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Managing Security Today is the official magazine of the Associated Security Services and Investigators of the State of Texas (ASSIST) and published three times a year. The contents are not necessarily the views of, or endorsed by ASSIST. The appearance in advertising in Managing Security Today does not constitute endorsement of the products of services advertised. Any article or service advertised in Managing Security Today will be made available for purchase, use or patronage without regard to any non-merit factor of consumers. Managing Security Today is published by the Associated Security Services & Investigators of the State of Texas, Inc. Texas’ largest magazine representing the security profession in Texas. Managing Security Today may not be photocopied, reproduced or redistributed without the consent of the publisher. Copyright 2015. All rights reserved. Managing Security Today welcomes articles submissions and reader feedback. Articles and comments may be emailed to Joni Berardino at executivedirector@assisttexas.org. Include your full name, address and phone number.
HAPPY NEW YEAR! In 2015, ASSIST had some challenges but we made it. Charles and Keith did a great job keeping the legislature in check. I think we will be facing some new challenges in 2017 session but as of now nothing they can’t handle. In some discussion with our members it appears that the “open carry” has not made as big an impact as we originally thought. Last month in our quarterly board meeting we only had one member that had seen a person open carry in public.

Your board’s emphasis this year is growing our membership and trying to add more benefits for members. Denise Nicholson is the new ASSIST Administrator. Denise’s duties will be to assist the Board of Directors and the President. Denise will be responsible for getting the word out on upcoming events, growing membership, helping to attract new vendor members, supporting the convention committee and monitoring our Safety Group program. The board was pleased to offer Denise this position, she has been a loyal member, a great treasurer and one of the best board members. Please welcome Denise; she will do us a great job!

As you know we are planning our convention in San Antonio this year. Your new chapter President in San Antonio is Manuel Cervantes. He is a great addition to the board and I look forward to working with him. Our other new board members are Greg Healy, President of the Houston chapter, and Aaron Smith, State Treasurer. I can’t say enough about how excited I am about these new board members. They are sincere and want the Association to grow.

When I look back, I can’t help but notice the changes ASSIST has gone through in the past years. We have grown in membership; we have excelled in the ability to make change and protect our profession and helped create an educational level that promotes a more responsible security officer and manager. ASSIST has met all challenges head on, defeating some and negotiating workable solutions with others. As business owners, managers and executives we must remain vigilant to all aspects of laws, rules and procedures that would affect our businesses. At each and every DPS/PSB meeting the majority of your Board of Directors is there to represent you the member. Please remember this when you see them; thank them, it’s on their nickel; they are taking time from their business to represent you, the member!

I would like to personally thank my ASSIST wife, yes I have one! She has been at my side and kept me on track for many years. She has always had my back. She has been on the board since my first time as State President; she argues her point and the majority of the time she is right. She is the keeper of the By-Laws and my friend SUSAN GRISWOLD, thanks for always being there in every aspect, you make me look good!

In closing, I would like to welcome two of the newest DPS/PSB commissioners, Chairwoman Patricia (Pattie) James and Commissioner Debra Ulmer. I have known these ladies for years and have nothing but respect and admiration for both. Their integrity and professional knowledge makes a great board better.

WALT ROBERTS
State President
ASSIST
(469) 533-3311
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MARKETING AND ADVERTISING IS A NECESSARY PART OF ANY BUSINESS.
Regardless of the services you provide, your customers, clients and prospective clients need to know you exist. Word of mouth, networking, personal referrals are all a significant part of the promotional process, however, without a brand for those people to resonate with, you are essentially wasting time, effort and dollars. There is a significant cost to customer acquisition and retention; so, why would anyone want to waste money on something that did not bring continued value to both parties.

Consider the following scenario; you plan on attending a trade show where your target market will be attending in mass. You are told by the event planners that they expect four to five thousand attendees. Good Lord, it’s a gold mine! You quickly set about making all the plans to be the most attractive and best prepared exhibitor at the show. You have your table, your booth, your staff is all primed and you arrive bright and early, armed with all the goodies designed to attract the attendee. Hundreds of the nicest and newest pens your budget could afford, stacks of post-it note style writing pads and maybe a few other gadgets designed to lure the catch in.

But did we spend one bit of preparation time even thinking about who our ideal client is? If you answered, ‘No’ You’re not alone. More than half (62%) of all respondents in a recent marketing survey were not sure if their marketing and advertising program was as effective as it could be; similarly almost half (48.9%) are concerned that their program was not promoting brand awareness, an extremely important component in an ever increasing competitive market.

IDENTIFYING THAT IDEAL CLIENT
Every company that provides a product or a service has an ideal client that fits within a certain demographic. This is not to say that you do not have a diverse set of clients within different industries that provide a strong base for your business. However if you look deeply at your client list, I can almost guarantee that the twenty percent that produce eighty percent of your revenue probably come from a particular set of properties, industries or professional vertical. If you want to attract more of that twenty percent, than you have to think about how to advertise to them at that moment when they realize they need your product or service over that of your competition.

First let’s get that Ideal Client in mind. Create a physical picture of what he or she looks like. Identify their work environment. If your typical decision maker for example is a property manager, in what kind of property setting does he or she work? What are the things that he or she works with every day? What tools can make their life just a little easier? It becomes important when you answer the following question; where exactly are they when they realize they need you? The property manager at a commercial building is likely to have an entirely different working environment than that of a hotel manager, or a warehouse manager; how about that construction manager? Without that picture in your head, you cannot begin to figure out how to advertise to him or her at the previously mentioned moment.

Let’s go back to our trade show supplies, you arrived all ready and primed with branded pens and post-it notes only to figure out that the primary work environment for the ideal clients attending the trade show requires them to use a tablet or specific software. What do you think is going to happen to those branded pens and notepads you laid out so neatly in your booth? I can almost guarantee they will not be with them when they realize they need you. We need to focus on putting something in their hands that is useful to them every day.

The majority of business owners are positive or extremely positive about the prospects for growing business in 2016 according to recent surveys. We all should be, the future is up to us. Similarly, as business owners we should be good stewards of our finances. Whatever your advertising strategy for 2016, please make sure you are working with someone who will be as good a steward of your finances as you are. Make sure they help you make great decisions; decisions that do not waste advertising dollars and help you control costs.
The need for proper phone security is no different from the need for a well-protected computer network. According to computer security software company McAfee, cyber-attacks on mobile devices increased by almost 600 percent from 2011 to 2012 with no signs of slowing down today.

**LOST OR STOLEN DEVICES**

Because of their size and the nature of their use, mobile devices are particularly susceptible to being lost or stolen. Since most devices automatically store passwords in their memory to keep users logged in to email and other applications, gaining physical possession of the device is one of the easiest ways for unauthorized users to access private information.

To prevent someone from accessing a lost or stolen device, the phone or tablet should be locked with a password or PIN. The password should be time sensitive, automatically locking the phone out after a short period of inactivity. Most devices come with such security features built in. Depending on your cellphone provider, there are also services that allow you to remotely erase or lock down a device if it is lost or stolen. Similarly, it is possible to program a mobile device to erase all of its stored data after a certain number of login failures.

**MALICIOUS ATTACKS**

Mobile devices have the potential to be just as susceptible to malware and viruses as computers, yet many businesses don’t consider instituting the same type of safeguards. Furthermore, it doesn’t matter what operating system the devices use, whether it be Android, Apple’s iOS, Blackberry or Windows Mobile—all are vulnerable to attacks.

