The Minnesota Board Of Private Detective And Protective Agents

REISSUANCE REPORT

Monterrey Security Consultants, LLC
License #1179

September 22, 2017

STATE OF MINNESOTA

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

TO: **Board Members**
FR: **Greg Cook**
DATE: **September 21, 2017**
RE: **PAC-1179 - Monterrey Security Consultants, Inc. ("Monterrey"): Reissuance Analysis**

Board Members,

Enclosed you will find information related to the reissuance of Monterrey Security Consultants, Inc. ("Monterrey") license. The review of this reissuance entailed a large volume of data. Much of that data was in the various numbers both provided by Monterrey and produced by this agency. In the report that follows our agency has summarized this information, as well as other details, as best as possible.

Background:

Monterrey originally went before the Board for application review at the June 30th, 2015 Board meeting. There were four members of the Board present. The vote for approval was split 2 to 2. At the July 28th, 2015 Board meeting the Board approved Monterrey's Corporate Protective Agent License and assigned it #PAC – 1179.

Upon licensing Monterrey was awarded the contract for the US Bank stadium and have been providing services at that facility for Vikings football games, concerts, and other events.

At the July 25th, 2017 Board meeting the license holder was granted a contingency in order for further review of the information received. The contingency lasts 60 days.

Summary of Issues:

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1. **Administrative items have been corrected. This includes:**
    a. Change of address
    b. Application page listing Juan Gaytan as CFO
    c. Proof of Insurance
    d. Juan Gaytan's identification card
    e. Preassignment training
2. **Discrepancies found:**
    a. Lack of preassignment training for staff being completed or done in a timely manner
    b. Lack of continuing training for staff being completed or done in a timely manner
    c. Non-Certified Instructors teaching courses
    d. Lack of timely and completed background checks
    e. Employees being hired with disqualifying criminal records
    f. Lack of identification cards being issued to protective agent staff
    g. Discrepancies found in the number of employees reported
    h. Monterrey's definition of protective agents/security personnel vs. statute definition
    i. False statement made to Board by Juan Gaytan regarding the busing in of employees from out of state
    j. Possible alteration of records

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Below is the analysis of Monterrey's responses to the reissuance issues sent to them on July 18, 2017. The **bolded** phrases are the issues we sent Monterrey, the *italicized* words are Monterrey's direct quote responses, and all staff comments can be found under the "Board Staff Notes" after each response.

1. **The address you provided on your application (330 S 2nd Ave. Suite 370 Minneapolis, MN 55401) does not match with the address we have in our database (100 S 5th Ste. #1075 Minneapolis, MN 55402). Please advise when this address change was made.**

• **Monterrey Response:** *"Monterrey relocated its office on August 22, 2016. Following that relocation, Monterrey promptly changed its address on record with the Bureau of Criminal Apprehension, and has been receiving mail from the BCA, including background check reports, from the BCA at the new address."*
• **Board Staff Notes:** On July 26, 2017, the agency did receive an initial notification of Monterrey's address change. Board staff requested and received a $25.00 check, as it is the required address change fee. The agency cannot find where they were previously notified of this address change. Notification to BCA for whatever purpose is not the same as notification to this Board as this agency is housed at the BCA, but not part of that agency.
• **Minnesota Statutes Involved:**
• **326.3385 CONDITIONS OF LICENSING. Subdivision 1.** Notice of Address Change. A license holder who moves to an address other than that given on the license certificate shall give written notice to the board within seven days of the move. The notice shall give the new address or location, the date the move was made, and be accompanied by the license, at which time a new license will be made showing the new address or location.

2. **You listed "N/A" for the Chief Financial Officer position (CFO). Per statute 326.3382, the CFO position is required for corporations. Our records indicate Juan Gaytan is the CFO. Please advise if this is accurate. If so, please complete the attached addendum.**

• **Monterrey Response:** *"Juan Gaytan should still be listed as CFO. Mr. Gaytan has executed the License Reissuance Application as CFO of Monterrey. A copy of that fully executed documents is included herewith."*
• **Board Staff Notes:** Monterrey did submit a corrected application page listing Juan Gaytan as the CFO of Monterrey.
• **Minnesota Statutes Involved:**
• **326.3382 APPLICATION FOR LICENSE. Subdivision 1.** Application form. (a) Application for a private detective or protective agent license shall be made on a form prescribed by the board. Each applicant shall provide the following information: (b) each application shall be signed and acknowledged as follows: (3) if the applicant is a corporation, by the chief executive officer, chief financial officer, and the qualified representative of the corporation. If the principal place of the applicant's business is outside Minnesota, the application shall also include the signature of the Minnesota manager.

3. **Please provide proof of insurance from 4/08/2017 to 6/01/2017 to show continuous coverage over the entire last two years.**

• **<u>Monterrey Response</u>:** *"A Certificate of Liability Insurance is included herewith."*
• **<u>Board Staff Notes:</u>** Monterrey did submit a Certificate of Liability Insurance covering them from 02/08/2016 to 06/01/2017.
• **<u>Minnesota Statutes Involved</u>**:
• **326.3382 APPLICATION FOR LICENSE. Subd. 3.** Proof of insurance. (c) The applicant shall furnish proof, acceptable to the board, of the applicant's ability to respond in damages for liability on account of accidents or wrongdoings arising out of the ownership and operation of a private detective or protective agent business. Compliance with paragraph (d), (e), or (f) is satisfactory proof of financial responsibility for purposes of this paragraph. (d) The applicant may file with the board a certificate of insurance demonstrating coverage for general liability, completed operations, and personal injury. Personal injury insurance must include coverage for: (1) false arrest, detention, imprisonment, and malicious prosecution; (2) libel, slander, defamation, and violation of rights of privacy; and (3) wrongful entry, eviction, and other invasion of rights of private occupancy. In the event of a policy cancellation, the insurer will send notice to the board at the same time that a cancellation request is received from or a notice is sent to the insured. **326.3383 LICENSE REISSUANCE. Subd. 3**. Bond and proof of financial responsibility. Each applicant for license reissuance shall maintain a $10,000 surety bond, and show proof of financial responsibility as required in section 326.3382, subdivision 3.

4. **The following issues were found on your Affidavit of Training (AOT):**
   a. **Please provide explanations for the following:**
      i. **On the AOT, there are a total of 1197 employees listed. Of those employees, 273 employees are listed as Protective Agents. But on your application, you listed 600 for the number of employees currently working for the business authorized under your license. Please explain.**

• **<u>Monterrey Response:</u>** *"Since its inception in Minnesota, Monterrey has employed a total of 1,197 people in various capacities. Of those employees, a total of 273 have been employed as Protective Agents. Due to the seasonal and cyclical nature of Monterrey's business, it currently employs approximately 600 people (of the 1,197 total that is has employed since its inception). Of those 600 total employees, only a fraction are Protective Agents working under Monterrey's license. Of the 273 total Protective Agents that Monterrey has ever employed, those that are no longer Monterrey employees have been listed with a "termination" date in various spreadsheets previously supplied to the Board. In an abundance of caution, and in an effort to provide the most complete information possible to the Board, Monterrey has disclosed information regarding all of its Minnesota employees, not just its Protective Agents authorized to work under the Monterrey license."*

- **Board Staff Notes:** Per the reissuance Affidavit of Training (AOT) submitted by Monterrey, they did list a total of 1,197 employees and 273 of those were listed as protective agents. See the section of this report discussing job descriptions, the "Summary of AOT issues" and graphs below.

i. **Gaytan, Juan does not have a date for when his ID card was issued and does not have any Preassignment training information listed. The Board has determined that all license holders are considered employees and shall be issued an ID card and be subject all training requirements. Please advise if you received that training and if you have issued yourself an ID card per MN Statute 326.336, Subd. 2.**

- **Monterrey Response:** *"Monterrey has provided Mr. Gaytan with an ID card, effective July 20, 2017. Mr. Gaytan is the co-creator and co-developer of Monterrey's certified pre-assignment training course. In that capacity, Mr. Gaytan has spent hundreds of hours over the course of several years creating, developing, and refining Monterrey's Board-approved pre-assignment curriculum. Monterrey believes that Mr. Gaytan's role in developing its certified training curriculum satisfied his pre-assignment training requirements. Nonetheless, out of an abundance of caution, Mr. Gaytan is in the process of attending, and will complete, Monterrey's certified pre-assignment training course prior to the Board meeting on July 25, 2017.*
- **Board Staff Notes:** Monterrey indicated that Juan Gaytan was created an ID card on July 20, 2017, but there has been no verification of this. During Monterrey's application process, Juan Gaytan was not waived of the preassignment training, and was therefore, subject to such requirement. Therefore he clearly did not complete it in the required time period. A certificate was provided to the Board showing completion of preassignment training PPA-109 on July 20th, 2017.

Minnesota Statutes Involved:

326.336 EMPLOYEES OF LICENSE HOLDERS.326.3383 Subd. 2. **Identification card.**

An identification card must be issued by the license holder to each employee. The card must be in the possession of the employee to whom it is issued at all times. The identification card must contain the license holder's name, logo (if any), address or Minnesota office address, and the employee's photograph and physical description. The card must be signed by the employee and by the license holder, qualified representative, or Minnesota office manager.

7506.2600 PREASSIGNMENT OR ON-THE-JOB TRAINING REQUIREMENTS.

Subpart 1. License requirement. A person employed as a private detective or protective agent must spend a minimum of 12 hours in preassignment training within the first 21 days of employment. An individual who leaves the profession for three years or longer and returns to employment as a private detective or protective agent must repeat the preassignment training.

ii. **Did all of the employees listed on the AOT submitted for reissuance, work for Monterrey Security Consultants, Inc. currently as of 6/30/2017?**

• **<u>Monterrey Response</u>:** *"No. The Affidavit of Training contains a column entitled "Termination Date" (Column C). Any employee who has a date in that column is no longer employed by Monterrey."*
• **<u>Board Staff Notes</u>:** None.
• **<u>Minnesota Statutes Involved</u>:** 326.3383 LICENSE REISSUANCE. (2) submits to the board a list of all current employees;

5. **"Annual Site Training" is not a valid Continuing Training course number. Please inform us of the continuing training course number that was completed.**

• **<u>Monterrey Response</u>:** *""Annual Site Training" is separate and distinct from Monterrey's certified continuing training course (CPA 695) and is offered in addition to—not instead of—CPA 695. Employees who have completed "Annual Site Training" have not necessarily completed CPA 695 but will be required to do so, and may already be in the process of doing so.* [redacted] *Monterrey offers a multi-faceted training program. Among them, Monterrey offers a 20-hour, 12-unit certified pre-assignment training course (PPA 109) and a three-or-more unit continuing training course (CPA 695). In addition, Monterrey requires all employees to complete orientation training, "Annual Site Training," and "Site Specific Training" before commencing employment. Collectively, those additional training session cover at least 8 of the 12 units addressed in PPA 109. Accordingly, by the time Monterrey protective agents complete their requisite training, many have received two or even three layers of safety and other training."*
• **<u>Board Staff Notes</u>:** Whether or not their "Site Specific Training" course addresses some topics within the certified preassignment training course, their "Site Specific Training" course has not been certified by the Board, and therefore, would not meet the preassignment training requirement. Further information can be found in the table below regarding the analysis of the AOT issues.
• **<u>Minnesota Administrative Rules Involved</u>:**
• **7506.0100 DEFINITIONS. Subp. 5.** Preassignment training. "Preassignment training" means a board-certified training course that must be completed by an employee within the first 21 days of employment.
• **7506.2200 BOARD CERTIFICATION OF TRAINING PROGRAMS. Subpart 1.** Contents of application. A person, business, or school desiring board certification of a training program shall submit an application to the board at least 60 days before commencing the training program. The application for board certification of a training program must be on a form provided or approved by the board and must include: D. for courses involving preassignment or weapons training, the policies for the evaluation of students;

- **7506.2300 MINIMUM REQUIREMENTS FOR BOARD-CERTIFIED TRAINING PROGRAMS. Subpart 1**. Subject areas. Consistent with the minimum requirements in the following subject areas, the training for armed private detectives and armed protective agents must minimally include training in the areas listed in items A to G: F. preassignment or on-the-job training, in the subject areas set out in part 7506.2600;

- **7506.2600 PREASSIGNMENT OR ON-THE-JOB TRAINING REQUIREMENTS. Subpart 1.** License requirement. A person employed as a private detective or protective agent must spend a minimum of 12 hours in preassignment training within the first 21 days of employment. An individual who leaves the profession for three years or longer and returns to employment as a private detective or protective agent must repeat the preassignment training. Subp. 3. Subject areas for protective agents. Preassignment training for protective agents must minimally include training in the following subject areas: A. security overview; B. legal authority and liability issues; C. communications; D. ethics; E. incident/situation assessment and emergency response; and F. Minnesota private detective and protective agent statutes and administrative rules.

