the business of conducting mystery shops that the objective for the business, mostly web-based, is intended to recruit participation from the general public and is not specific in soliciting private investigators or their employees to perform said shops. Consequently, all mystery shopping businesses are advised that this practice is also in violation of NRS 648. Pursuant to NRS 648.060, you may neither subcontract with an unlicensed person nor may you award or assign any person, however remotely, to perform a "shop" without said person being a registered employee of the licensed private investigator.

Those of you engaged in providing mystery shops should know that once you schedule a shop via the internet to a new shopper, the shopper becomes the investigator and you must undeniably register the person with this agency, regardless of how many shops you schedule this person to perform thereafter.



## Convention Enforcement



The upcoming jewelry shows in Las Vegas have presented this Office with issues that hadn't previously been addressed. The most important issue involves the armored transportation companies and our licensed private patrolman businesses providing security primarily during pre- and post-show operations.

One of the most critical security issues for the armored transportation companies is being able to identify their personnel, especially at the docks with the unloading and loading of the armored cars and escorted freight trucks. Unfortunately, most of the armored transportation companies are not licensed private patrolman companies in the State of Nevada primarily because they fall under the Federal

Armored Car Reciprocity Act of 1993 which was amended in 1997 improving the flow of interstate commerce. The Act helped to reduce the financial burden on armored car companies who were required to obtain licenses or permits in every State in which an armored car crew traveled, allowing them to go from point A to point B to make deliveries only.

Some armored car companies have used our licensees, who were hired to provide armed security, and made the licensee and his/her employees use the armored car company's uniform. We strongly oppose this practice. The licensed entity is the Nevada licensed private patrolman

company, not the unlicensed armored car company. Consequently, the unlicensed entity may not engage in the business of providing any security service in the State of Nevada nor should it identify itself as such. The hired licensee may not use the unlicensed entities' uniform and must be identified as a bona fide Nevada licensee.

As a result, and with the permission of Dunbar Armored Air and Exclusive Protection, if the licensee is a uniformed security provider, the licensee and his employees must wear the appropriately approved uniform. If the licensee is a non-uniformed executive protection type provider, the licensee and his employees must wear an identifying card similar to the exemplar below.



# WORKING FROM HOME?

In the past, we were able to limit the information on our Access Data Base. With the implementation of our new program, we will no longer be able to do that.

We have never considered a licensee's home address and or phone number as public information. However, for those licensees who work from their home and utilize their home address and phone numbers as their business information, that information must be released if a request is made.



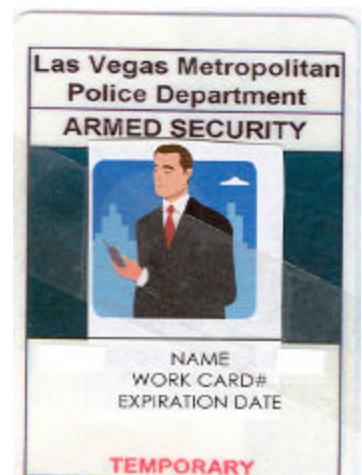
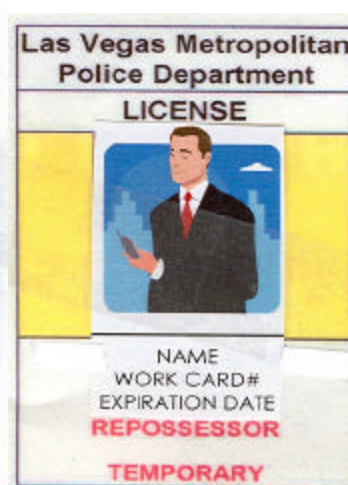
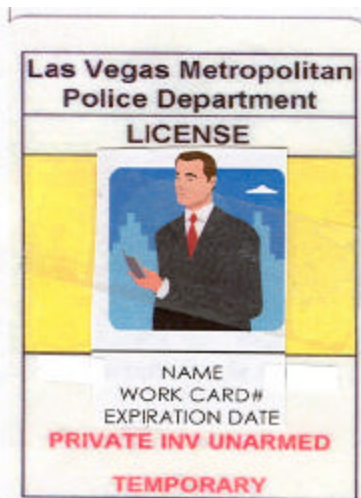
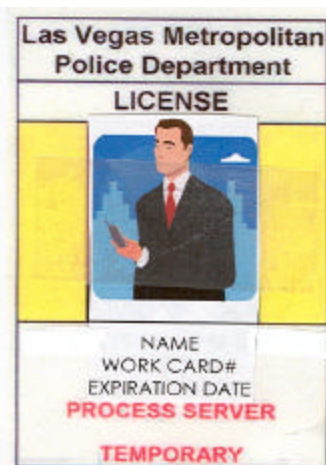
*No civilization ... would ever have been possible without a framework of stability, to provide the wherein for the flux of change. Foremost among the stabilizing factors, more enduring than customs, manners and traditions, are the legal systems that regulate our life in the world and our daily affairs with each other.*

*Hannah Arendt, Author*

If you do not want this information accessed by the public, or released to the public, you should consider obtaining a separate business address and telephone number. Pursuant to NRS 648.142(4) you must notify the Board of any such changes within (30) days.