Hackers can use “ransomware” to restrict a user’s access to their device’s data, contacts, etc., and then demand a ransom to get it back. Even if the user pays the ransom, there is no guarantee that they will get the data back. Employees should know not to ever pay the ransom if this type of software finds its way onto a company device.

A big difference between mobile devices and laptops and other computers is the ability to accept open Wi-Fi and Bluetooth signals without the user knowing. Hackers can take advantage of this by luring devices to accept connections to a nearby malicious device. Once the device is connected, the hacker can steal information at will. To prevent this, make sure all mobile devices are set to reject open connections without user permission.

**PREVENTIVE MEASURES**
While the current mobile device security landscape may look bleak, there are plenty of ways to be proactive about keeping company devices safe from threats.

1. Establish a Mobile Device Policy
Before issuing smartphones or tablets to your employees, establish a device usage policy. Provide clear rules about what constitutes acceptable use as well as what actions will be taken if employees violate the policy. It is important that employees understand the security risks inherent to smartphone use and how they can mitigate those risks. Well informed, responsible users are your first line of defense against cyber attacks.

2. Establish a Bring Your Own Device (BYOD) Policy
If you allow employees to use their personal devices for company business, make sure you have a formal BYOD policy in place. Your BYOD security plan should also include the following:

   • Installing remote wiping software on any personal device used to store or access company data.

   • Educating and training employees on how to safeguard company data when they access it from their own devices.

   • Informing employees about the exact protocol they must follow if their device is lost or stolen.

3. Keep the devices updated with the most current software and anti-virus programs.
Software updates to mobile devices often include patches for various security holes, so it’s best practice to install the updates as soon as they’re available.

   There are many options to choose from when it comes to anti-virus software for mobile devices, so it comes down to preference. Some are free to use, while others charge a monthly or annual fee and often come with better support. In addition to anti-virus support, many of these programs will monitor SMS, MMS and call logs for suspicious activity and use blacklists to prevent users from installing known malware to the device.

4. Backup device content on a regular basis.
Just like your computer data should be backed up regularly, so should the data on your company’s mobile devices. If a device is lost or stolen, you’ll have peace of mind knowing your valuable data is safe.

5. Choose passwords carefully.
The average Internet user has about 25 accounts to maintain and an average of 6.5 different passwords to protect them, according to a recent Microsoft study. Obviously, this lack of security awareness is what hackers count on to steal data. Use the following tips to ensure your mobile device passwords are easy to remember and hard to guess:

   • Require employees to change the device’s login password every 90 days.

   • Passwords should be at least eight characters long and include uppercase letters and special characters, such as asterisks, ampersands and pound signs.

   • Don’t use names of spouses, children or pets in the password. A hacker can spend just a couple minutes on a social media site to figure out this information.

First Insurance Services has worked with industry experts to craft sample mobile device policies that can be further customized to fit your unique business needs. Contact us today to obtain a copy of the policy. We also specialize in security insurance for your business and can answer any of those questions too. Call 281-460-4853 or email kyeary@1stinsurance.net.
AS WE EMBARK ON THE NEW YEAR ONCE AGAIN THE SECURITY OFFICERS OF TEXAS ARE FACED WITH CHALLENGES AS WELL AS INCREASED VIOLENCE ON THE STREETS. In the last month, we have had several events. On December 22nd in Houston Officer Cruz of Asian American was ambushed and killed sitting in his vehicle. A Houston Security Officer was attacked by several armed males in an apartment complex. Gunfire was exchanged and the officer was not injured. On Tuesday Jan 25th, a Houston Security Officer was ambushed and shot several times while working at a cellular phone store. In Dallas, two Security Officers were forced to defend themselves from a male who attempted to run them down. Multiple events in one month. Now more than ever Security Officers must remember their training and constantly be aware of their surroundings or we will suffer more injured and killed officers. Situational Awareness and getting ahead of incidents as they start is one of the most important tools officers can bring to the jobs so that their loved ones will not have to become the victim’s family.

Officer Saul Cruz was killed in the early morning hours of December 22nd sitting in his patrol vehicle while protecting a convenience store. Officer Cruz an employee of Asian American Security, was ambushed by two males armed with a long gun and a handgun. One perpetrator is in custody and a warrant has been issued for the second suspect. Officer Cruz left behind sons, daughters and grandchildren. Please remember Officer Cruz and his family in your thoughts and prayers. Another Texas Security Officer has given his life to protect his part of the community.

On January 1st the State of Texas enacted open carry and converted CHL’s (concealed Handgun Licenses) into LTC's (Licenses to Carry) allowing LTC Holders to carry openly with certain exceptions. At this time in most urban areas we are not seeing open carry issues arising. Most LEO (Law Enforcement) agencies are taking the position that if there is not a secondary issue they will not be intervening when they see a person open carrying. Open carry does require that the weapon be in a shoulder or belt holster.

At the last COTSO board meeting the board moved forward with the decision on a LOGO for COTSO. After deliberation, a logo was chosen and has been placed at the top of the article for everyone to see. Also discussed were plans for the future as well as fundraising efforts. COTSO will be creating a brochure and possibly a folding business card that will list contact numbers as well as COTSO benefits available to officers. We are still looking for Board Officers in the Houston, Central Texas Area, Brownsville and El Paso. These persons need not be active in the security industry but must be committed to our mission of assisting Security Officers and their families when issues arise.

Feel free to call me or contact me at any time for any issues affecting Security Officers, to get involved or to make a donation. I can be reached at 214-729-0667 or at help@cotso.org or mike@dallassecurityalarm.com. Be safe and remember to watch your back because you matter and the community we protect needs you.
10 MANAGEMENT TIPS FOR GREAT LEADERS

Managing a team is challenging, rewarding and worthwhile if you invest the time and the effort!

1. Share Information
   Communicate the news that you can, so minds don’t wonder.

2. Say Thanks! People want to feel appreciated!
   A simple thank-you note doesn’t cost a thing, and it makes a huge difference. Why not write a thank-you e-mail to your direct report and CC your boss?

3. Adjust your style
   You have many different communication styles and personalities on your team. Don’t think that you can manage everyone the same way, and don’t assume everyone likes to be managed the way you like to be managed.

4. Have fun
   Your team wants to enjoy going to work.

5. Remove obstacles
   Bureaucracy stifles creativity and innovation. If you can streamline processes or cut down some of the paperwork, it will be easier for your team to succeed.

6. Raise your hand
   When your people see you putting in extra hours, volunteering to pitch in, and “walking the walk”, they are inspired to jump in and follow your lead.

7. Empower through delegation
   Delegate to give yourself time to complete tasks more appropriate for your level.

8. Set milestones
   Everyone loves achieving goals and celebrating success. Set milestones that can be reached. Your team will appreciate the focus and brighter perspective this brings.

9. Give feedback – the good, the bad, AND the ugly!
   You know that spinach leaf that gets stuck in your teeth after lunch? Don’t you want someone to tell you about it? Your direct reports want feedback, and it’s crucial in making your team as productive as possible.

10. Focus your time
    It’s the old 80:20 principle. Focus the majority of your time and attention on the 20% of your people and projects that generate 80% of your results.
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- Marshall Settegast, VP / CEO, Cart Leasing, Inc.
Since 2004, I have attended the quarterly meetings in Austin and have had the opportunity to learn how the process works, or so I thought. Before my appointment I would sit in the audience and listen to rules being made and enforced, often thinking I would have made a different decision than the Board based on the limited facts presented. What I did not know was how the Board’s decision was reached. There are several factors considered, based on case histories that average 22 pages per case. These include the legal filings by PSB staff counsel and the ruling of the SOAH judge, State Office of Administrative Hearings.