- **7506.2700 CONTINUING EDUCATION REQUIREMENTS.**

- Subpart 1. License reissuance. Every employee, as well as license holders, qualified representatives, Minnesota managers, or partners, shall complete six hours of training in board-certified continuing training programs annually. In addition, armed license holders and employees must complete an additional six hours of training in the weapons used in the course of their employment. At the time of license reissuance, license holders shall submit to the board an affidavit listing all employees and attesting to the fact that they have met all training requirements. A private detective or protective agent license must not be renewed without written proof that all employees have met all training requirements.

6. **"Site Specific Training" was listed in the column for the date of preassignment training. This is not a valid date. Please inform us of the dates when the preassignment training courses were completed, and if they have not been completed, please explain why.**

- **Monterrey Response:** *"As described immediately above, Monterrey's Site Specific Training includes material that overlaps with, and is a subset of, it's certified pre-assignment training course. During this license-reissuance process, Monterrey discovered that some of its protective agents attended Site Specific Training and On-Site training (which encompass 8 of the 12 units in Monterrey's twenty-hour certified pre-assignment training) but may not have attended the full twenty-hour course. Accordingly, Monterrey immediately notified those individuals that they had three options: (1) immediately schedule their attendance at the pre-assignment training course in order to continue providing protective agent services; (2) be placed on suspended status until each protective agent has completed the pre-assignment training course; or (3) if any protective agent fails to complete the pre-assignment training course by July 31, 2017, their employment will be terminated and they will be required to re-apply for employment and go through all the new background check and training steps."*

- **<u>Board Staff Notes</u>:** Of the 83 employees listed, 27 are listed as having taken their preassignment training in July of 2017. The 27 who have now received their preassignment training have hire dates ranging from 05/17/2016 to 03/28/2017. 12 of the 83 employees were listed as "Scheduled 07/20/2017". 18 of the 83 employees are listed as suspended. 26 of the 83 employees are listed as terminated.

- **<u>Minnesota Administrative Rules Involved</u>:**

- **7506.0100 DEFINITIONS. Subp. 5.** Preassignment training. "Preassignment training" means a board-certified training course that must be completed by an employee within the first 21 days of employment.

- **7506.2200 BOARD CERTIFICATION OF TRAINING PROGRAMS. Subpart 1.** Contents of application. A person, business, or school desiring board certification of a training program shall submit an application to the board at least 60 days before commencing the training program. The application for board certification of a training program must be on a form provided or approved by the board and must include: D. for courses involving preassignment or weapons training, the policies for the evaluation of students;

- **7506.2300 MINIMUM REQUIREMENTS FOR BOARD-CERTIFIED TRAINING PROGRAMS. Subpart 1**. Subject areas. Consistent with the minimum requirements in the following subject areas, the training for armed private detectives and armed protective agents must minimally include training in the areas listed in items A to G: F. preassignment or on-the-job training, in the subject areas set out in part 7506.2600;

- **7506.2600 PREASSIGNMENT OR ON-THE-JOB TRAINING REQUIREMENTS. Subpart 1.** License requirement. A person employed as a private detective or protective agent must spend a minimum of 12 hours in preassignment training within the first 21 days of employment. An individual who leaves the profession for three years or longer and returns to employment as a private detective or protective agent must repeat the preassignment training. Subp. 3. Subject areas for protective agents. Preassignment training for protective agents must minimally include training in the following subject areas: A. security overview; B. legal authority and liability issues; C. communications; D. ethics; E. incident/situation assessment and emergency response; and F. Minnesota private detective and protective agent statutes and administrative rules.

Summary of AOT issues	**Number of Employees**	**Monterrey Response to Affidavit of Training (AOT) Issues and our Analysis**
Analysis of Employees Marked as active "Protective Agents" on Reissuance		
# of Protective Agents on Reissuance	273	[redacted]
# of active Protective Agents that received background results after starting Protective Agent duties	122	**Explanation:** "*Monterrey hired employees to initially work as event staff, and not as protective agents under Monterrey's license. Some of those employees were subsequently "converted" to protective agent roles." "Thirty of the 122 protective agents on this list completed backgrounding prior to their conversion date. The remainder of the protective agents in Tab 4 were subjected to late backgrounding,* [redacted]." **Updated AOT:** 30 of the 122 employees were listed as "Terminated". 33 of the 122 employees were backgrounded prior to their conversion into protective agent roles. 59 of the 122 employees were backgrounded after their start date in their protective agent roles. These 59 employees' background check dates ranged from 2 to 302 days after their start date in a protective agent role.
# of active Protective Agents who received their background check results over a month after their hire date	97	**Explanation:** "*Monterrey hired employees to initially work as event staff, and not as protective agents under Monterrey's license. Some of those employees were subsequently "converted" to protective agent roles*." **Updated AOT:** 40 of the 97 employees were converted and backgrounded within a month of their conversion date. 56 of the 97 did not have a conversion date listed and therefore received their background check results over a month after their hire date. The days between these 56 employees' hire dates and background check dates range from 36 to 302 days. "*The remainder of the protective agents in Tab 3 were subjected to late backgrounding,* [redacted]
# of active Protective Agents who have not received their background check results	2	**Explanation:** "[redacted] fingerprints were submitted to the BCA for background check on June 22. Monterrey is still awaiting the results. [redacted] remains on paid administrative leave. [redacted] employment with Monterrey terminated on April 24, 2017. **Updated AOT:** One employee (hired 7/13/2016) was terminated on 4/24/2017 and we cannot find where he was backgrounded. Per the date the update was received, the other employee hadn't received their background check results.

# of active Protective Agents who received "Site specific training" rather than a certified protective agent continuing training course	55	**Explanation**: "*Monterrey offers several layers of training in addition to its certified pre-assignment training course. Among those layers of training, Monterrey requires employees to complete annual "Site Specific Training" in addition to its certified continuing training course (CPA 695). The Site Specific Training covers material that is different from CPA 695. Those 55 protective agents who were previously listed as only having "Site Specific Training" had not yet completed CPA 695. They are, however, required to also complete that course." To date, 14 of the 55 protective agents have completed the continuing training course and 10 more are scheduled to take the course in the coming days. Others have been suspended, pending completion*." **Updated AOT**: 15 of the 55 employees are listed as converted from 12/01/16 - 5/31/2017 and are therefore, not subject to continuing training. 12 of the 55 employees were listed as scheduled to take continuing training in July 2017. 12 of the 55 employees are listed as suspended. 15 of the 55 employees are listed as having completed the course in June and July of 2017. **Updated AOT 2:** 20 of the 55 employees are listed as having completed continuing training in July of 2017. 15 of the 55 employees are listed as "Conversion" with conversion dates ranging from 12/01/2016 to 5/31/2017. 15 of the 55 employees are listed as having completed the course in June and July of 2017.
# of active Protective Agents received ID card after their start date	114	**Explanation:** "*Monterrey is unable to determine the precise reason why each of the 114 protective agents on this list were issued ID cards after their start date. Some of these individuals may have received delayed ID cards due to the fact that Monterrey did not immediately received the equipment necessary to print ID cards upon opening its Minnesota office.*"
# of active Protective Agents that were not issued an ID card	10	**Explanation**: "*Monterrey inadvertently excluded ID card issuance dates from its prior submissions. ID cards have, in fact, been issued to the following nine employees…A card was not issued to* [redacted]*, whose employment was terminated on November 1, 2016*." **Updated AOT**: According to this update all employees appear to have been issued an ID card. Two of the 10 employees received their cards 14 and 25 days after their start date. The one employee who was not issued an ID card was hired on 6/08/16, started working on 7/22/16, and then was terminated 11/01/16 without being issued an ID card.
# of active Protective Agents that did not meet preassignment 21 day requirement	121	**Explanation:** "I*n many cases, Monterrey hired employees to initially work as event staff, and not as protective agents under Monterrey's license. Some of those employees were subsequently "converted" to protective agent roles*." **Updated AOT:** 120 of the 121 employees have been converted to a protective agent role and their conversion date is the same date as their preassignment training. They admitted that one employee did start in a protective agent role and was trained over 21 days after his hire date (39 days).
# of active Protective Agents that did not take a Board preassignment course	83	**Explanation:** Monterrey did not provide an explanation as to why this was, but provided an update. **Updated AOT:** 27 of the 83 were listed as having now completed the preassignment training. 12 of the 83 were listed as "Scheduled 07/20/2017". 18 of the 83 employees were listed as suspended. 26 of the 83 employees were listed as terminated. **Updated AOT 2:** 35 of the 83 employees were listed as having taken preassignment training in July of 2017. 48 of the 83 employees are listed as terminated.

# of active Protective Agents that did not receive continuing training	47	**Explanation:** "*Monterrey is in the midst of providing continuing training to all protective agents who have worked with Monterrey since 2016 and who intend to provide services at US Bank Stadium during the upcoming season. As with its certified training course, Monterrey has notified its protective agents that have served in that position for a year or more that they are subject to one of three choices: (1) immediately schedule their attendance at continuing training course in order to continue providing protective agent services; (2) be placed on suspended status until each protective agent has completed the necessary continuing training course; or (3) if any protective agent fails to complete the necessary continuing training course in a timely manner, their employment will be terminated and they will be required to re-apply for employment and go through all new background check and training steps.*" **Updated AOT:** 6 of the 47 employees have completed their continuing training as of 7/13/17. 6 of the 47 employees are listed as "Conversion" with conversion dates from 2/01/2017 - 5/31/2017 (therefor, not subject to continuing training). 14 of the 47 employees were listed as being scheduled for continuing training in July 2017. 16 of the 47 employees are listed as suspended. 3 of the 47 employees are listed as terminated. **Updated AOT 2:** 21 of the 47 employees are listed as having received continuing training in July of 2017. 4 of the 47 employees are listed as "Conversion" with conversion dates ranging from 04/27/2017 to 5/31/2017. 18 of the 47 employees are listed as terminated. 2 of the 47 employees are listed as having taken training in July of 2017, but do not have any information listed in the date column or the course number column. 1 of the 47 employees does not have a comment listed, nor a continuing training date or course number.

**Note: All numbers are out a total of 273 protective agents reported to this agency*

ADDENDUM – Monterrey Security Consultants, Inc. Reissuance Issues Update

Since the last report to the Board on the current reissuance issues and response from Monterrey, Board staff has come across information which may be of value during the reissuance process. Below you will find an addendum to the original analysis.