## What is an acceptable work card?

During the course of our compliance checks and audits we are encountering various types of work cards. Pursuant to NRS 648 and NAC 648 any person who is employed by a licensee must hold a work card issued by the sheriff of the county in which the work is to be performed. This must be done prior to putting an employee to work. Failure to do so will result in a fine. The work cards displayed to the right are the work cards issued for our industry. Metro started utilizing this photo capturing system the end of 2002. There may still be some old cards out there from the beginning of 2002 that do not expire until 2007. As long as the card was issued for purposes of contract security and does not read "gaming" or "non gaming" there is no need to obtain a new card until it expires.





## ADOPTED REGULATIONS

The Board at their March 22, 2006 meeting adopted two regulations. These regulations were approved by the Legislative Commission and became effective on May 4, 2006.

From this point forward, all advertisements must include your license number on all advertising. The language is as follows:

In addition to the requirements set forth in NRS 648.148, a licensee must include his state-issued license number in every advertisement and in any written communication which refers to his business, or his ability to conduct business, in this State.

As used in this section, "advertisement" and "communication" include, without limitation, Yellow-page listings or advertisements; brochures; business cards;

letterhead or other official stationary; classified ads or television, radio vehicle or internet advertisements.

Included with this regulation, there is language that mandates a licensee not provide services for which they are not properly insured.

Effective May 4, 2006, the exam given to registered employees of private patrolman licensees is to be given every (60) months, or 5 years instead of (24) months, 2 years. This was adopted, by the Board as a temporary regulation and had been in effect prior to May 4, 2006.

If you did not receive a copy via US Mail, or by e-mail, please contact our office and we will see that you receive it. They will also be made available on the website once it is up and running.



## Helpful Hints

It is now more frequent that Notice of Violations are being issued to licensees for many different causes. As most licensees know, this can be prevented by following NRS 648 and NAC 648. In many cases the licensees have support staff to assist them in their day to day operations. Having a copy of the statutes and regulations at their fingertips would be a great source of information for anyone who works in your office.

Ultimately, the responsibility falls upon the license holder, the individual licensee or the qualifying agent.

**Prior to signing the registration forms, take a closer look.** Make sure they are legible and filled out completely. Incomplete registration or illegible registration forms will be returned, and may cause the registrations to go beyond the 10 day statutory requirement, which could result in a fine.

- **Submit registrations and terminations to our office one day each week. This will ensure that the statutory requirement for reporting new hires and terminations are done within the 10 days.**
- **Mark your calendars for submittal of quarterly reports to our office on the 15<sup>th</sup> day of June, September, December and March.**
- **Notify our office of any changes in address or contact information**
- **Provide our office with your current certificate of insurance prior to the expiration date.**



[www.leg.state.nv.us](http://www.leg.state.nv.us)

NRS CHAPTER 648  
NAC CHAPTER 648

# Update.....Board Meeting

At the last Board meeting, the Board approved 9 new private investigator licenses, 8 private patrolman licenses, 2 process server licenses, and 1 repossessor license.

One of the private investigator licenses granted at the last meeting was a corporate private investigators license limited to mystery shopping.

The Nevada Society of

Professional Investigators filed a petition for Declaratory Order stating that the Board did not act within the scope of NRS 648 and that the qualifying agent for this corporation was not qualified. This matter will be on the agenda for the June 21, 2006 meeting.

SOA requested an exemption to hire "out of state law enforcement personnel" for the upcoming JCK show. The

Board granted SOA, and only SOA permission to bring in out of state officers for the purposes of providing security at this show. These individuals must meet all requirements of NRS and NAC 648 relating to the employment of unlicensed employees.

# Contact Us...

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Any questions or comments regarding this newsletter, please contact Mechele Ray at:

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## IMPORTANT DATES TO REMEMBER:

Board Meeting – Carson City  
June 21, 2006  
Board Meeting Carson City  
September 20, 2006

## ALL LICENSES EXPIRE:

**JUNE 30, 2006**

Be sure to get your renewal in on time to avoid late fees.



*You can send your quarterly reports or WEEKLY termination report electronically. You can send them as a Word or Excel attachment or simply put them in an e-mail to*

*Ejtrent@ag.state.nv.us*

*If you are not currently receiving our newsletter or other important information electronically, send your e-mail address*

*to:*

*Ejtrent@ag.state.nv.us*