Let me explain, even though Texas Occupations Code 1702 and Texas Administrative Code Chapter 35 are clear they are based on the Texas Occupations Chapter 53. What is Chapter 53 you ask? It is part of the Occupations Code that applies to the occupational licensing decisions made by state agencies. It excludes very few occupations. It requires the agencies consider mitigating circumstances for those who have been denied or had their license revoked. If you want to know what the complete set of rules are Google Texas Occupations Code 53.023, but a few things considered are the person’s age at the time the crime was committed, the amount of time since the crime has occurred, whether it was an isolated event, their personal and work conduct, what have they done to better themselves, whether they served in the military, attended and completed a rehabilitation program, and whether the offense could be considered industry related.

OC 1702 and Chapter 35 are firm in outlining our rules, regulations and laws however Chapter 53 allows for flexibility or second chances. Once the SOAH judge has ruled, the case comes before the Board for a final decision on whether to affirm or deny the SOAH judge’s decision. The Board has to decide if the judge has applied OC1702, Chapters 35 and 53 appropriately or has it been misapplied. We have to take into consideration all the above factors and how this will affect our industry, the person appearing before the Board, and the citizens of Texas. If we disagree with the SOAH judge’s decision we have to state the reason(s) why based on rules and/or laws, something that could be defended by counsel at an appeal hearing. In some cases, it is hard not to have empathy and not give someone their livelihood back. It is equally disturbing to restore a license because the law requires it. Either way, it is a hard decision. Those decisions are based on facts, rules, and laws, not emotions. The decision we make is life changing either way, someone either goes back to work or has to find a new career.

I do not take this responsibility lightly nor do my fellow board members. What seems to take only a few hours, the month following the calendar quarter are actually days of preparation in reading case files, research, note taking and thought. Which is why the decision sitting at the table is vastly different than it would have been sitting in the audience.
ASSIST is the legislative arm of the private security industry in Texas. We have maintained a vigorous role in shaping the regulatory environment for the private security industry at the State Capitol in Austin for over two decades.

Without the efforts of ASSIST members and our legislative team, we would be operating under a much different regulatory environment today.

ASSIST not only fights for security company owners but also stands up for the rights of security officers.

During each legislative session we study over 6,000 bills filed. We study each line of the bill, every single word. One word can make all the difference. Legislators have also been known to sneak something through in a seemingly innocuous bill. Sometimes the bill may seem OK, but it is amended along the way in the process and the amendment could have devastating effects on private security.

We work with Legislators, often times to help them get elected or re-elected.

Once they are elected, we continue to work with them to educate them about the importance to public safety of our profession.

We work with our regulators, The Texas Department of Public Safety and the Private Security Board, to ensure that the board rules reflect the legislative intent of the laws governing private security.

One particularly bad bill we defeated this past legislative session is sure to resurface again. The bill would have exempted all churches, religious organizations, private schools and charitable organizations, (501C3s) from the private security act for their volunteers.

That would mean that individuals could volunteer at those organizations as security guards, private investigators, burglar alarm installers, lockmasters and law enforcement dog trainers, with no criminal background checks, no training and no liability insurance.

If the volunteer has a concealed handgun permit, they could act as armed guards at private primary and secondary schools with no training. They could install camera systems and re-key the locks at the school or charitable organization and also be on the sex offender list.

That is just one example of the battles ahead. Below are some of the issues that ASSIST has worked on in past legislative sessions. Most of them can be found in Chapter 1702 of the Occupations Code.

Sec. 1702.005. DEPARTMENT OF PUBLIC SAFETY. (a) The board created under Section 1702.021 is a part of the department. The department shall administer this chapter through the board.

Sec. 1702.021. BOARD MEMBERSHIP. (a) The Texas Private Security Board consists of seven members appointed by the governor with the advice and consent of the senate as follows:

(1) three public members, each of whom is a citizen of the United States;
(2) one member who is licensed under this chapter as a private investigator;
(3) one member who is licensed under this chapter as an alarm systems company;
(4) one member who is licensed under this chapter as the owner or operator of a guard company; and
(5) one member who is licensed under this chapter as a locksmith.

Sec. 1702.061. GENERAL POWERS AND DUTIES OF BOARD. (a) The board shall perform the functions and duties provided by this chapter.
(b) The board shall adopt rules and general policies to guide the agency in the administration of this chapter.
(c) The rules and policies adopted by the board under Subsection (b) must
be consistent with this chapter and other board rules adopted under this chapter and with any other applicable law, state rule, or federal regulation. (d) The board has the powers and duties to: (1) determine the qualifications of license holders, registrants, endorsement holders, and commissioned security officers; (2) investigate alleged violations of this chapter and of board rules; (3) adopt rules necessary to implement this chapter; and (4) establish and enforce standards governing the safety and conduct of each person licensed, registered, or commissioned under this chapter. (e) The board shall have a seal in the form prescribed by the board. (ASSIST has fought to preserve the Private Security Board's authority over our profession.) Sec. 1702.062. FEES. (a) The board by rule shall establish reasonable and necessary fees that produce sufficient revenue to administer this chapter. The fees may not produce unnecessary fund balances. (ASSIST has always fought to keep our fees low and that our fees and fines were used to regulate our profession.) Sec. 1702.119. MANAGER REQUIRED. (a) A license holder's business shall be operated under the direction and control of one manager. A license holder may not apply to designate more than one individual to serve as manager of the license holder's business. (b) An individual may not act as a manager until the individual has: (1) demonstrated the individual’s qualifications by passing the written examination required by Section 1702.117(a); and (2) made a satisfactory showing to the department that the individual: (A) satisfies the requirements of Section 1702.113 and meets all qualification and experience requirements set by rule for a manager of the type of company for which the individual is applying; and (B) has not engaged in conduct regarding a violation or conviction that is grounds for disciplinary action under Section 1702.361(b) or 1702.3615(a). (ASSIST has consistently worked to improve the qualifications of licensed managers and to make certain that multiple 'franchise' offices were not operated by under one manager in another country or state) Sec. 1702.131. ADVERTISING. An advertisement by a license holder soliciting or advertising business must contain the license holder’s company name and address as stated in board records. (We have worked to keep unlicensed operators from advertising their services) Sec. 1702.165. ISSUANCE OF SECURITY OFFICER COMMISSION; POCKET CARD. (a) The board, with the concurrence of the department: (1) may issue a security officer commission to an individual employed as a uniformed security officer; and (2) shall issue a security officer commission to a qualified employee of an armored car company that is a carrier conducting the armored car business under a federal or state permit or certificate. (b) A security officer commission issued under this section must be in the form of a pocket card designed by the board that identifies the security officer. (ASSIST fought for the new pocket cards with the photo included by DPS. We continue to work to end the current multiple pocket card issue.) Sec. 1702.181. LETTER OF AUTHORITY REQUIRED. The security department of a private business or a political subdivision may not employ a commissioned security officer unless the security department holds a letter of authority. (ASSIST fought to make certain that security departments of a private business were following the same rules to ensure public safety) Sec. 1702.235. PREEMPLOYMENT CHECK FOR NONCOMMISSIONED SECURITY OFFICERS. A person may not hire a noncommissioned security officer unless the person conducts a preemployment check as required by board rule. (ASSIST worked this past session to successfully pass legislation that allows you to put someone to work if DPS has not processed their fingerprints within 48 hours of submittal, if you run the individual through the DPS criminal data base and the sex offender data base and don’t find any problems.) Sec. 1702.3835. DECEPTIVE TRADE PRACTICE. (a) A person who performs or offers to perform an activity regulated under this chapter, but who is not licensed or otherwise authorized under this chapter to perform the activity, commits a false, misleading, or deceptive act or practice within the meaning of Section 17.46, Business & Commerce Code. (ASSIST worked to pass this language so that an individual who is operating without a license is also guilty of violating the Deceptive Trade Practices Act.) Sec. 1702.386. UNAUTHORIZED EMPLOYMENT; OFFENSE. (a) A person commits an offense if the person contracts with or employs a person who is required to hold a license, registration, endorsement, or commission under this chapter knowing that the person does not hold the required license, registration, endorsement, or commission or who otherwise, at the time of contract or employment, is in violation of this chapter. (b) An offense under Subsection (a) is a Class A misdemeanor. (ASSIST worked on this language so that a guard could not use their pocket card to go out and perform services not authorized by the security services contractor.) Sec. 1702.402. AMOUNT OF PENALTY. (a) Each day a violation continues or occurs is a separate violation for purposes of imposing a penalty. The amount of each separate violation may not exceed $5,000. (ASSIST supported increased civil penalties for individuals operating a security services company without a license.) Sec. 1702.3875. IMPERSONATING SECURITY OFFICER; OFFENSE. (a) A person commits an offense if the person: (1) impersonates a commissioned or noncommissioned security officer with the intent to induce another to submit to the person’s pretended authority or to rely on the person's pretended acts of a security officer; or (2) Knowingly purports to exercise any function that requires registration as a noncommissioned security officer or a security officer commission. (b) An offense under this section is a Class A misdemeanor. (ASSIST worked to pass this language so that there would be a criminal penalty for someone working as a security officer without a license.) These are only a few of the issues that ASSIST has had a direct impact upon. We continue to work for the betterment of our profession and to improve the safety of Texas citizens. ASSIST needs your help. If you believe as we do that the future of private security in Texas is worth fighting for, Please join us.
EL PASO