Board staff determined that the following information received was pertinent to the reissuance:

- *Employee names*
- *Employee hire dates*
- *Employee start dates*
- *Employee BCA/FBI background check dates*
- *Reports involving descriptions of what "Event Staff", "Event Ambassador", "Event Supervisor", and "Security" do*
- *Employee survey results*

*Of the **273** (**274** including the license holder, Juan Gaytan) protective agents listed on the reissuance, Board Staff found the following information:*

Below is a graph representing the amount of Monterrey Security employees designated as Protective Agents on Monterrey Security's reissuance that did not have Preassignment Training course #PPA-109.

Below is a representation showing the number of Monterrey Security employees designated as Protective Agents that the Computerized Criminal History system (CCH) did not have records of getting background checked. It should be noted that Monterrey put dates for background checks for all of their Protective Agents on the reissuance.

BACKGROUND CHECK ISSUES:

In comparing the BCA CCH background check records to the background check records reported to us by Monterrey, we found the following for those which were reported to us as being protective agents:

Summary Analysis: CCH Background Check Records V. Monterrey Background Check Records		
Issues Found	**# Out of 274 Total Employees**	**Notes**
Number of employees not found in CCH background check database	21	All but 2 names were reported to have received a background check per Monterrey.
Number of BCA background check dates that didn't match between Monterrey and CCH	26	
Number of BCA background checks which Monterrey reported to not have conducted	2	
Number of employees who received background 30+ days after hire per Monterrey	97	
Number of employees who received background 30+ days after hire per CCH	91	
Number of employees who received background after their start date per Monterrey	122	
Number of employees who received background after their start date per the CCH	115	
Number of differences between BCA background check Dates: Monterrey V. BCA CCH	7	Days of difference between Monterrey and BCA CCH Unit Records: 366, 127, 25, 21, 16, -1 The seventh employee was not reported as having received their BCA or FBI background by Monterrey, but the BCA reported that one was conducted

HIRING SECURITY EMPLOYEES WITH DISQUALIFYING CRIMINAL RECORDS:

- [redacted] **(see below)**
  - **i.** [redacted]**:**
    1. Called and reported this situation to our agency.
    2. Monterrey admitted that he was hired as a protective agent with a disqualifying record.
    3. He was hired on **6/20/2016** and terminated **1/06/2017** per Monterrey records.
    4. BCA CCH data request results indicate that he was backgrounded on **7/21/2016**.

  - **ii.** [redacted]**:**
    1. Called and reported this situation to our agency.
    2. Monterrey admitted that he was hired as a protective agent with a disqualifying record.
    3. He was hired on **6/22/2016** and terminated **1/16/2017** per Monterrey records.
    4. BCA CCH data request results indicate that he was backgrounded on **7/21/2016**.

  - **iii.** [redacted]**:**
    1. Monterrey admitted that he failed the background check from the BCA.
    2. In their [redacted], 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**.

  - **iv.** [redacted]**:**
    1. Monterrey admitted that he failed the background check from the BCA on **5/26/2016**.
    2. Bolden was found in a criminal history result letter submitted by Monterrey.
    3. He was hired on **6/20/2016** and terminated on **12/05/2016** per Monterrey records.
    4. BCA CCH data request results indicate that he was backgrounded on **5/26/2016**.

  - **v.** [redacted]**:**
    1. Monterrey admitted that he failed the background check from the BCA on **8/05/2016**.
    2. [redacted] was found in a criminal history result letter submitted by Monterrey.
    3. Monterrey admitted that he was hired as a protective agent with a disqualifying record.
    4. He was hired on **6/16/2016** and terminated **10/24/2016** per Monterrey records.
       a. NOTE: In Monterrey's **June 20, 2017** letter submitted to the Board, they claimed [redacted] termination date was **October 26, 2016**, but in their [redacted] spreadsheet, listed his termination date as **October 24, 2016**.
    5. BCA CCH data request results indicate that he was backgrounded on **8/05/2016**.

- **Letter received from Monterrey [redacted]:**

    i. *Monterrey expressly denies ever knowingly hiring and placing anyone in the role of protective agent who had disqualifying offenses on their criminal history. To the contrary, as set forth below, Monterrey has implemented policies and procedures to ensure that only qualified individuals were hired as protective agents. Moreover, Monterrey has continuously worked to refine and improve those processes when it has discovered opportunities to doing so.*

    First, Monterrey submitted information regarding all candidates to Oracle, a private pre-employment background screening company. Monterrey prides itself on being a "second Chance" employer. Therefore, even if a candidate is statutorily precluded from working as a protective agent, Monterrey may consider that applicant for a non-security, purely guest-services position. That said, as part of its internal policies, Monterrey maintains a list of criminal offenses that automatically disqualify applicants from consideration for any position. Based on the results of the Oracle background check, Monterrey would either automatically reject candidates or advance them to the second stage of background screening.

  NOTE: Oracle does not have a Minnesota Private Detective license.

- **Letter received from Monterrey [redacted]:**

    i. *First, Monterrey has discovered that, among its hundreds of new Minnesota protective agents, it inadvertently hired four individuals with disqualifying criminal records. As noted above, and as described in more detail [redacted], Monterrey strives to employ a rigorous vetting process for all of its employees. As a result of that process, from approximately June 2016 through January 2017, Monterrey terminated the conditional employment of 120 candidates who failed their respective background checks. Each of those 120 individuals were terminated before they provided any services at public events. In many cases, Monterrey incurred significant costs associated with training these candidates. In addition, since January 2017, Monterrey has rescinded employment offers made to 53 potential employees due to failed background checks. Because those individuals never actually performed services for Monterrey, they are not identified in the enclosed materials. However, Monterrey would be happy to provide information regarding these individuals upon request from the Board.*

    Notwithstanding its stringent background check policies, Monterrey prides itself on being a second-Chance employer. Therefore, Monterrey elected to continue to employ seventy-three individuals after learning that their criminal background check disqualified them from serving as protective agents. Monterrey intended to hire each of these individuals as non-security, guest-services employees. Unfortunately, however, Monterrey discovered that of those seventy-three employees, four were inadvertently given protective agent duties for a period of time. Those four individuals are [redacted]. Once Monterrey's executive team learned of this mistake, Monterrey either terminated these individuals or offered to reassign them to non-protective-agent roles. None of the four remain employed by Monterrey today. Moreover, Monterrey is not aware of any other instances when it allowed any individual with a disqualifying offense to serve as a protective agent.

- **Letter received from Monterrey [redacted]:**

    i. *First, [redacted], Monterrey incorrectly identified [redacted] on the [redacted] as a non-protective-agent employee. Mr. [redacted] should have been identified as a protective agent. As reflected on the enclosed supplemental spreadsheet, Mr. [redacted] provided protective agent services for a brief time, beginning August 29, 2016. However, Monterrey*

discovered that Mr. [redacted] failed his BCA background check and, on October 26, 2016, Monterrey terminated his employment.

CRIMINAL BACKGROUND CHECKS

In order to verify that Monterrey was performing BCA/FBI record checks on their employees the Board staff utilized (**a**) information self-reported by Monterrey, (**b**) verification of records from the Criminal History Authorization Unit (CCH Unit) of the Bureau of Criminal Apprehension (BCA), (**c**) results from the Monterrey employee survey conducted, and (**d**) other pertinent information found during the research.

(b) Monterrey was asked to submit a complete list of all Monterrey employees that had provided security services in Minnesota since July 28, 2015 (Monterrey's original licensure date). They were requested to provide full names of employees, their hire dates, and BCA/FBI background check dates.

- In Monterrey's [redacted] submission [redacted], they submitted two separate spreadsheets. They reported **597** total employees on one and **73** on the other. Of those employee names submitted, we found the following for the spreadsheet containing **597** employees:

  i. All **597** were reported to have received background checks from both the BCA and FBI.
  ii. **298** employees received their BCA and FBI background check results more than 30 days after their hire date. These days ranged from 32 to 302 days after hire.
     1. Of the **298**, **95** are listed as protective agents.
  iii. **4** employees' BCA and FBI background check dates do not match. Per the CCH Unit, in 2012, they began processing BCA/FBI reports as one response letter to applicants, and therefore, the dates should be the same.
     1. Of the **4**, **3** are listed as protective agents.
  iv. **333** employees had started working prior to receiving their BCA/FBI background check results. The days ranged from 1 to 398 days after their start dates.
     1. Of the **333**, **119** were listed as protective agents
  v. **67** of the total employees were listed as having never worked.
     1. Of the **67**, **3** were listed as protective agents.
  vi. **20** of the total employees were listed as new hires.
     1. Of the **20**, **3** were listed as protective agents.
  vii. **1** of the total employees was listed as a new re-hire.
     1. This employee was listed as a protective agent.

- On the second spreadsheet (**73** employees) from Monterrey submitted [redacted], we found the following information:

  i. Of the **73** employees listed, **16** did not receive either their BCA or FBI background check.
     1. None of the **16** were listed as protective agents.
  ii. Of the **73** employees, **29** received their BCA background checks over 30 days after their hire date. These days ranged from 34 to 307 days after hire.
     1. Of the **29** employees, **2** were listed as protective agents.
  iii. **1** employee's BCA and FBI bacgkround check dates do not match. Per the CCH Unit, in 2012, they bagan processing BCA/FBI reports as one response letter to applicants, and therefore, the dates should be the same.

1. This individual was not listed as a protective agent.

iv. Of the **73** employees, **34** employees had started working prior to receiving their BCA/FBI background check results. The days ranged from 4 to 271 days after their start dates.
    1. Of the **34**, **3** were listed as protective agents.

v. **13** of the total employees were listed as having never worked.
    1. None of these were listed as protective agents.

- Monterrey also submitted the BCA/FBI background check result letters [redacted]. Analysis of those letters found the following:
    i. Of the **1,245** total emplyees reported to us by Monterrey:
        1. **555** employees' BCA/FBI background check result letters were not found within the documents submitted by Monterrey.
            a. Of the **555**, **7** were listed as protective agents.

(c) In order to verify the information received from Monterrey listed above, we utilized data requested from the CCH Unit of the BCA to determine if records were run, when they were run, and what the results were. With our request, we included an Excel spreadsheet containing a full list of names and dates of birth provided to us by Monterrey [redacted]. Per CCHpter 13, we were unable to access the results of the background checks, but we were informed who had a background run, and what dates they were run. Based on the information from the CCH Unit received on **August 3, 2017**, we found the following:

- **199** names were provided to us by the CCH Unit which were not provided to us by Monterrey.
- **591** names which were provided by Monterrey were not found in the BCA's CCH system.
- **815** of the names provided by Monterrey were found in the BCA's CCH System.
    i. **Note: 103** of the **815** individuals' dates of birth did not match between what was found in the BCA's CCH system and what was provided to us by Monterrey. Therefore, it is inconclusive whether or not the **103** individuals were indeed matches.

MNCIS CRIMINAL RECORD RESEARCH:

For due diligence purposes staff utilized the Minnesota Court Information System (MNCIS) in order to determine if any Monterrey employees have possible disqualifying records. Of the **1245** Monterrey employees **265** were run through MNCIS (so far). Of those **29** there appears to be disqualifying records. One has an active warrant.

NOTE: *The MNCIS system is different than the BCA system. Upon completion of running the individuals through MNCIS agency staff would need to also run those found with records through the BCA system to ensure accuracy.*

MONTERREY'S EXPLINATION OF BACKGROUND CHECK ISSUES:

- **Letter received from Monterrey [redacted]:**

    i. Monterrey expressly denies ever knowingly hiring and placing anyone in the role of protective agent who had disqualifying offenses on their criminal history. To the contrary, as set forth below, Monterrey has implemented policies and procedures to ensure that only qualified individuals were hired as protective agents. Moreover, Monterrey has continuously worked to refine and improve those processes when it has discovered opportunities to doing so.

