



STATE OF MINNESOTA
Board of Private Detective and Protective Agent Services
1430 Maryland Avenue East, St. Paul MN 55106

October 26th, 2017

Representative Sarah Anderson
100 Rev. Dr. Martin Luther King Jr. Blvd.
Saint Paul, Minnesota 55155

Dear Representative Anderson,

At my testimony in front of the State Government Finance Committee on October 12th, 2017 Representative Quam requested further data regarding the situation with security at US Bank Stadium.

I was asked about what the background records were on the individuals noted in my report. Those individuals listed were provided by Monterrey. Our agency had submitted a data request to the BCA for those records and received the following reply:

Access to Background Check results is not available to the Board because the results are "criminal history data" as defined under Minn. Stat. § 13.87, subd. 1. Criminal history data are classified as private, pursuant to section 13.02, subdivision 12. See, Minn. Stat. § 13.87, subd. 1(b). Private data can only be accessed by the subject of that data or with the subject's written, informed consent. The Informed Consent form from the president of Monterrey Security Consultants, Inc. does not provide consent from the individual subjects of the data.

Through other state database research I was however able to find the following:

Person #1:

NOTE: Not allowed to possess, ship, transport a firearm until **1/11/2012**

1. **3/02/1999:** Arrested for drug possession (Marijuana)
 - a. **Disposition:** Bail
2. **3/25/1999:** Convicted no child restraint – 3 year old
3. **5/04/1999:** Convicted with **5th Degree Possession:**
 - a. **NOTE:** "Not small amount marijuana"
 - b. **Sentence level:** Misdemeanor
4. **11/08/1999:** Convicted with disorderly conduct
5. **12/23/1999:** Probation violation of 5th Degree Possession conviction
6. **1/03/2000:** Probation violation of 5th Degree Possession conviction
7. **10/11/2001:** Convicted with 2nd Degree Possession:
 - a. **NOTE:** "Possess 6 grams or more"
 - b. **Sentence level:** Felony
8. **11/04/2001:** "Arrested for drug – other controlled substance offenses"
 - a. **NOTE:** "MS-Possession of marijuana in a motor vehicle – small amount"
9. **4/12/2001:** Convicted of driving after suspension
10. **4/29/2002:** Probation violation of 5th Degree Possession conviction
11. **8/27/2002:** Sent to St. Cloud Correctional Facility

- a. For 2nd Degree possession of cocaine
12. **3/08/2004:** Released from DOC
 - a. Mandatory release
13. **1/06/2005:** Discharged from criminal justice system
14. **7/20/2006:** Convicted of driving after suspension of license
15. **2/02/2008:** Convicted of traffic – Driver’s license – driving after suspension
16. **8/17/2011:** Convicted of “Drivers’ Licenses - No driver’s license in possession or failure to display upon request”.
 - a. **Sentence level:** Petty misdemeanor
17. **7/25/2012:** Convicted of driving without a valid license or vehicle class/type; multiple license prohibited
18. **9/26/2012:** Convicted of driving without a valid license for vehicle class or type
19. **3/29/2013:** Convicted of speeding – duty to drive with due care – speed greater than reasonable
 - a. **Sentence level:** Petty misdemeanor
20. **4/11/2013:** Convicted Traffic – Driver’s License – Driving after suspension
 - a. **Sentence level:** Misdemeanor
21. **9/10/2013:** Convicted of parking in a no parking zone
22. **10/08/2013:** Convicted of disorderly conduct
 - a. **Sentence level:** Misdemeanor
23. **12/09/2013:** Convicted of “Traffic – Driver’s License – Driving after suspension”
 - a. **Sentence level:** Misdemeanor
24. **12/09/2013:** Charged with
 - a. 2 counts of 5th Degree Assault – Misdemeanor
 - b. Disorderly conduct
25. **12/13/2013:** Charged with:
 - a. Disorderly conduct
 - b. 5th degree assault – Misdemeanor
 - c. Domestic assault - Misdemeanor
26. **12/11/2014:** Arrested for
 - a. Traffic-Driver’s License – Driving after suspension
 - b. **Disposition:** Warrant/Writ
 - c. Traffic regulation – uninsured vehicle – owner
 - d. **Disposition:** Warrant/Writ
 - e. Traffic regulation – Issues, display, possess insurance ID card when insurance not in force
 - f. **Disposition:** Warrant/Writ
 - g. Disorderly conduct
 - h. 5th Degree Assault – Misdemeanor
 - i. Domestic Assault
27. **3/17/2015:** Charged with domestic assault-misdemeanor – intentionally inflicted/attempted to inflict bodily harm on another
 - a. Charge dismissed
28. **3/17/2015:** Charged with disorderly conduct-brawling or fighting
 - a. Charge dismissed
29. **3/17/2015:** Charges with 5th degree assault – Inflicted or attempted to inflict bodily harm
 - a. Charge dismissed
30. **7/06/2015:** Convicted of speeding
 - a. Going 91 mph in a 65 mph zone
 - b. **Sentence level:** Petty misdemeanor

31. **2/10/2016:** Convicted of driving after cancellation

Person #2:

1. **12/21/2010:** Theft-Take/Use/Transfer Movable Prop-No Consent
 - a. **Sentence level:** Convicted of a Misdemeanor
2. **12/13/2012** - Theft-Take/Use/Transfer Movable Prop-No Consent
 - a. **Sentence level:** Convicted of a Misdemeanor
 - b. Disorderly Conduct-Offensive/Abusive/Noisy/Obscene
 - i. Dismissed
3. **7/8/2013** - Possession or sale of small amount of marijuana
 - a. Level Of Sentence Unavailable/ Sentenced
4. **8/2/2013** - CR-THEFT-SHOPLIFTING-LESS THAN \$500(609-52-2-A-1)
 - a. **Sentence level:** Convicted of a Misdemeanor
5. **9/13/2013-** THEFT Convicted
 - a. **Sentence level:** Convicted of a Petty Misdemeanor
6. **2/2/2013** - Receiving/Possessing Stolen Property
 - a. **Sentence level:** Convicted of a Misdemeanor
7. **11/3/2015** - Possession of Pistol Without a Permit
 - a. **Sentence level:** Convicted of a Gross Misdemeanor

Person #5:

1. **7/21/2014** - Obstruct Legal Process-Interfere w/Peace Officer
 - a. Dismissed
2. **11/3/2015** - POSSESSION OF DRUG PARAPHERNALIA
 - a. Dismissed
3. **11/3/2015** - MARIJUANA IN M/V (DRIVER/OWNER/PASSENGER <=1.4 GRAMS)
 - a. Convicted of a Petty Misdemeanor
4. **1/4/2015** - Disorderly Conduct-Brawling or Fighting
 - a. Convicted of a Misdemeanor
5. **1/4/2016** - Predatory Offender-Knowingly Violates Registration Req. or Intentionally Provides False Information (Not applicable - GOC)
 - a. Convicted of a Felony
6. **3/22/2016** - DRIVING AFTER REVOCATION
 - a. Convicted of a Petty Misdemeanor
7. **5/23/2016** - Predatory Offender-Knowingly Violates Registration Req. or Intentionally Provides False Information (Not applicable - GOC)
 - a. Convicted of a Felony
8. **6/18/2016** - DRUGS - POSSESSION OF DRUG PARAPHERNALIA
 - a. Convicted of a Petty Misdemeanor
9. **1/19/2017** - DRIVING AFTER REVOCATION
 - a. Convicted of a Petty Misdemeanor
10. **2/7/2017** - Theft-Other-\$500 or less -
 - a. Convicted of a Misdemeanor

The remaining (2) individuals were admitted by Monterrey to have failed the background check as noted below:

Person #3:

1. Monterrey admitted that he failed the background check from the BCA.
2. In their audit material submission, we couldn't find where Monterrey submitted a criminal history result letter to us.
3. He was hired on **7/22/2016** and terminated **1/02/2017** per Monterrey records.

4. BCA CCH data request results indicate that he was backgrounded on **11/30/2016**.

Person #4:

5. Monterrey admitted that he failed the background check from the BCA on **5/26/2016**.

6. This individual was found in a criminal history result letter submitted by Monterrey.

7. He was hired on **6/20/2016** and terminated on **12/05/2016** per Monterrey records.

8. BCA CCH data request results indicate that he was backgrounded on **5/26/2016**.

These individuals did not show up on a state records database, which leads me to believe their records were outside of Minnesota and identified through the FBI search. Our agency does not have access to that system.

I was also asked for numbers of employees involved with security at these events. For events such as football games and concerts it appears from documents reviewed that the number was approximately **700**. In trying to determine the total number of employees for the company, past and present in a 2 year period, we came up with approximately **1200**. This did not include any employees from out of state.

In regard to my testimony, as a matter of integrity I need to point out that my statement regarding the displaying of identification cards per MN Statute 326.336, Subd. 2 was incorrect. That specific statute actually does not state that ID cards must be displayed. Though it is not mandated by statute it is considered a best practice. In my mind at the time was a recent meeting with the Superbowl security contractor in which displaying of credentials was part of the conversation.

This issue brings up an important point: Our statutes need some serious revision. I have identified a number of loopholes and deficiencies within our statutes that, if revised, would not only improve the safety of our industry, but make processes more efficient for license holders. I would greatly appreciate a meeting with you, any of your committee members, or any other legislators that would work with me in regard to revising our statutes.

Although the purpose of the committee meeting was to discuss the security issues at US Bank Stadium it is important to note some other observations I had. When I attended the September 29th, Saints vs. Vikings Monday Night Football event I also observed a very well designed and clean facility, plenty of services available, an abundance of staff, and a seamless crowd flow. It was a very well managed event.

I realize the focus of our testimony was on the security issues with Monterrey Security. Understand that our agency regulates the entire state of Minnesota. In regard to that I hope the committee understands with current resources we are somewhat limited with what we can do and in a reactive mode. I am not sure what we would find if we conducted the same type of research at other facilities and events.

Sincerely



Gregory J. Cook, CFE, CPP

Executive Director

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<https://dps.mn.gov/entity/pdb>