ROBERTO AZAR, JR.
President El Paso Region
915-691-2595
azar_co28@yahoo.com

Our monthly meetings are held at the El Paso Municipal Police Officer’s Association Hall located at 3601 Rutherglen. For more information contact Robert Azar at elpasopresident@assisttexas.org

CENTRAL TEXAS

DANNY HINKLE
President Central Texas Region
(512) 308-8019
centraltexaspresident@assisttexas.org

Central Texas meetings are held on the 4th Tuesday of the month at 11:30 a.m. at La Mancha’s located at 2203 Hancock Dr. Austin, TX 78756. For more information contact Danny at centrattexaspresident@assisttexas.org

GULF COAST

GREG HEADLY
President Gulf Coast Region
(832) 647-8064
gulfcoastpresident@assisttexas.org

The ASSIST Gulf Coast Region hosts monthly meetings every second Tuesday of each Month. The luncheon meetings are held from 11:30am to 1:00pm at Lupe Tortillas, 1511 Shepherd Houston, TX 77007. For additional information please contact Greg at gulfcoastpresident@assisttexas.org
Congratulations to Denise Nicholson and Danny Hinkle for a great 2015 ASSIST Convention. I personally had a great time and made some new friends and reunited with some old ones too. I would like to thank Tom Schaefer from Schaefer Training Academy, Inc. and Johnny Price from Texas Law Shield for sponsoring the ASSIST State Shooting Tournament. I also want to thank Roberto Azar Jr., Bobby Zavala and Ruben Amaya for helping me run the tournament. The tournament ran smoothly, and their help is very much appreciated. Many thanks to all the participants and I hope all had a good time and hopefully learned something new. The participant award was also sponsored by Texas Law Shield which was awarded to and earned by Mike McGregor. The most accurate award was earned by Jones Brent. Brady Phillip earned 3rd place; Greg Headley earned 2nd place; and the prestige 1st Place award goes to Andrik Cantu from Rochester Armored Car Company, representing the Rio Grande Valley ASSIST Region. He continues to make us proud. Congratulations to all. I hereby challenge all regions to register for the San Antonio ASSIST Convention Shooting Competition, and no excuses, you have a year to practice.

An invitation is extended to interested individuals who would like to attend our next RGV ASSIST meeting. Our scheduled meetings for the year are at 11:30 a.m. on the following days: February 4th, 2016 at Arturo’s Bar & Grill 2303 W Expressway 83, Weslaco, TX 78596 (956)-647-5074; May 4th, 2016 at (To Be Determined); August 3rd, 2016 at (To Be Determined); and November 2nd, 2016 at (To Be Determined).

I would like to encourage everyone to participate in our meeting. Please call my office to add your concerns or topics to our agenda. For more information, contact me at 956-544-4726.

We in the South Texas Alamo Region of ASSIST extend an invitation to any interested security professionals to come and join in our meetings. If you have any questions or concerns regarding ASSIST please contact me either by email or phone.

South Texas Region is hosting the Annual ASSIST Convention this year. The Convention will be held at the Omni Hotel located at 9821 Colonnade Blvd, October 12 to 15, 2016. For more information contact Manuel at alamopresident@assisttexas.org

Our attendance has been very strong in the North Texas region monthly meetings. With guest speakers from the District Attorney’s Office, Dallas Police Chief Brown, and Attorney from Texas Law Shield on the new open carry law we have gotten off to a great start this year. We have upcoming speakers on the Affordable Care Act (Feb), the Private Security Bureau (March), and our ASSIST State Lobbyist, Keith Oakley (April). We also have our upcoming annual fund-raiser for COTSO, our shooting competition to discuss.

Please join us on the third Wednesday of each month at the Texas Land and Cattle Restaurant, 10250 Technology Blvd W, Dallas, TX at 11:30am for lunch and our business meeting. Cost is $25.00 or $30.00 with CE’s.

You may also follow us on Facebook at North Texas Region, ASSIST for more information and updates.
Safety and Dividends Go Together Like a Lock and Key.

Want to secure the rewards of safety? We can help. Texas Mutual provides group and individual dividends to companies that keep their people safe. Plus, as members of the ASSIST Safety Group, you may receive a greater discount on your workers’ comp premiums. We’re helping our policyholder owners be safer and stronger, advantages we think you’ll find very rewarding.

To find out if you’re eligible for the ASSIST Safety Group, contact your agent or Josh Ring at (713) 521-9251.

While we can’t guarantee dividends every year, Texas Mutual has returned $1.8 billion to safety-conscious policyholder owners since 1999.
Many industries are having difficulty filling open positions. The unemployment rate is down, and the target audience has become unresponsive. Human Resources executives are finding it harder and harder to attract applicants that make it all the way through the hiring process. Here are some helpful hints to get candidates to take notice.

**WRITE A CLEAR JOB POSTING**

According to a LinkedIn blog, your posting needs to be clear, specific, and honest about your open position. Be specific about the expectations of the position. You don’t want to get a plethora of applications; you want to get the right applicants. What are the qualifications a candidate must have? What qualification would be nice, but isn’t required? Make sure you and your hiring team agree on the must-haves and the nice-to-haves before your position is posted.