    First, Monterrey submitted information regarding all candidates to Oracle, a private pre-employment background screening company. Monterrey prides itself on being a "second

Chance" employer. Therefore, even if a candidate is statutorily precluded from working as a protective agent, Monterrey may consider that applicant for a non-security, purely guest-services position. That said, as part of its internal policies, Monterrey maintains a list of criminal offenses that automatically disqualify applicants from consideration for any position. Based on the results of the Oracle background check, Monterrey would either automatically reject candidates or advance them to the second stage of background screening.

- **Letter received from Monterrey [redacted]:**

During the initial months of Monterrey's hiring campaign, it believed that Mr. [redacted] was following Monterrey's background-check procedures. Among other things, Mr. [redacted] would regularly hand-deliver fingerprint cards to the BCA for background checks. <u>However, in late summer 2016, Monterrey's Executive Vice President of Administration, Patricia Gaytan Perez, discovered that Mr. [redacted] was not promptly processing all fingerprint cards with the BCA.</u> Accordingly, Ms. Perez took immediate steps to ensure that all finger print cards were immediately delivered to the BCA. In addition, Ms. Perez implemented a new policy at Monterrey to prevent future delays. Specifically, <u>rather than running a background check through Oracle, waiting for the results, and then running a more thorough BCA screening for non-eliminated candidates, all fingerprint cards are now delivered to the BCA via Federal Express at least once per week, and often the very day Monterrey receives them</u>. Moreover, in order to eliminate any possibility of error, Monterrey no longer provides orientation or training, nor does it place candidates on the payroll until after they have been cleared by the BCA background check. In addition, <u>Monterrey has maintained its policy of submitting fingerprints for BCA background checks for all employees, not just protective agents</u>.

Monterrey recognizes that there were instances-particularly during its hiring blitz in Spring and Summer 2016-when fingerprint cards may not have been delivered to the BCA for background checks as quickly as they should have. Monterrey believes that this was a result of a single employee failing to follow Monterrey's protocol described in the paragraphs above, rather than a systemic flaw within Monterrey's policies and procedures. That said, all or nearly all of those individuals whose BCA background check was delayed had already been pre-screened through Oracle, thus mitigating any potential risk. Moreover, Monterey can say with certainty that all of its current protective agents have passed BCA background checks and that it has never knowingly placed anyone in the role of protective agent who had disqualifying offenses on their criminal history.

- **Letter received from Monterrey [redacted]:**
  - ***i.*** *Second, [redacted], <u>Monterrey has discovered that, despite its best efforts, there were instances-particularly during its hiring blitz in 2016-when it did not deliver fingerprint cards to the BCA for background checks as quickly as it should have. From its inception in Minnesota until at least late 2016, Monterrey's General Manager of Minnesota operations, [redacted], was responsible for timely submitting fingerprints to the BCA.</u> Consistent with company procedures, Monterrey's background check process was initially very thorough. Monterrey's first protective agents were hired in late May and early June 2016 to provide 24-hour security at U.S. Bank Stadium following its transition from construction site to a public stadium. During that timeframe, Monterrey universally performed full and timely background checks on this initial group of employees prior to any of those protective agents performing security services at U.S. Bank Stadium.*

However, unbeknownst to Monterrey, Mr. [redacted] began deviating from Monterrey's background check policies in mid-June 2016. Thereafter, Mr. [redacted] continued to submit some, but not all, of the candidate fingerprint cards to the BCA in a timely manner. Based on the information set forth in the enclosed spreadsheet, it appears that [redacted] may have begun submitting fingerprints to the BCA in large periodic batches, rather than promptly upon receipt.

- **Letter received from Monterrey [redacted]:**

  i. *Second, Monterrey has discovered that it inadvertently failed to disclose the identity of two former protective agents, [redacted] and [redacted]. Consistent with its procedure that was in place at the time ([redacted]), Monterrey performed initial background checks on each of these two individuals through Oracle. The Oracle reports indicate that neither of these two individuals had any disqualifying criminal violations. Those reports are enclosed for the Board's reference. However, Monterrey cannot locate BCA background checks for these two individuals. Nonetheless, neither Mr. [redacted] nor Mr. [redacted] remains employed by Monterrey today.*

  Third, Monterrey indicated [redacted], letter that all of its active Minnesota protective agents had been fully vetted with the BCA, and that that none of its current protective agents has disqualifying criminal backgrounds. Monterrey continues to believe that none of its current protective agents has disqualifying criminal backgrounds. However, through its quality-control process, Monterrey has discovered that it cannot locate the BCA background check for one member of its protective-agent force, [redacted]. Monterrey hired Mr. [redacted] [redacted], during the height of its mass-hiring campaign. Consistent with its procedure that was in place at the time, Monterrey performed a background check on Mr. [redacted] through Oracle. That Oracle report

  (enclosed herewith) indicates that Mr. [redacted] had no disqualifying criminal violations. However, due to the fact that it cannot locate Mr. [redacted] BCA background check, Monterrey has placed Mr. [redacted] on paid leave while it confirms his criminal history with the BCA. In the meantime, Mr. [redacted] will not provide any protective agent services for Monterrey.

RICKEY POUNCIL:

Our agency received a photograph from a license holder of an individual identified as Ricky Pouncil standing on the field at US Bank Stadium in front of what appears to be the entrance/exit used by the Minnesota Vikings football players. The picture was taken October 3rd, 2016 when the Vikings were playing the New York Giants. He is wearing a red and black shirt that appears to be the same type worn by Monterrey Security employees. Specifically, these shirts are provided to what Monterrey calls the Field Security/ Intrusion employees. It is there function to monitor the crowd from the field and if a patron enters the field to remove them.

In the picture is another individual later identified as possibly [redacted] (on the left) who, according to a Twitter title found on Facebook was possibly a 'GM'. I had sent the picture of [redacted] to Monterrey's attorneys so they could identify him with negative results. I have further sent them a question as to whether [redacted] or Pouncil were Monterrey employees and if so the date range of their employment and what position they had. As of the writing of this report I have received acknowledgment of the question, but as this question was sent on September 21st, 2017 and they are still conducting their research.

The license holder explained that Pouncil had previously been convicted for coercion, extortion and tax evasion. The specific case involved the blackmailing of an individual who was involved in extra marital affairs. The individual reported to have paid Pouncil up to $500,000 and ended up committing suicide. Pouncil was sentenced to a 13 month prison sentence. MNCIS records show several records including a felony for coercion.

http://www. startribune.com/13-month-sentence-in-deadly-extortion-scheme/127912973/

13-month sentence in deadly extortion scheme

Daniel Kreye killed himself as a result of the blackmail. Rickey Pouncil extorted as much as $500,000 from him.

By Abby Simons Star Tribune

AUGUST 16, 2011 — 10:38PM

Tears didn't flow when Susan Kreye told Rickey Pouncil how her life had changed since her husband's suicide.

She didn't cry as she testified about the betrayal she felt, or how she had to sell the Bloomington house where they raised their two children. She explained how she was drowning in debt after Pouncil extorted as much as $500,000 from Daniel Kreye until Kreye shot himself, leaving a note saying it was "best for my family and friends." She stopped briefly in Hennepin County District Court Tuesday to compose herself before speaking of her 4-year-old granddaughter who asks when Grandpa is coming home.

Only when deputies snapped handcuffs around Pouncil's wrists and led him away to serve a 13-month prison sentence for coercion did Susan Kreye smile.

"That's good," she told supporters, an arm around her weeping daughter.

Pouncil, 47, pleaded guilty this summer to felony coercion for a nine-month extortion scheme that netted at least $165,000 from 57-year-old Kreye before he killed himself in May at the Minnesota Valley National Wildlife Refuge. Pouncil must also pay $165,000 in restitution -- the amount prosecutors can prove was taken, although they believe it's much more.

Two women, Shannon Gura, 27, and Christina Artac, 32, pleaded guilty in connection with the scheme and testified against Pouncil at a pre-sentencing hearing. Gura, who pleaded guilty to coercion, received a stayed three-year sentence and 90 days in the Hennepin County Workhouse. Artac, who pleaded guilty to attempted coercion, also received a stayed three-year sentence and is serving 90 days in the workhouse.

Both painted Pouncil as an intimidator and ringleader of the scheme that began when Gura befriended Daniel Kreye through Alcoholics Anonymous and later met Pouncil, who allegedly came up with the idea to blackmail Kreye, founder of a steel construction company. Pouncil threatened to reveal explicit photos and text messages Kreye had exchanged with Gura.

Days after the suicide, Artac called Daniel Kreye's home pretending to be Gura in hopes of extorting more money, unaware that he had already taken his life.

When he pleaded guilty, Pouncil maintained that he only drove Gura to a parking lot to meet Kreye and acted as a bodyguard while she extorted the money.

Assistant Hennepin County Attorney Emery Adoradio urged a longer sentence than the state recommendation, a stayed 13-month sentence, because the crime involved a major economic offense and three or more people took part.

Hennepin County District Judge Philip Bush agreed to a 13-month prison sentence based on the major economic offense. He said there was no proof that three or more people were involved because Artac's role in the scheme was minimal. The suicide, although tragic, was not a factor that would justify a longer sentence, Bush ruled. The judge told Pouncil that if he weren't limited by state guidelines, he would have given him more prison time.

"It's clear to me your actions were driven by greed, and you found a way to prey upon Daniel Kreye's weaknesses," Bush said.

Pouncil, his large arms crossed in front of his chest, delivered a flat "No." when asked if he wanted to address the court or Kreye's family.

Susan Kreye said afterward that she wants her husband to be remembered not for the way he died, but as a good man who loved his family and was dedicated to his friends and his church.

She doubts she will see any restitution, and doesn't blame the women involved. They were afraid of Pouncil and intimidated. As for Pouncil, she said, 13 months isn't enough:

"It would be nice if his sentence equaled what mine has been."

Abby Simons • 612-673-4921

NOTE: There are several other media stories related to this situation:

- http://www.startribune.com/13-month-sentence-in-deadly-extortion-scheme/127912973/
- http://www.citypages.com/news/rickey-pouncil-sentenced-for-coercion-that-led-to-victims-suicide-6558068
- https://patch.com/minnesota/applevalley-rosemount/rosemount-man-involved-in-extortion-scheme-pleads-guic2f8ca2d14
- https://www.mprnews.org/story/2011/08/17/rickey-pouncil-sentenced-in-extortion-plot
- http://www.twincities.com/2011/08/16/rosemount-man-sentenced-in-deadly-blackmail-of-bloomington-businessman/
- http://mugshots.com/US-Counties/Minnesota/Hennepin-County-MN/Rickey-Eugene-Pouncil.4765195.html

MNCIS records show several records including a felony for coercion and failure to pay taxes:

27-CR-10-21658	POUNCIL, RICKEY EUGENE 08/08/1964	05/14/2010 Hennepin Criminal/Traffic/Petty Downtown Bush, Philip D.	Crim/Traf Mandatory Closed	Coercion (Aid/Abet - GOC) Coercion	Dismissed Convicted Convicted of a Felony
19HA-CR-10-3386	POUNCIL, RICKEY EUGENE 08/08/1964	10/08/2010 Dakota-Hastings - Criminal/Traffic/Petty Abrams, Jerome B.	Crim/Traf Mandatory Closed	Tax-failure to pay or collect-G Tax-failure to pay or collect-G Tax-failure to pay or collect-G Tax-failure to pay or collect-G Tax-failure to pay or collect-G Taxes-failure to file return,report, document-F (Not applicable - GOC)	Convicted Convicted of a Gross Misdemeanor Convicted Convicted of a Gross Misdemeanor Convicted Convicted of a Gross Misdemeanor Convicted Convicted of a Gross Misdemeanor Convicted Convicted of a Gross Misdemeanor Dismissed

Review of Pouncil's Facebook page provided several photographs and videos of US Bank Stadium at the field level, close contact with Minnesota Vikings players.

I called Rickey Pouncil, identified myself and asked him if he was still working for Monterrey Security. He said "No". I asked if he had worked for them and he said "No". I stated that I was looking at a picture of him wearing a Monterrey Security shirt and he stated he was there as a "friend of a friend". He then stated that if I wanted any other information to contact his attorney and ended the phone call.

I requested of Monterrey's attorneys to confirm if either Rickey Pouncil of [redacted] have ever been employed by Monterrey and was informed that they have no record of them. Pouncil was not listed on information previously provided by Monterrey. I attempted to contact [redacted] with negative results.

*******Research Continuing*******

MONTERREY'S DEFINITION OF PROTECTIVE AGENTS/SECURITY PERSONNEL VS. STATUTE DEFINITION

JOB DESCRIPTIONS:

Some of the terms used by Monterrey Security for their employees are "**Event Staff**" and "**Event Ambassadors**". According to Monterrey the majority of their personnel fall into these categories. Monterrey Security does not define these employees as Protective Agents. Below are the services that Monterrey Security must provide per contract "AGREEMENT FOR CROWD MANAGEMENT SERVICES". It should be noted that the contract, "AGREEMENT FOR TWENTY-FOUR (24) HOUR SECURITY SERVICES (U.S. BANK STADIUM)", covers the obligation of "security for team stadium events" It is confirmed that the highlighted items are performed by Monterrey employees.

Services include:

1. Crowd control
2. Bag searches
3. Use of metal detection (magnetometers and hand wands)
4. Credential checks at all non-public points
5. Personnel in each seating section visually monitoring the crowd for any potential problems
6. Response Teams
7. Sideline security
    a. Monitor the stands and make sure only properly credentialed people are on the field
    b. Ensure that credentialed media stay in their designated area
    c. Provide security around the instant replay booths
    d. Escort coaches from field to the coaches box

8. Supplement 24 hour security
9. Supplementing ushers, ticket takers, and concierge personnel
10. Parking Lot and Perimeter Security
11. Enforcement of NFL Clear Bag Policy
12. Enforcement of NFL and Job Site policies concerning items prohibited from being brought into the Stadium
13. Enforcement of NFL Fan Code of Conduct
14. Compliance with NFL Best Practices for Stadium Security
15. Utilization of a CONTRACTOR command post during events or participation in a Job Site command post during events.
16. Create and make available to SMG Job Site-specific Staff Job Descriptions, Position Description Sheets and Staffing Deployment Sheets
17. Day and night shifts
18. Knowledge and enforcement of rules and policies set by SMG
19. Compliance and correction of CONTRACTOR practices which fail to meet SMG's service requirements under its contract with the Authority, including those set f01th in SMG's Operations Manual

In order to better understand the job descriptions of security personnel, below is the US Bank Stadium policies regarding stadium security:

US BANK STADIUM SECURITY POLICIES

http://www.vikings.com/stadium/security.html

Game Day Security

Bag Policy: To provide a safer environment for the public and significantly expedite fan entry into the stadium, the Minnesota Vikings in 2013 an NFL policy that limits the size and type of bags that may be brought into the stadium on game day. **Click here to read more details on the policy**.

Security Measures on Game Day: The Vikings are requesting fan cooperation with new measures to increase stadium security. All bags larger than 12"x6"x12" are prohibited and all bags must be clear (with the exception of small sized women's clutches roughly the size of a hand), beverage containers, alcohol, mace, laser pointers, noise makers of any kind, metal or wood poles, video cameras, weapons of any type and are banned from NFL stadiums. Fans bringing these items will be asked to return them to their vehicles. Nothing larger than a small purse, which will be subject to inspection, the stadium. In addition, no beverage containers (cans or bottles) can be brought into the stadium. Due to the increased security, fans are encouraged to arrive earlier than usual at the stadium and take their seats sooner to avoid pressure areas at the entry gates. Gates will open two hours before kickoff. An express lane will be added to each gate for those fans not bringing anything into the stadium. If the national security level is raised to 'Orange/High" security personnel will also be conducting pat-downs of all fans upon entering.

Pat-Downs: In order to further enhance fan safety and comfort, everyone entering the stadium for all home games will be subject to hand searches.

You and your belongings may be searched upon entry into the Stadium. By tendering this ticket and entering the Stadium, you consent to such searches and waive any related claims that you might have against the NFL, its member clubs, their affiliates and stadium landlord or their agents. If you elect not to consent to the searches, you will be denied entry into the Stadium.

Fans are encouraged to arrive early at stadium gates to help facilitate this additional security measure. All fans entering the stadium will be subject to and should expect to be patted down by security personnel before going through stadium gates.

If you are parking in lots and ramps around the stadium, please do not leave valuables visible in your vehicles.

http://www.vikings.com/stadium/bag-policy.html

To provide a safe environment for our ticket holders and to expedite stadium entry at TCF Bank Stadium, the Minnesota Vikings will continue to enforce the NFL Bag Policy that limits the size and type of bags that may be brought into the stadium on game day.

The NFL Committee on Stadium Security in May, 2013 unanimously recommended the implementation of this measure that enhances public safety and makes it easier for fans to gain access in all stadiums. It will be implemented at all NFL stadiums beginning with preseason games.

The Vikings strongly encourage fans to not bring any type of bags, but fans will be able to carry the following style and size bag, package, or container at stadium plaza areas, stadium gates, or when approaching queue lines of fans awaiting entry into the stadium:

- Bags that are clear plastic, vinyl or PVC and do not exceed 12" x 6" x 12." (Official NFL team logo clear plastic tote bags are available through club merchandise outlets or at nflshop.com), or
- One-gallon clear plastic freezer bag (Ziploc bag or similar).
- Small clutch bags, approximately the size of a hand, with or without a handle or strap, may be carried into the stadium along with one of the clear bag options.
- An exception will be made for medically necessary items after proper inspection at a gate designated for this purpose, including breast pumps.

Prohibited items include, but are not limited to: purses larger than a clutch bag, coolers, briefcases, backpacks, fanny packs, cinch bags, luggage of any kind, seat cushions, computer bags and camera bags or any bag larger than the permissible size. ***For additional information, go to NFL.com/allclear.***

Fans will continue to be able to enjoy their tailgate activities in the parking lots and to do so with greater safety and the knowledge that their entry into the stadium will be smoother and faster.

In recent years the Vikings have enhanced its already comprehensive safety plans with the additional measures such as pat downs, bag checks and metal detectors.

"Our fans deserve to be in a safe and secure environment," said **Jeffrey Miller**, NFL vice president and chief security officer. "Public safety is our top priority. This will make the job of checking items much more efficient and effective. We will be able to deliver a better and quicker experience at the gates and also provide a safer environment. We appreciate our fans' cooperation."

This public safety measure is being successfully used at other large venues. The University of Michigan, Penn State University and Michigan State University do not permit any bags.

Working personnel, including media, will continue to enter NFL stadiums through designated gates where they will be subject to screening and bag inspections already in effect at all stadiums.

FAQ

Why did the NFL and its clubs adopt this policy?

The league and clubs review their public safety and stadium security policies every year looking for ways to improve them. The Committee on Stadium Security and Fan Conduct leads this review and obtains a wide range of information to assist in doing so. The committee strongly believed that it made sense to adjust our policy to enhance public safety and make stadium access more efficient by limiting the size and style of bags carried into the stadium. This was reviewed with the clubs at the May league meeting and will be implemented by every team.

This proactive measure both will enhance safety inside and outside the stadium and speed the security screening process for all NFL fans. The public deserves to be in a safe, secure environment. This is about both safety and improving the overall fan experience.

Was this step taken because of what happened at the Boston Marathon?

That was a factor to take into account, certainly, but we update and improve the policy every year. It has evolved so that we can continue to adjust to the realities of public safety. We had been discussing a new approach to bag restrictions before the Boston Marathon incident. We have come up with a way to do it that will actually make access more convenient for fans than it has been. We think the fans will embrace and appreciate it.

Are other events limiting bags?

Yes. In fact, some like the University of Michigan, Penn State, and Michigan State University do not permit any bags. The pat downs and metal detector screenings of all individuals entering NFL stadiums provide an additional level of safety for fans. The limitations on bag size and style is a further enhancement for convenience and safety.

How does the new policy improve public safety?

There will be a secondary perimeter around the stadium where security personnel will check for prohibited items or bags being carried toward the stadium so those situations can be corrected immediately. This establishes a protected buffer area for fans in plaza-level areas and at the queues for stadium entry. Prohibited bags will be turned away. Any prohibited bag inside the second perimeter will be highly visible and more quickly resolved.

The clear bag is easily and quickly searched and greatly reduces faulty bag searches. It also supports the Department of Homeland Security's "If You See Something, Say Something" campaign.

How does this make it more convenient for fans?

This will enable us to move fans through our security check points much faster. A standard size bag eliminates the need for bag templates to check bag sizes. It will make the stadium's job much easier, allowing staff to be more efficient and effective in checking bags that are brought into the stadium. There will be less time spent standing in lines at the stadium gates and fans will be able to be in their seats well before kickoff. Fans also will enjoy an improved sense of safety. Shorter lines mean fewer hassles.

Will teams be making money from selling team identified bags to fans?

There are a variety of options, including a clear 12" by 6" by 12" bag with no commercial identification or an inexpensive Ziploc bag. In addition, fans may carry their own small clutches. For fans who wish to purchase team logo bags, they will be available.

How many bags can each person bring into the stadium?

One large clear bag – either a one-gallon Ziploc style bag or the 12” by 6” by 12” clear bag – plus a small clutch. The larger clear bag must be a standard 12” by 6” by 12” made of clear PVC vinyl and is easily searched. The one-gallon Ziploc bag is readily available, inexpensive and easily searched. The small clutch allows privacy for small personal items and also is easily searched.

Can fans carry cameras, binoculars, smart phones or tables separately from what they put in a clear bag?

Yes. Binoculars or a phone or camera can be carried into the stadium so long as it is not in its own bag. This is not a restriction on items that fans have been able to bring into the stadium. It is only a restriction on the type of container used to carry items.

Are seat cushions allowed to be carried into the stadium?

No, they are not due to the large size and because the way seat cushions are constructed would allow them to be used to conceal a potential explosive device.

What about bringing blankets in cold weather?

Fans will be able to bring blankets by tossing them over a shoulder or arm as they do in Green Bay. They can be easily screened carrying a blanket into the stadium.

Why haven’t more stadiums and arenas adopted this kind of policy?

The NFL is the only professional sports league that has a comprehensive set of best practices for stadium security certified by the Department of Homeland Security as anti-terrorism technologies under the United States Safety Act. As such, other professional sports leagues look to the NFL as the leader in stadium and large venue security. Other stadiums have watched the NFL closely and followed, to the extent possible, security enhancements pioneered by the NFL. We anticipate that many more stadiums and arenas will soon adopt this policy.

What happens if I show up at the gate with a bag that is not permitted?

Fans carrying bags that do not meet the criteria will be turned away from the stadium well before they reach the gates. Stadiums are encouraged to maintain an ample supply of clear plastic tote bags or clear plastic freezer bags to afford guests the opportunity to transfer their belongings to an approved bag before they approach the stadium. As an alternative for guests that have no other option, stadiums are encouraged to consider providing the opportunity to temporarily check non-compliant bags at a facility located well outside the bag-restricted area.

If I have certain items that I need to bring into the stadium for medical reasons and they won’t fit in the clear bag, what do I do?

There will be a separate entrance to allow screening of these bags and medically necessary items.

FEMALE FAN FAQ

Are all purses prohibited?