**BUILD YOUR BRAND ON SOCIAL MEDIA**

Educating applicants about your company will make them more interested in working for you. You can get more people to look at your posts, click through more pages, and follow your organization on social media by posting more status updates for your company. To understand what types of content work better than others and the best times of the day/week to make your updates, there are resources available from job sites like Indeed.com. To engage applicants, include the following whenever you can:

- Videos
- Pictures
- Infographics

What does your company offer to its employees that your competitors don’t? Who is your target audience, and how are you going to communicate with them? Using the right avenues for communicating to the right people is key in getting your company noticed.

**POST YOUR OPENING ON JOB SITES**

Unemployment is down, fewer people are applying for open positions, so it’s up to your organization to draw attention to your open positions. Gone are the days of candidates approaching your organization for an application. You have to go to them. Indeed.com attracts 180 million viewers a month. By promoting your company on Indeed, you will be front and center to the best and brightest candidates.

**HAVE A CAREER WEBSITE**

Make it easy for applicants to find your company by having a career website. There are many solutions available that can be branded to look like your company’s website and where you can create, edit, and post jobs directly to your website with customized search capabilities for your candidates.

**PROVIDE ONLINE APPLICATIONS**

According to the Pew Research Center’s Internet & American Life Project, two-thirds of Americans own smartphones. Nielsen’s latest Digital Consumer Report states that 29% percent of Americans own tablets. In fact, 45% of all online applications are now coming from mobile devices.

The online application process for hiring makes more sense than ever. In the security industry, companies are including computer literacy as a required skill set for people applying to be a uniformed security guard. Every person applying for a job should expect to experience some part of that application online. Social media, mobile interaction, and stable broadband and Wi-Fi services are available almost everywhere, and more adults than ever are familiar with the internet and how it works. There is still a lack of availability in low-income populations who might have lower education levels. However, even with a lack of equipment, most adults who are in the job market have the capability to interact with online applications and have some type of resource to be able to apply for positions on a computer, tablet, or smart phone.

**THE BENEFITS OF ONLINE APPLICATIONS**

The benefits to the online application process far outweigh the disadvantages. As the most cost-effective way to collect information for more applicants, the online application process is also faster, more successful, and easier than the paper process. While organizations might have trouble keeping up with too many applicants, or filtering people with certain specialties, having an online application process can greatly improve the company’s image.

Even without a computer at home, applicants have a variety of solutions to be able to complete online applications. Other resources include one-stop career centers and libraries. Many businesses set up a computer kiosk in lobby or reception areas for applicants to use. Family members and community centers can also be a great resource. A neighborhood print shop offers computer usage for a nominal fee.

Most Americans know that they will have to interact with a company via a computer in order to get a job. Any company who invests in a streamlined career website and online application process will be able to tap into the available talent and filter the best candidates for open positions.
TOP TEN WAYS EMPLOYERS CAN AVOID DISCRIMINATION LAWSUITS

By: Chad West - Attorney

Every so often a story involving a discrimination lawsuit will be featured on news, catching the public’s attention with its exceptionally large verdict. For example, in the spring of 2015, a Pittsburgh jury returned a $13 million judgment in a case where a woman was the target of obscene gestures and continually called “Big Girl” by a few of her male colleagues. In 2014, a 66-year-old man was awarded $26 million by a Los Angeles jury when he was subjected to a string of false accusations and harassment by co-workers and a manager, which culminated in his suspension for taking a bell pepper, worth 68 cents, from the cafeteria. Clearly, discrimination lawsuits can cost companies thousands, if not millions, of dollars in damages. Commonly, however, companies will ignore potentially discriminatory activity until they are the defendants in a discrimination suit.

Employees may file discrimination suits on a variety of grounds such as race, age, sex, disability, or a wide variety of other immutable characteristics. Thus, while the only sure way to avoid discrimination suits altogether is to close your doors and go out of business, there are multiple ways that employers can significantly reduce the likelihood of such suits. The following list provides the ten tips that employers can implement to protect themselves from employee discrimination lawsuits.

10. Cultivate a workplace intolerant of discrimination or harassment.
While the rest of the tips on this list are more specific in nature, they all circle back to this overarching concept of cultivating an environment that will not tolerate discrimination. By enforcing the idea that all forms of harassment is not acceptable via employee handbooks, clear hiring and firing procedures, and training, companies can solve discrimination conflicts before litigation ensues.

9. Create (or revise) policy manuals.
This is a simple, easy, and rather effective strategy for preventing discrimination lawsuits. Every company should include within their manuals a strong anti-discrimination statement and comprehensive anti-harassment policy.

8. Thoroughly train managers and supervisors.
Managers and supervisors need to be educated on what discrimination actually is and be able to recognize the signs of harassment, discrimination, and retaliation. Key personnel should also be trained on how to properly take complaints and respond appropriately to avoid inflaming tense workplace conflicts. Those in supervisory roles should fully understand that prevention of discrimination lawsuits is their responsibility.

7. Educate all employees about workplace discrimination.
Training for lower level employees should define discrimination and emphasize that such behavior will not be tolerated in the workplace.


6 Be transparent.
In addition to being told what is prohibited, general employee training should also inform employees of their right to a discrimination free workplace and educate employees on how supervisors should be handling complaints. Transparency in the complaints process creates a higher level of accountability among supervisors and serves to stifle.

5 Hire fairly.
Displaying a trend of not hiring a protected class of individuals could lead to claims of discrimination down the road. Asking about an employment candidate’s age, sex, disability, religion, race, color, or marital status in an interview can be interpreted as proof of intent to discriminate.

4 Create a paper trail.
In addition to having a clear complaint process, it is important to document complaints as well as all conversations and investigatory actions involved in assessing the complaint. Further, even in scenarios where supervisors do not expect discrimination allegations, possibly because the employee’s behavior clearly warrants termination, it is important to document the process to squash any later allegations by the terminated, disgruntled employee.

3 Discipline employees carefully.
Be sure to know all the facts and have hard evidence before pursuing disciplinary action against employees. In cases of serious disciplinary action where there is a high likelihood an employee may allege discrimination, consider consulting legal counsel before taking any final action.

2 Take employee complaints seriously.
While the daily grind of the workplace and difficult employees may tempt those in management roles to blow off complaints, such apathy will often serve to enhance workplace conflicts. Making employees feel heard can ease tension and prevent the disgruntled employee from pursuing legal action.

1 Learn how to fire well.
One scenario that often leads to discrimination suits is a poorly planned or badly executed termination. In a well-executed termination, the employee should leave knowing why they were fired and why they, the employee, and the company are better off. Sometimes, failing to provide the truth as to why an employee was terminated can lead to speculation and allegations of discrimination.

Cultivating a culture intolerant of discrimination can save companies big bucks by preventing expensive litigation. To that end, companies should not wait until they are the targets of a discrimination lawsuit before deciding to take anti-discrimination policies seriously. By implementing these simple guidelines, employers can get ahead of potential discrimination actions and diffuse workplace conflict before litigation ensues.

Question:
What is the difference between Personal Injury Protection (PIP) and Medical Payments (MP) coverage? If I have workers’ compensation insurance, why do I need either? How about Uninsured Motorists (UM) coverage?

Answer:
These are great questions that our customers ask frequently.

You understand the need for auto liability and physical damage insurance. Liability coverage protects you and your firm from the legal and financial consequences resulting from accidents involving vehicles owned or used by your business. Physical damage coverage protects your investment in vehicles owned by the business should they be damaged by fire, theft, collision or other causes of loss.