No. Unlike some event venues, we are not banning all bags. Small clutch purses, with or without a handle or strap, are permitted along with either the 12" by 6" by 12" clear tote bag or the one-gallon freezer bag. This should enable you to carry the same items you have in previous years and speed entry into the stadium for all fans because it will take less time to screen bags. Shorter lines means fewer hassles. We encourage fans not to bring any bags, but have created a policy that balances fan needs with improved public safety and convenience.

Do I have to put everything I'm carrying into the permissible bags?

No. We are limiting only the type of bags carried into the stadium, not items that you normally bring to a game. Therefore, you can carry in your pockets or jacket keys, makeup, feminine products, comb, phone, wallet, credit cards, etc., if you choose not to put them in a clear bag or clutch. And you can carry a blanket over your arms, and binoculars and/or camera around your neck or in your hands without the case. You can use the clear bag and clutch to carry other items. You will continue to have the flexibility to bring a wide variety of approved items into the stadium. Every member of your family may carry in a permissible bag.

What about diaper bags?

Diapers can be carried in a clear bag. Each member of a family, including children, would be allowed to carry an approved clear bag and a clutch purse into the stadium. That is a quite a bit of storage capacity.

Will this policy affect the ability of fans to tailgate? Are there limitations on tailgating items?

No. Fans will be able to enjoy tailgating activities in the parking lots and do so with greater safety and knowledge that entry into the stadium will be smoother and faster.

What are some examples of how NFL stadium safety has evolved in recent years?

The NFL's *Best Practices for Stadium Security* was the result of a comprehensive evaluation of stadium security risks undertaken after the terrorist attack on September 11, 2001.

In September 2001, the league office **established a Task Force** of league, club, and stadium executives to make recommendations on NFL security matters relative to fans, teams and stadiums.

November 2001, the NFL issued its ***Best Practices for Stadium Security***. The central components specific to security checkpoint procedures were: 1) *Continue current **search criteria**, including the prohibition of coolers, backpacks, large bags, explosives and weapons*; and 2) *Ensure adequate staff is available at gates to efficiently handle the inspections. Search all items allowed into the stadium and pat down coats and visually inspect outer clothing*.

In June 2005, the following was added to the *Best Practices for Stadium Security* in reference to physical searches at security checkpoints: *"Facility management should be prepared to implement **additional screening measures should Department of Homeland Security elevate the alert level**."*

In November 2007, The following was added to the *Best Practices for Stadium Security* in reference to the search of bags permitted inside the stadium: *"Use a **template at each public access gate to show allowable package size**."* Also, the search of persons was enhanced to include a **physical pat down of guests** under the following recommendation: "*NFL Policy requires visual inspection and limited pat-downs of all patrons, employees, vendors and game production personnel after lockdown of the facility has occurred on game days."*

In September 2011, the NFL recommended to the clubs that the limited pat-down searches conducted at all NFL stadiums be expanded to include: "*a **pat-down of the area from the knees down to the ankles** in an effort to identify any concealed weapons*."

In June 2012, the following was added to the *Best Practices for Stadium Security* in reference to physical searches at stadium security check points: *"NFL Policy requires visual inspection and **metal detector screening (hand-held or walk-through)** of all patrons, employees, vendors, and game production personnel after lockdown of the facility has occurred on game days."*

In June 2013, **restrictions on specific bags**, containers, and packages permitted inside stadiums were unanimously recommended by the NFL Committee on Stadium Security after discussion with all 32 teams.

In order to better understand definitions of security guards/protective agents I am providing the following related statutes:

326.32 DEFINITIONS.

Subd. 13. Security guard.

(a) "Security guard" means a person who wears or carries any insignia that identifies the person to the public as security, who is paid a fee, wage, or salary to do one or more of the following:

(1) prevent or detect intrusion, unauthorized entry or activity, vandalism, or trespass on private property;

(2) prevent or detect theft, loss, embezzlement, misappropriation, or concealment of merchandise, money, bonds, stocks, notes, or other valuable documents or papers;

(3) control, regulate, or direct the flow or movements of the public, whether by vehicle or otherwise, to assure protection of private property;

(4) protect individuals from bodily harm; or

(5) enforce policies and rules of the security guard's employer related to crime reduction to the extent that the enforcement falls within the scope of the security guard's duties.

(b) The term "security guard" does not include:

(1) an auditor, accountant, or accounting clerk performing audits or accounting functions;

(2) an employee of a firm licensed under section 326.3381 whose duties are primarily administrative or clerical in nature;

(3) a person employed by a proprietary company to conduct plainclothes surveillance or investigation;

(4) a person temporarily employed under statute or ordinance by political subdivisions to provide protective services at social functions;

(5) an employee of an air or rail carrier;

(6) a customer service representative or sales clerk employed in a retail establishment; or

(7) a person employed to perform primarily maintenance or custodial functions.

326.338 PERSONS ENGAGED AS PRIVATE DETECTIVES OR PROTECTIVE AGENTS.

Subd. 4. Protective agent.

A person who for a fee, reward, or other valuable consideration undertakes any of the following acts is considered to be engaged in the business of protective agent:

(1) providing guards, private patrol, or other security personnel to protect persons or their property or to prevent the theft, unlawful taking of goods, merchandise, or money, or to prevent the misappropriation or concealment of goods, merchandise, money, or other valuable things, or to procure the return of those things;

(2) physically responding to any alarm signal device, burglar alarm, television camera, still camera, or a mechanical or electronic device installed or used to prevent or detect burglary, theft, shoplifting, pilferage, losses, or other security measures;

(3) providing armored car services for the protection of persons or property;

(4) controlling motor traffic on public streets, roads, and highways for the purpose of escorting a funeral procession and oversized loads; or

(5) providing management and control of crowds for the purpose of safety and protection.

A person covered by this subdivision may perform the traffic-control duties in clause (4) in place of a police officer when a special permit is required, provided that the protective agent is first-aid qualified.

In order to better understand the roles Monterrey employees are involved in the following information was found on an invoice:

US Bank Stadium
Metallica Staffing
Saturday, August 20, 2016

Event Security	# of Staff	Total Hours	Rate	Total
Area Managers	12	114.00	[redacted]	
Supervisors	52	483.50		
Security	545	4300.50		
TOTALS	**609**			

Upper Suites North	Break Staff	Break staff	1
Upper Concourse	Press Box Entrances	Access Control	2
Upper Concourse	Upper Concourse Roam Teams	Access Control	10
Mechanical	Stairwell 1	Access Control	1
Mechanical	Stairwell 7	Access Control	1
Mechanical	Stairwell 11	Access Control	1
	Employee Shuttle Bus		2
	Check In/Wardrobe		5
TOTAL			545

[redacted]

Event Security Staffing

GATES	Location	Position	# of Staff	[redacted]	Shift	Total	Rate	Total
West	Legacy Gate at Medtronic Plaza (50 Mags)	Bag check and Metal Detection	150	[redacted]				
West	Legacy Gate at Medtronic Plaza (50 Mags)	Directional Staff	8	[redacted]				
East	Verizon Gate (8 Mags)	Bag check and Metal Detection	15	[redacted]				
East	Verizon Gate (8 Mags)	Directional Staff	2	[redacted]				
North	Ecolab / Polaris Gate (15 Mags)	Bag check and Metal Detection	45	[redacted]				
North	Ecolab / Polaris Gate (15 Mags)	Directional Staff	4	[redacted]				
South Gate	Pentair Gate Upper Mags (6 Mags)	Bag check and Metal Detection	18	[redacted]				
South Gate	Pentair Gate Upper Mags (6 Mags)	Directional Staff	2	[redacted]				
South Gate	Pentair Gate Lower Mags (9 Mags)	Bag check and Metal Detection	27	[redacted]				
South Gate	Pentair Gate Lower Mags (9 Mags)	Directional Staff	2	[redacted]				
Skway Gate	Skyway Entrance (13 mags)	Bag check and Metal Detection	39	[redacted]				
Skway Gate	Skyway Entrance (13 mags)	Directional Staff	3	[redacted]				
Employee Gate	Employee Entrance (3 Mags)	Bag check and Metal Detection	9	[redacted]				
SMG	Team/Family Entrance (1 mag)	Bag check and Metal Detection	3	[redacted]				
Outer Perimeter	Pedestrian Bridge	Secondary Perimeter	3	[redacted]				
Outer Perimeter	Bag Check - Guests	Secondary Perimeter	2	[redacted]				
Outer Perimeter	11th Ave Generators	Secondary Perimeter	1	[redacted]				
Event Level	ABI Timeclock - On Premise	Team Member Ent	1	[redacted]				
Event Level	ABI Timeclock - On Premise	Team Member Ent	1	[redacted]				
Event Level	Top of Employee Ramp	Team Member Ent	2	[redacted]				
Event Level	Vikings Family/Staff Lounge	Access Control	1	[redacted]				
Event Level	Vikings Family/Staff Lounge	Access Control	1	[redacted]				
Event Level	Vikings Walkway to Field	Secure Area	1	[redacted]				
Event Level	Vikings Walkway @ Field point	Access Control	1	[redacted]				
Event Level	Entrance to Vikings LR from 360 Club	Access Control	1	[redacted]				
Event Level	East Entrance to 360 Club/Post Game Interview Room	Access Control	1	[redacted]				
Event Level	Dressing Room 1	Access Control	1	[redacted]				
Event Level	Dressing Room 2	Access Control	1	[redacted]				
Event Level	Dressing Room 3	Access Control	1	[redacted]				
Event Level	Dressing Room 4	Access Control	1	[redacted]				
Event Level	Visiting Team LR Exit to Field	Access Control	1	[redacted]				
Event Level	Visiting Team entrance from 360	Access Control	1	[redacted]				
Event Level	SW Roll Up Door	Access Control	1	[redacted]				
Event Level	NW Roll Door	Access Control	1	[redacted]				
Event Level	Chain Crew LR	Access Control	0	[redacted]				
Event Level	Official's LR	Access Control	0	[redacted]				
Event Level	Suite Walkway from 360 Club to Touchdown Suites	Access Control	2	[redacted]				
Event Level	Backstage Roam Team	Access Control	2	[redacted]				
Event Level	360 Club Roam Team	Access Control	2	[redacted]				
Event Level	NE Field Tunnel	Access Control	3	[redacted]				
Event Level	SE Field Tunnel	Access Control	3	[redacted]				
Event Level	SW Field Tunnel	Access Control	2	[redacted]				
Event Level	NW Field Tunnel	Access Control	2	[redacted]				
Event Level	Artist Busses	Access Control	2	[redacted]				
Event Level	Production Office	Access Control	1	[redacted]				
Event Level	NE Roll Up Door	Access Control	1	[redacted]				
Event Level	Media Dining	Access Control	2	[redacted]				
Event Level	Break Staff	Break Staff	4	[redacted]				
Event Level	NE Tunnel (Backdoor suites)	Access Control	1	[redacted]				
Event Level	JOC Door	Access Control	1	[redacted]				
Field Level	Stage Barricade	Monitor/ Access Control	47	[redacted]				
Field Level	Stage Barricade Relief Staff	Monitor/ Access Control	5	[redacted]				
Field Level	PIT	Monitor/ Access Control	6	[redacted]				
Field Level	Field Stairs	Monitor/ Access Control	8	[redacted]				
Field Level	Field Stairs Relief Staff	Monitor/ Access Control	2	[redacted]				
Field Level	Floor Staff	Monitor/ Access Control	10	[redacted]				
Field Level	Light Towers	Monitor/ Access Control	3	[redacted]				
Field Level	Mixer	Monitor/ Access Control	2	[redacted]				
Field Level	ADA Riser	Monitor/ Access Control	1	[redacted]				
Field Level	Deadzone	Monitor/ Access Control	3	[redacted]				
Executive Suite	Stairwell 8	Access Control	1	[redacted]				
Executive Suite	Stairwell 9	Access Control	1	[redacted]				
Executive Suite	Stairwell 7	Access Control	1	[redacted]				
Executive Suite	Stairwell 6	Access Control	1	[redacted]				
Executive Suite	Break Staff	Break Staff	1	[redacted]				
Lower Club	Emergency Doors at Stairwell 11 - LC	Access Control	1	[redacted]				
Lower Club	Emergency Doors at Stairwell 12 - LC	Access Control	1	[redacted]				
Lower Club	Emergency Doors at Stairwell 7 - LC	Access Control	1	[redacted]				
Lower Club	Emergency Doors at Stairwell 8 - LC	Access Control	1	[redacted]				
Lower Club	Emergency Doors at Stairwell 1 - LC	Access Control	1	[redacted]				
Lower Club	Emergency Doors at Stairwell 2 - LC	Access Control	1	[redacted]				
Lower Club	Player Lot NE driveway/ramp	Access Control	1	[redacted]				
Lower Club	Player Lot SW Emergency exit	Access Control	1	[redacted]				
Lower Club	Player Lot parking near LCL entrance	Access Control	1	[redacted]				
Lower Club	Player Lobby	Access Control	1	[redacted]				
Lower Club	Media Entrance	Access Control	3	[redacted]				
Lower Club	SMG Admin Entrance	Access Control	3	[redacted]				
Lower Club	Hyundai Club Entrance From Redzone Seats	Access Control	2	[redacted]				
Lower Club	Hyundai Club Roam Team	Monitor/Observe	2	[redacted]				
Main Concourse	Main Concourse Roam Teams	Monitor/ Observe	14	[redacted]				
Main Concourse	NE corner main ramp door to employee area	Access Control	1	[redacted]				
Upper Club	Skyway Entrance	Access Control	2	[redacted]				
Upper Club	MSFA office	Access Control	1	[redacted]				
Upper Club	SMG Offices	Access Control	1	[redacted]				
Upper Club	Ice Club Roam Team	Access Control	2	[redacted]				
Upper Club	Fire Club Roam Team	Access Control	2	[redacted]				
Upper Suites South	Press Box	Access Control	4	[redacted]				
Upper Suites North	Club Purple Roam Team	Monitor/Observe	2	[redacted]				
Upper Suites North	Club Purple Deck	Monitor/Observe	2	[redacted]				