You may have questions, however, about the need for medical payments, personal injury protection, or uninsured motorist’s coverages. The cost of these coverages is a significant expense to your business, so you need to understand the benefits and limitations of the coverages before you make a decision whether to buy or reject them.

Coverage Basics

• Medical payments coverage pays the reasonable expenses an insured person incurs for medical and funeral services within three years of an accident.

• Personal injury protection coverage, in addition to medical and funeral expenses, pays 80 percent of an insured person’s loss of income. If the injured person is not employed, the coverage pays reasonable expenses for obtaining family or household services the insured person normally would have performed.

• Uninsured motorist’s coverage entitles an insured person to recover legal damages for bodily injury or property damage caused by either an uninsured vehicle or a vehicle that has a liability limit inadequate to cover the person's damages. Negligence on the part of the owner or operator of the uninsured or under-insured motor vehicle is a prerequisite for this coverage.

Covered Persons

All three coverages contain special definitions that determine who is an insured person and thus eligible to receive the benefits described above. “Covered auto” as used here typically means only vehicles scheduled on the policy for one of these coverages. A separate premium is required for each vehicle and for each coverage.

• When an individual is named on the face of the policy (or in an endorsement to the policy) as the named insured, that individual and any family member of that individual can receive the benefits if they are injured while occupying a covered auto or when struck by another vehicle as a pedestrian.

• Anyone else can receive the benefits if they are injured while occupying a covered auto.

When the insured named on the face of the policy (or in an endorsement to the policy) is a corporation or partnership, coverage applies only to an individual who is injured while occupying a covered auto.

However, uninsured motorists or medical payments coverage for specific individuals can be purchased to provide benefits to those individuals if they are injured while using or occupying a vehicle that is not scheduled on the policy or owned by that individual. If you or certain employees need or want this extra protection, ask your insurance agent for details on its availability and cost.

Coverage for Employees

Coverage for employees injured on the job is different on each of the three coverages.

• Medical payments coverage will not pay benefits to an employee who is injured on the job. An employee can collect medical payments benefits only if injured while occupying a covered auto while off-duty.

• Personal injury protection benefits are payable regardless of employment status and in addition to the employee's workers’ compensation benefits (if any apply).

• Uninsured motorist coverage applies to a covered person regardless of employment status, but only for amounts that can be recovered in excess of or in addition to benefits provided by any workers’ compensation coverage.
Coverages Must Be Rejected in Writing

State law requires your agent or insurance company to offer personal injury protection and uninsured motorist coverages and provide the coverages on all vehicles you own, unless you reject the coverage in writing. You can reject either of these coverages on behalf of everyone the policy covers, including employees.

Nothing in the law prevents you from rejecting coverage on selected autos and accepting coverage on others, so for example you can cover private passenger autos and reject coverage on commercial autos or select uninsured motorist’s property damage coverage only on commercial autos without collision coverage.

Conclusion

Because of the limitations and conditions in these coverage, you should carefully consider whether you need high limits or whether you need to carry these coverages at all.

Most businesses do not need to purchase these coverages on trucks that are used only on company business. The need for one or more of these coverages on your auto policy may be limited to the following circumstances:

- You are individually named on the face of the policy (or in an endorsement to the policy) and the policy covers vehicles individually owned by you and used by your family.
- You have elected not to purchase workers’ compensation insurance. In this case, the personal injury protection or uninsured motorist’s coverages can provide limited benefits to employees injured in auto accidents while they are operating or occupying a covered vehicle on the job.
- Employees are permitted to use company vehicles for non-business purposes and you want to provide the coverage for the benefit of the employees and their families.
- Non-employees, such as clients, are likely to be passengers in your vehicles, and you want the additional coverage to be available as a gesture of goodwill or to prevent a lawsuit should they be injured while riding in one of your vehicles.
- You don’t carry collision insurance on some vehicles, or transportation insurance on cargo carried by those vehicles. In that case, you may want to consider uninsured motorists property damage coverage only.

Be sure to discuss these coverages with your insurance agent after considering your specific circumstances, and make a decision regarding these coverages that is appropriate for your business operations and your insurance budget.

Josh Ring, CIC is the Vice-President of El Dorado Insurance Agency, Inc. For almost 48 years, El Dorado has represented companies to find the best insurance solutions at the lowest premiums possible. Unlike other insurance brokers, El Dorado specializes in offering tailored programs and services to meet the specific and demanding needs of the security industry. For further questions, please feel free to contact Josh at 800-221-3386 x222 or joshring@eldoradoinsurance.com.
I can fondly recall riding horseback along the rails with my old friend, Alan Pinkerton, dreaming of opening up our own guard company. Well, not really but it sure seems like I’ve been in and around the contract security business for that many years. And quite frankly, since I first became involved in the private security industry in the early 1980’s, the landscape has changed dramatically. Let’s take a look of where we have been, where we are now, and where we are going.

For those of you who have been in the business as long as I have, much of this will sound familiar. For those of you who are newer to the profession, you’ll read in amazement! Let’s look at what we did not have in 1980:

- Fax machines
- Cell phones
- Lap top computers
- E-mail
- Texting
- Scheduling software
- The World Wide Web (Gore invented this a bit later, right after identifying global warming!)
- Guard tour systems
- Hiring software
- Proposal software
- Sophisticated access control or CCTV
- Remote monitoring
- Payroll software

The list above is only a partial list of all the things we did not have to help us do our job. If you needed a document, somebody mailed it to you and you received it three or four days later instead of 3 or 4 seconds like we do today via e-mail or fax. If you had to make a call, you needed to get back to your office phone or use a pay phone. “Pay phone? What’s that?” I hear the younger people saying. If you had schedule/call-off issues on nights and weekends, you needed to have a pocketful of dimes (yes, dimes and not quarters way back then) for the pay phone if you were not at home. Remember setting that schedule book on your lap in your easy chair and calling everyone and their brother to fill a call off so you didn’t have to work it yourself? I still have nightmares about that.

Remember when you needed to look something up? You went to the library, researched, made copies, and took the information back to your office (or if you were privileged you had your own Encyclopedia Britannica). Tracking guards was an issue, of course. It always was and always will be. But way back when, we had an answer in the form of the Detex Clock. Yep, that 20-pound contraption is what officers wore around their necks, sticking keys in and out of it at various strategic locations so their supervisor could try reading the tape the next day. Back then that was pretty high tech.

Hiring, scheduling, and payroll was all done by hand. Candidates actually filled out paper applications and nobody knew what an I 9 card was! As mentioned previously, we scheduled by paper and pencil (could not use an ink pen…too many changes, you know?).

Need to get a proposal out? No problem! You simply went to your office computer and reinvented the proposal every single time you did one. There was no cutting and pasting back then, so we did it the old-fashioned, cumbersome, time-wasting way. But hey, it’s all we knew so we learned to ride with the tide and roll with the flow.

Enough about the past. It’s starting to make me nauseous reliving it! Let’s jump ahead to 2016.
A mere 36 years later, technology has changed by leaps and bounds. We now enjoy the use of everything I mentioned on the list that we did not have in 1980. Could you imagine not having that technology today? I’m annoyed when my laptop computer is running slow and it takes an extra second or two to spit out some information I looked up on Google.

We now have instant communication via text and email (I think even AOL is old school these days), which can be both good and bad. Back in the day, if someone left you message on Friday afternoon you most likely got back to them on Monday morning (unless you got paged, of course). Today it seems like most people expect 24/7 response to their emails and text messages. We are certainly working longer hours today than when we started in the business. Technology follows us everywhere we go, so it does seem like we’re on the clock 24/7 in the contract security business.

Hiring, scheduling, payroll, online training, etc. can all be done via technology today. If you don’t utilize some or all of that technology, you are quickly falling behind your competition and will continue to do so until they gobble you up. I have preached for years that technology is changing the way the contract security business is playing out. You will either have to adapt internally or partner with a company who can help you adapt to stay competitive. Security positions are being replaced with cameras in many cases, saving customers on high-dollar man hours as compared to low-cost technology. Most of the major companies in the US already own and integrate a technology component into their guarding operations. That is only going to continue to grow as margins become thinner and customers become more tech-savvy.

Technology will continue to evolve, with or without us. A great example is the technology I am working with today at my current company. 36 years ago, you either carried a handgun or you carried nothing. Did anyone dream that there would be a tool for officers to carry on their duty belt that would be Bluetooth-enabled to immediately speak with a command center so you could ask for help if trouble arose? What if that tool also offered a laser spotter, strobe light, alerting siren, and audio and video recording of an incident from the officer’s perspective to help deter, document, and de-escalate potentially violent situations? And what if, as a last line of defense, this innovative tool could even disperse a stream of laser-targeted pepper spray? Unheard of, you say? It would have been a decade ago, but it’s reality today and I have the privilege of being part of bringing that piece of innovation to the industry. That, my friends, is how fast technology is changing the way we do business.

“Keeping up with the Jones’s” needs to be a minimal part of your business plan moving forward. Taking baby steps to integrate the various forms of technology I mentioned here will give you a much better chance of playing on an even field with your competition. The best advice I can offer is to stay abreast of what your local and/or regional competition is doing from a technology perspective and make every effort to step ahead of them.

The early 80’s? Yeah, those were the days my friends. I thought they would never end…and yet, I’m so glad they did!

Gary H. Kuty is Vice President of Sales for Guardian 8 Corporation based in Scottsdale, AZ. Guardian 8 offers a non-lethal defensive tool designed exclusively for the security industry. gkuty@guardian8.com or visit their web site at www.guardian8.com
Since the ASSIST Helpline went into effect in October 2014 we have received several questions from members and non-members looking for answers to a variety of questions. In this edition and future additions we will be publishing these questions and their answers. If you have a question about ASSIST or a DPS Rule or procedure please email me at helpline@assisttexas.org.

1. Does ASSIST have a standard company policy that is available to its members?

**Answer:** The policies and procedures that an individual company enforces are too many to cover all aspects. Therefore, ASSIST does not provide this type of information.

2. Does ASSIST have a Health Insurance provider/broker that you can recommend?

**Answer:** Any one of our vendor member/Insurance companies could provide you with the information you need. Check out the following link: www.assisttexas.org/vendor-members.

3. Can a licensed Guard Company issue a Level II certificate? If yes, where do we obtain the certificates?

**Answer:** Yes, a licensed Guard Company can issue a Level II certificate. You can obtain the certificate from the DPS website Form PSB-36 but you will also need to print PSB 21 to order the training materials and test to be issued. You can also create your own certificate as long as all required information is included. Also, the licensed manager must submit a letter to DPS stating who the designated person is that will administer the training material and test. This person will also sign the certificate along with the licensed manager.

4. Can we make photo copies of the Level II training material or do we have to order a copy for each student?

**Answer:** Yes you can make copies of the training material. You can also create a PowerPoint from the material as long as it covers all necessary information.

5. Is the Level II course that is offered by TEEX still a valid certificate for licensure?

**Answer:** Yes you can refer your students to the following website. Upon completion they will be able to access and print their certificate.

http://teex.org/pages/class.aspx?course=sap201&courseTitle=Texas%20Private%Security%20Bureau%20Level%20II

6. What are the current hour requirements for each level of training?

**Answer:** The current requirements are as follows: Level II – 4 hours, Level III – 40 hours, Requalification – 6 hours, Level 4 – 15 hours plus completion of Level III training.

7. Does an owner/manager need to be current on his/her commissioned license/firearm proficiency?

**Answer:** If the owner/manager is not working in a commissioned license capacity then, no they do not have to obtain this certification.

8. What are the requirements for a company patrol vehicle as far as signage and lighting?

**Answer:** Only Amber lighting is allowed on a security vehicle. Company name and phone number. The company license number in no less than 2" letters. No paint or insignia that would imply the vehicle to be law enforcement.

9. Does a Class A Misdemeanor that was committed over 5 years ago prevent an individual from obtaining a security license?

**Answer:** RULE §35.4 Guidelines for Disqualifying Criminal Offenses
(a) The private security industry is in a position of trust; it provides services to members of the public that involve access to confidential information, to private property, and to the more vulnerable and defenseless persons within our society. By virtue of their licenses, security professionals are provided with greater opportunities to engage in fraud, theft, or related property crimes. In addition, licensure provides those predisposed to commit assaultive or sexual crimes with greater opportunities to engage in such conduct and to escape detection or prosecution.

(b) Therefore, the board has determined that offenses of the following types directly relate to the duties and responsibilities of those who are licensed under the Act. Such offenses include crimes under the laws of another state or the United States, if the offense contains elements that are substantially similar to the elements of an offense under the laws of this state. Such offenses also include those “aggravated” or otherwise enhanced versions of the listed offenses.

(c) The list of offenses in this subsection is intended to provide guidance only and is not exhaustive of either the offenses that may relate to a particular regulated occupation or of those that are independently disqualifying under Texas Occupations Code, §53.021(a).

(2) - (4). The listed offenses are general categories that include all specific offenses within the corresponding chapter of the Texas Penal Code. In addition, after due consideration of the circumstances of the criminal act and its relationship to the position of trust involved in the particular licensed occupation, the board may find that an offense not described below also renders a person unfit to hold a license. In particular, an offense that is committed in one’s capacity as a registrant under the Act, or an offense that is facilitated by one’s registration, endorsement, or commission under the Act, will be considered related to the licensed occupation and may render the person unfit to hold the license.

9. Does a Class A Misdemeanor that was committed over 5 years ago prevent an individual from obtaining a security license?

**Answer:** RULE §35.4 Guidelines for Disqualifying Criminal Offenses
(a) The private security industry is in a position of trust; it provides services to members of the public that involve access to confidential information, to private property, and to the more vulnerable and defenseless persons within our society. By virtue of their licenses, security professionals are provided with greater opportunities to engage in fraud, theft, or related property crimes. In addition, licensure provides those predisposed to commit assaultive or sexual crimes with greater opportunities to engage in such conduct and to escape detection or prosecution.

(b) Therefore, the board has determined that offenses of the following types directly relate to the duties and responsibilities of those who are licensed under the Act. Such offenses include crimes under the laws of another state or the United States, if the offense contains elements that are substantially similar to the elements of an offense under the laws of this state. Such offenses also include those “aggravated” or otherwise enhanced versions of the listed offenses.

(c) The list of offenses in this subsection is intended to provide guidance only and is not exhaustive of either the offenses that may relate to a particular regulated occupation or of those that are independently disqualifying under Texas Occupations Code, §53.021(a).