Event Security Staffing

GATES	Location	Position	# of Staff	Start	Post Time	End	Shift Hours	Total Hours	Rate	Total
			2	[redacted]						
West	Legacy Gate at Medtronic Plaza (56 Mags)	Area Manager	1							
East	Verizon Gate (8 Mags)	Area Manager	1							
North	Ecolab / Polaris Gate (15 Mags)	Area Manager	1							
South Gate	Pentair Gate Lower Mags (9 Mags)	Area Manager	1							
Skway Gate	Skyway Entrance (13 mags)	Area Manager	1							
Outer Perimeter	Secondary Perimeter	Area Manager	1							
Event Level	Event Level Area Manager	Area Manager	1							
Event Level	Event Level Area Manager	Area Manager	1							
Field Level	Floor Manager	Area Manager	1							
Lower Club	Lower and upper Club Level NORTH side Area Manager	Area Manager	1							
Lower Club	Lower and upper Club Level SOUTH side Area Manager	Area Manager	1							
TOTAL			12							

Monterrey Job Description addendum

On September 20th, 2017 upon our request our agency received a document from Monterrey's attorneys that provides detailed explanations as to the various job descriptions of Monterrey employees. I am providing this material as a separate document. **Be advised, Monterrey's attorneys are requesting this information not be disseminated as it potentially could be considered Confidential - Proprietary Trade Secret Pursuant to Minn. Stat. sec. 13.37.**

Therefore, on the separate document I have numbered the various descriptions and am instructing the Board to only use the number of the items in red when discussing these job descriptions. If reference is being made to the items above, also refer to the item number in any discussion.

SURVEY RESULTS:

In a survey sent out to all reported past and present Monterrey employees (**1,245**) our agency asked for the following information regarding the employees' titles and duties:

i. *"Title(s) of position(s) held as a Monterrey Security employee."*
ii. *"What were the services you provided as a Monterrey employee?"*
iii. *"Did your uniform say "Security"? If not, please describe what it said and looked like."*
iv. *"As a Monterrey employee, did you ever guard an entrance to deter unauthorized entry?"*
v. *"As a Monterrey employee, did you ever control the flow/movements of the public?"*
vi. *"As a Monterrey employee, did you ever protective individuals from bodily harm?"*
vii. *"As a Monterrey employee, did you ever enforce Monterrey policies and rules related to crime reduction?"*
viii. *"As a Monterrey employee, did you ever protect persons or their property from theft?"*
ix. *"As a Monterrey employee, did you ever physically respond to an alarm, T.V. camera, or any device to detect security issues?"*
x. *"As a Monterrey employee, did you job include the use of a magnetometer (metal detector)?"*
xi. *"As a Monterrey employee, did your job include the use of a handhelf wand metal detector?"*
xii. *"If you are no longer emploed with Monterrey, please explan why below."*
xiii. *"Any other comments yhou would like to provide."*

Our agency received 28 responses to date. Below is a graph of 24 of those responses:

Sample of comments made on the survey:

1. Did you take a preassignment training class (PPA 109) prior to providing services for Monterrey? DID NOT Receive Certificate Until A year later	Y ☒	N ☐
13. Have you ever carried a firearm or weapon (handcuffs, baton, mace, etc.) while on the job? If so, please list the weapon(s) you carried. There were employees + monterrey relatives from Chicago that carried weapons.	Y ☐	N ☒

24. Any other comments you would like to provide (*please provide additional sheets if necessary*)?

Monterrey Security willingly hired employees with a criminal felony background. When brought to their Attention, it was ignored, And employees remained in Supervisory positions.

There were times that I felt uncomfortable about not being able to be transparent to the client (SMG), and publish my staffs schedule because whomever was responsible for billing staff hours were concerned the hours may not match.

23. If you are no longer employed with Monterrey, please explain why below.

After repeatedly advising management that the required background checks related to hiring Security Staff were NOT being followed, they decided to end my employment after 2 months.

[redacted] INTERVIEW:

On **August 18th, 2017** [redacted] took part in an interview with Executive Director Greg Cook and Administrative Assistant Shauna Jahnz.

Summarized statements made by [redacted]:

- [redacted] was aware that security personnel was hired with disqualifying criminal records.
- He was made aware of one individual, [redacted], through the Service Employees International Union (SEIU).
- As far as he knew, all Monterrey employees were 'event security' and everybody's function was security.
- His understanding was that all Monterrey employees were responsible for:
    - guarding entrances
    - deterring unauthorized entry
    - controlling the flow/movements of the public
    - protecting individuals from bodily harm
    - enforcing Monterrey Security/US Bank Stadium/Vikings/SMG policies and rules related to crime reduction
    - protecting people or their property from theft
    - physically respond to an alarm, TV camera, or any device to detect security issues
- He stated that the operation for the entrances included:
    - One employee monitored the magnetometers
    - One employee inspected purses and bags
    - One employee operated a directional metal detector
    - For every 3 (or so) magnetometers was a security supervisor
- He estimated that there were approximately 170 portable magnetometers in use at US Bank Stadium during major events.
- Monterrey did bus in employees from out of state. Specifically, Chicago.
    - These employees:
        - Worked events
        - Did security functions
        - Did not have backgrounds done
- He was informed by [redacted], that Patty Gaytan – Perez had asked [redacted] to falsify documents. These documents included:
        - The Affidavit of Training
        - Training certificates
            - He stated that [redacted] stated [redacted] did this for approximately 450 employees
    - He provided an email that referred to changing the dates in a computer in order to meet compliance.
- Monterrey was using 'cash groups' to work security at events.
    - Cash Groups are organizations that are trying to earn money for their associations, teams, clubs, etc.
    - These groups did not:
        - have preassignment training
        - background checks completed per statute
        - ID cards issued per statute
- He provided an email in which it shows they were lacking approximately 200 more staff just 5 days before a game.
    - It was noted that you can't get BCA/FBI background checks done within 5 days and highly unlikely complete a 12 hour preassignment class.
    - He stated that [redacted] was one of the trainers
        - Note: Our agency did not receive an instructor application to become a certified instructor until August 25th, 2017.
- He absolutely believes the situation involving Monterrey Security was a public safety concern.
- He does not think that 230 security personnel is enough to provide security for 70,000 people.

US Bank Stadium Event Observations

On Monday, September 11th, 2017 I attended the Vikings vs. New Orleans Saints football game at the US Bank Stadium. I was there from 3:30pm until 11:00pm and observed opening and closing procedures. This was a highly promoted and televised Monday Night Football event that had 67,000 attendees. During the course of the event I observed and interviewed several Monterrey employees as they performed various functions before, during and after the event.

Summary of Observations:

1. I arrived at approximately 3:30pm at what is known as the Legacy gate located on the west end of the stadium property. The area consisted of fencing and gate perimeter structures that surrounded the facility. The gate entrances consisted of approximately 50 magnetometer stations, each one with a table. These gate entrances were covered with an awning. It was noted that these gate entrances appeared not to be visible from the facility security cameras.

2. At approximately 4:10pm I observed a large number of Monterrey employees wearing red shirts that stated "Monterrey Event Ambassador" (MEA) meeting with an individual wearing a black shirt and hat that appeared to be giving the MEA's instruction. At approximately 4:00pm a large group of MEA allowed patrons to enter through the gates and proceed into the stadium.

3. For each magnetometer I observed an MEA standing next to the magnetometer. On these MEA's I observed an identification card that had no picture and no name of the individual wearing printed on it. The card did state "Monterrey Security" twice on the front of the card. On the shoulder of the shirt being worn by MEA's it stated "Monterrey Security" with the company's logo.
    a. See MN Statute 326.32, Subd. 13, (a),
    b. See MN Statute 326.336, Subd. 2

4. This individual would monitor the signals from the device. This individual would also inspect bags, purses and other parcels as patrons made their way through the lanes. Patrons were asked to place all mechanical and metal objects in a tray on the table. This person inspected those items. This individual would instruct those that emitted a signal to step over to another MEA that operated a directional metal detection device (wand).
    a. See MN Statute 326.338, Subd. 4, (1), (2), (5)

5. The second MEA operated a directional metal detection device (wand). If a person emitted a signal going through the magnetometer this person would waive the wand over the outside of the patron's body. If a signal was emitted from that the MEA would then ask the patron if they had any metal objects on them. If, upon inspection, there was no further concern the patron would then proceed approximately 10 more feet to an individual in a checkered shirt who operated a ticket scanner.
    a. See MN Statute 326.338, Subd. 4, (1), (2), (5)

6. For every 3-6 of these stations there was an individual wearing a shirt that stated "Monterrey Event Supervisor" (MES). This individual would respond to questions from the MEA's and if needed further inspect those that had emitted a signal with either the magnetometer or wand. They also responded to issues involving items located in bags, purses or that were placed in the tray. I did observe a garbage can that was full of purses.

7. During the course of the next several hours I proceeded to talk to and observe Monterrey staff as they processed patrons entering the facility, maintained access control posts checking credentials throughout the interior of the building. The interior posts included standing in front of entrances, elevators, certain rooms, suites, the dock area and entrances onto the field.
    a. See MN Statute 326.32, Subd. 13, (a), (1), (3), (5),
    b. See MN Statute 326.338, Subd. 4, (1), (5)

8. I spoke to several MEA's that were from St. Cloud University Swim and Wrestling teams. They explained they were there to perform security functions in order to raise money for their teams. When asked about how much training they had it ranged between 1 and 2 hours. When asked if a background check was done on them they stated that they signed some form, provided their SSN number, but did not submit fingerprints. Without fingerprints they would not be doing the BCA/FBI record checks per statute.
    a. See MN Statute 326.3361, Subd 1, (6), Subd. 2, (1)
    b. See MN Statute 326.336, Subd. 1
    c. See MN Statute 326.338, Subd. 4, (1), (5)
    d. See MN Statute 326.32, Subd. 13, (a), (1), (3), (5),

9. I spoke to several MEA's that were from a baseball team from Mason City Iowa. As above they stated that they were there to perform security functions in order to raise money for their teams. When asked about how much training they had it ranged between 1 and 2 hours. When asked if a background check was done on them they stated that they signed some form, provided their SSN number, but did not submit fingerprints.
    a. See MN Statute 326.3361, Subd 1, (6), Subd. 2, (1)
    b. See MN Statute 326.336, Subd. 1
    c. See MN Statute 326.338, Subd. 4, (1), (5)
    d. See MN Statute 326.32, Subd. 13, (a), (1), (3), (5),

10. Spoke to several MEA's that were from Chicago, IL. They stated they had met at Soldiers Field in Chicago at 5am that morning, boarded a coach bus, travelled up to US Bank Stadium in Minneapolis, MN and proceeded to work the event. When asked how many came from Chicago I received answers including up to 100. When asked what they did they predominantly stated they were there to perform security services. Some stated they had been doing this since Monterrey was awarded the contract. Some employees stated they had worked for Monterrey for several years. When asked about training they stated they had received training back in Chicago. When asked about background checks they stated that the only time they had provided background checks was when they were applying for their PERC card (Illinois Security Card).
    a. See MN Statute 326.3361, Subd 1, (6), Subd. 2, (1)
    b. See MN Statute 326.336, Subd. 1
    c. See MN Statute 326.338, Subd. 4, (1), (5)
    d. See MN Statute 326.32, Subd. 13, (a), (1), (3), (5),

11. Inside the stadium I came across several MEA's that were stationed in front of hallways, doors and elevators. These individuals were checking the credentials of people trying to gain access to certain areas. If they did not have the correct credential, they were denied access.
    a. See MN Statute 326.32, Subd. 13, (a), (1), (3), (5),
    b. See MN Statute 326.338, Subd. 4, (1), (5)

12. Near the end of the event I was in and around the Legacy gate area and observed EA's enforcing rules and policies including prohibiting people from leaving with alcoholic beverages, informing patrons that were requesting to leave and come back that they could not regain access, and some volatile situations in which EA's were enforcing the no smoking rules.
    a. See MN Statute 326.32, Subd 13, (1), (3), (5)
    b. See MN Statute 326.338, Subd. 4, (5)

    At the end of the event I observed Monterrey employee's in the dock area of the facility removing their shirts and ID cards and handing them over to other Monterrey employees at a table. From that point I observed several of the employees previously identified as being from Chicago exit the facility. I proceeded to observe them as they travelled approximately 3 blocks away from the stadium to Hope Church, located at 707 10th Ave S, Minneapolis, MN 55415. Outside of that church I observed two coach buses. On the sides of the buses was printed 'Ideal Charter'. Further labeling stated 'Chicago Ridge, IL'. There were numbers on the bus: #561 & #564. I observed the Monterrey employees who previously identified themselves as being from Chicago enter the bus. I then spoke to the bus driver. He informed me that he picks up these employees in Chicago early in the morning, drops them off at the stadium, then goes to a hotel to get sleep. He then he drives them back to Chicago. Standing next to him was a Monterrey employee that I asked what group this was. He stated they were Monterrey employees and that they do security for US Bank. These 2 buses were found to seat 55 passengers each and appeared to be full.

    c. From the July 25th, 2017 Board Meeting. Juan Gaytan made the following statement:
        i. *"I think the mandate that this state had to hire people from the state of Minnesota and not bus people in was one of the staples and one of the reasons I believe we were awarded, and I am very proud of the fact that we have been able to hire people from Minnesota and not bus in anyone and have a successful year this past year."*
    d. Upon request of Monterrey for all employees that have worked in Minnesota the list contained:
        i. 4 addresses in Illinois
        ii. 1 addresses in Arkansas
        iii. 1 Address in Washington DC
        iv. 1 address in Michigan
        v. 1 address in New Jersey
        vi. 1 address in South Dakota
        vii. 14 addresses in Wisconsin

*******End of Report*******

US BANK STADIUM VISIT

On September 13th, 2017 Administrative Assistant Shauna Jahnz and I met with Billy Langenstein, Event Coordinator for US Bank Stadium. He accompanied us as we reviewed digital video from past events held at the stadium. We observed several videos of the interior of the stadium in which Monterrey Event Ambassadors were stationed at posts checking credentials and access to various parts of the facility.

I requested of Langenstein to capture and save the following video clips:

- 9/08/2017:
  - 6:08:25 pm @ 01 SW Corridor
    - Event ambassador shirt doing access control
- 9/08/2017
  - 6:08:36:276 pm @ 01 NW Guest Experience Hallway (1.37.01)
    - Event ambassador shirt doing access control
- 9/11/2017:
  - 6:00:34:245 pm @01 SE Field Access Corridor 1-21-1
    - Event ambassador shirt doing access control

VOLUNTEERS (CASH GROUPS)

In an email involving Juan Gaytan, Patricia Gaytan Perez, and [redacted] on August 23 & August 24, 2016, [redacted] questioned these volunteers Monterrey would be working with and the background check process for these groups:

Donald Banham

From: Juan Gaytan
Sent: Wednesday, August 24, 2016 9:59 AM
To: [redacted]
Cc: Patricia Gaytan Perez
Subject: Re: Groups

I think for joe the key is to fingerprint all of our own staff and ensure the bca training documentation is done properly. Don't we have to send them a monthly report of how many people are trained etc? Once we have a strong hold on all of the documentation then let's revisit the groups. Maybe the leaders of the group etc. the problem with groups is it won't be same person everytime. If using groups will be a long term usage then I say we must.

Can you and patty verify that we are sending the appropriate documentation to Greg cooks office etc?

JG

Juan Gaytan, Jr.
Monterrey Security
President
Sent from my iPad

On Aug 23, 2016, at 4:48 PM, [redacted] wrote:

Juan,

Matt had invited me to fingerprint at an orientation with a Century group that would be working with us. The day of the orientation, he told me I could cancel because we do not need to fingerprint "Cash Groups". Do you not want me to background Cash Groups and Teams. Also do they not have to be 18 years or older.

Just want to know our official position on this.

Thanks
[redacted]

STAFFING ISSUES:

It appears from an email dated August 23rd that 5 days prior to a game Monterrey was still attempting to reach staffing levels. It is highly unlikely they would be able to hire, provide 12 hour preassignment training and conduct BCA/FBI background checks within a 5 day period.

From: Matt Dutton
Sent: Tuesday, August 23, 2016 4:17 PM
To: Patricia Gaytan Perez [redacted]
Cc: [redacted]
Subject: RE: Vikings 8-28-16 update

VIKINGS 8-28-16

ABI staffed:338

Atlas:?

Church group: NOT AVAILABLE ON SUNDAYS

Craig Banham:?

Century College: 25

St Cloud College: 65

TC football group: ?

Total staff as of 8/23: 428

NEED SCHEDULED: 600-650

VIKINGS 9-1-16

ABI staffed:238

Atlas:?

Church group: ?

Craig Banham:?

Century College: ?

St Cloud College: ?

TC football group:?

Total staffed as of 8/23: 238

NEED SCHEDULED: 600-650

Thank you,
Matthew Dutton
Interim Director of Stadium Security Operations
Monterrey Security
[redacted]

POSSIBLE ALTERCATION OF RECORDS:

In the following email there is a discussion regarding how to possibly manipulate records in their computer system. This situation was referred to in [redacted] statement above:

[redacted]

From: Patricia Gaytan Perez
Sent: Tuesday, May 16, 2017 1:29 PM
To: [redacted]
Subject: RE: MNPDB: Complaint & Audit Notification

I think we would need to re-hire; change the date and then terminate again. This is when it really starts to get confusing.

From: [redacted]
Sent: Monday, May 15, 2017 11:56 AM
To: Vivian Ogo [redacted]
Cc: Patricia Gaytan Perez <[redacted]>
Subject: RE: MNPDB: [redacted] Notification

[redacted]

If they are terminated, it won't let me change their re-hire date.

What would I do for these people?

[redacted]
Monterrey Security - MN
[redacted]
monterreysecurity

From: [redacted]
Sent: Monday, May 15, 2017 10:48 AM
To: [redacted] Patricia Gaytan Perez <[redacted]>
Subject: RE: MNPDB: [redacted] Notification

[redacted]

I reviewed the dates and the ones highlighted in yellow are employees with hires dates where backgrounds were submitted after 30+ plus days, some going into 60 days which is incorrect. Can you adjust and double check to make sure that 30 days is the max, there were some that I left a little over 30, which I think is okay.

[redacted] a little over 30 is okay?

From: [redacted]
Sent: Friday, May 12, 2017 2:22 PM
To: Patricia Gaytan Perez <[redacted]
Cc: [redacted]
Subject: RE: MNPDB: [redacted] Notification

Allllllright! It is complete.

1

[redacted]

SMG INVOICE REVIEW:

On September 13th, 2017 Administrative Assistant Shauna Jahnz and I reviewed invoices submitted from Monterrey Security to SMG at the Maslon Law Offices. We were prohibited to photocopy or photograph the documents. These documents consisted of separate invoices for 24/7 security, small events and large events such as football games and concerts. The large event invoices listed several hundred employees.

Upon review of these invoices for large events were descriptions for employees that included:

- Perimeter screening
- Gate coverage for bag checks
- Directional and metal detection
- Outer perimeter coverage
- Monitor parking areas
- Skyway
- Patron bag check
- Media buses

On an invoice dated July 29th, 2017 we observed the name of an employee that Monterrey appeared to be billing SMG for - [redacted] had been terminated in January of 2017, approximately 7 months earlier. I contacted [redacted] by phone and he confirmed that he did not work for Monterrey since January of 2017. It is possible there is another [redacted]' working for them. I have informed and requested of Maslon to verify.

Subsequently, we received a survey result from a supervisor that may, or may not, be related:

There were times that I felt uncomfortable about not being able to be transparent to the client (SMG), and publish my staff's schedule because whomever was responsible for billing staff hours were concerned the hours may not match.

Conclusion

A common denominator regarding the issues found with this reissuance is whether or not certain Monterrey employees are considered 'protective agents'. Monterrey states that a vast majority of their staff is not. If not, then that would bypass many statutory requirements. In determining what tasks are considered protective agent functions, the Board will need to determine if the following functions apply:

1. Crowd control
2. Access control
3. Bag searches
4. Use of metal detection magnetometers
5. Use of metal detection hand wands
6. Credential checks at all non-public points
7. Personnel in each seating section visually monitoring the crowd for any potential problems
8. Response Teams
9. Sideline security
10. Monitor the stands and make sure only properly credentialed people are on the field
11. Ensure that credentialed media stay in their designated area
12. Provide security around the instant replay booths
13. Escort coaches from field to the coaches box
14. Supplement 24 hour security
15. Supplementing ushers, ticket takers, and concierge personnel
16. Parking Lot and Perimeter Security
17. Enforcement of NFL Clear Bag Policy
18. Enforcement of NFL and Job Site policies concerning items prohibited from being brought into the Stadium
19. Enforcement of NFL Fan Code of Conduct

At the time of the writing of this report our agency is still receiving information. Addendums will be incorporated if needed. It is important to note that at the core of the Board and our agency 'Public Safety' and 'Consumer Protection' are at the forefront. We conducted our research with these values as our guide.

Sincerely,

Gregory J. Cook, CFE, CPP

Executive Director

Minnesota Board of Private Detectives and Protective Agents