(2) - (4). The listed offenses are general categories that include all specific offenses within the corresponding chapter of the Texas Penal Code. In addition, after due consideration of the circumstances of the criminal act and its relationship to the position of trust involved in the particular licensed occupation, the board may find that an offense not described below also renders a person unfit to hold a license. In particular, an offense that is committed in one’s capacity as a registrant under the Act, or an offense that is facilitated by one’s registration, endorsement, or commission under the Act, will be considered related to the licensed occupation and may render the person unfit to hold the license.

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10. Is there an administrative code that prohibits an unarmed security officer from working as a courtesy officer (in uniform) for an apartment complex in exchange for rent? There is no employer-employee relationship.

Answer: See the following:

Sec. 1702.108. GUARD COMPANY. A person acts as a guard company for the purposes of this chapter if the person employs an individual described by Section 1702.123(d) or engages in the business of or undertakes to provide a private watchman, guard, or street patrol service on a contractual basis for another person to:

1. prevent entry, larceny, vandalism, abuse, fire, or trespass on private property;
2. prevent, observe, or detect unauthorized activity on private property;
3. control, regulate, or direct the movement of the public, whether by vehicle or otherwise, only to the extent and for the time directly and specifically required to ensure the protection of property;
4. protect an individual from bodily harm including through the use of a personal protection officer; or
5. perform a function similar to a function listed in this section.

Sec. 1702.222. SECURITY OFFICER. An individual acts as a security officer for purposes of this chapter if the individual is:

1. employed by a security services contractor or the security department of a private business; and
2. employed to perform the duties of an alarm systems response runner who responds to the first signal of entry, a security guard, security watchman, security patrolman, armored car guard, or court officer.

Sec. 1702.323. SECURITY DEPARTMENT OF PRIVATE BUSINESS.

(a) Except as provided by Subsections (b) and (d), this chapter does not apply to an individual employed in an employee-employer relationship exclusively and regularly by one employer in connection with the affairs of the employer.

(b) An individual described by Subsection (a) who carries a firearm in the course of employment must obtain a private security officer commission under this chapter.

(c) The security department of a private business may not hire or employ an individual to perform a duty described by Section 1702.222 if the individual has been convicted of a crime that would otherwise preclude the individual from being registered under this chapter.

(c-1) Although the security department of a private business that hires or employs an individual as a private security officer to possess a firearm in the course and scope of the individual’s duties is required to apply for a security officer commission for the individual under this chapter, the security department of a private business is not required to apply to the board for any license under this chapter.

(d) This chapter applies to an individual described by Subsection (a) who is employed in the course of employment to:

1. come into contact with the public;
2. wear a uniform:
   (A) a uniform commonly associated with security personnel or law enforcement;
   (B) any type of badge commonly associated with security personnel or law enforcement;
   (C) a patch or apparel containing the word “security” or a substantially similar word that is intended to or is likely to create the impression that the individual is performing security services; and
3. perform a duty described by Section 1702.108 or 1702.222.

RULE §35.101 Private Business Letter of Authority

(a) The security department of a private business, as defined in the Act, must obtain a letter of authority in order to employ a commissioned security officer. A security department of a private business that employs in a non-commissioned capacity an individual meeting the conditions of §1702.323(d) of the Act must obtain a guard company license.

(b) A security department of a private business shall not provide guard company services to a third party.

(c) A security department of a private business shall not require guard company services on file with the department the name of the individual responsible to ensure the commissioned security officer’s compliance and ensure records are maintained in accordance with applicable laws and rules.

(d) A private business letter of authority is valid for one year and may be renewed by submitting the department approved renewal application and the required renewal fee no earlier than ninety (90) days prior to expiration.
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The New Year is the perfect time for resolutions. Your partners at Texas Mutual Insurance Company know you’ve got your hands full with plans to eat better, exercise more and take that dream vacation. We hope you're also carving out time this year to improve your workplace safety program.

To make things a little easier, we put together this list of tips. If you promote them among your employees daily, we're confident you will find that workplace safety is a commitment you and your team can live with this year and beyond.

**Keep your feet on solid ground**

Your employees put their lives on the line to protect your customers and their property. Of all the potential accidents they are exposed to, however, the most common is something that happens to most of us every day.

Walking on slick surfaces, climbing stairs, navigating cluttered walkways, using ladders improperly and climbing in and out of vehicles makes the security guard business a slippery proposition. In fact, slips, trips and falls account for 33 percent of injuries among ASSIST/Texas Mutual workers' compensation safety group members. But slips, trips and falls account for 33 percent of injuries among ASSIST/Texas Mutual workers' compensation safety group members. There are two general categories of slips, trips and falls: falls from the same level and falls from heights. You can help your employees keep their feet on solid ground by teaching these safe work practices:

- Use handrails on stairs.
- Keep three-point contact when using ladders and climbing in and out of golf carts and other vehicles.
- Watch your step in parking lots to ensure you don’t trip over curbs or parking stops.
- Be careful on premises that have cluttered walkways, wet floors and other symptoms of poor housekeeping.
- Wear slip-resistant shoes rated for the conditions.
- Follow designated walkways whenever possible.

**Don’t get struck by potentially fatal accidents**

Slips, trips and falls are the most common injuries among ASSIST safety group members. But struck-by injuries maintain the dubious distinction as the group’s most costly.

Struck-by injuries among security guards include physical assaults and gunshot wounds during robberies, employees getting hit by passing vehicles and animal attacks when installing alarms at private residences. Here are some tips for helping your guards avoid struck-by accidents and their potentially fatal consequences:

- Wear reflective vests when working outside the premises.
- Avoid reckless driving and horseplay in golf carts. Keep your limbs and body inside the cart, slow down when turning and going around speed bumps, and don’t drive off until all passengers are seated.
- Understand how your employer expects you to respond to active shooter situations, robberies and other emergencies. Similarly, the customer you are working for likely has its own emergency response procedures. Make sure you understand those procedures and your role in carrying them out.

**Drive the safe road**

Motor vehicle accidents are the leading cause of on-the-job fatalities across industries. Your employees can protect themselves, their passengers and other drivers by following a handful of basic safety principles:

- Buckle up every time, and make sure your passengers do the same. Do not put the vehicle in motion until everyone is wearing their seatbelt.
- Control your speed, especially when roads are slick, traffic is heavy and visibility is poor.
- Avoid talking on the cell phone, sending text messages, eating and engaging in other distractions while driving.
- Get seven to nine hours of quality sleep each night.
- Inspect your vehicle regularly to ensure your horn, break lights, turn signals and other safety features work.

**Take the strain out of your job**

Strains are part of a broad category of injuries safety professionals call musculoskeletal disorders (MSDs). The rest of us call them those nagging, minor injuries that just won’t go away.

Left untreated, MSDs can degenerate into serious, debilitating injuries. The risk is especially high for aging workers whose bodies don’t bounce back the way they used to.

Common causes of MSDs among security guards include jumping from elevated surfaces, moving heavy objects and sitting or standing for long periods. Teach your employees to take the strain out of their jobs by following these tips:

- Take stretch breaks.
- Follow safe-lifting principles, including lifting with your legs instead of your back, turning with your feet instead of twisting and keeping the load in your power zone. That’s the area between the middle of your thighs and the middle of your chest.
- Alternate between sitting and standing whenever possible.
- Avoid jumping from loading docks, truck beds and other elevated surfaces.

**Get free safety resources**

ASSIST/Texas Mutual safety group members benefit from free workplace safety resources designed for the hazards of our industry. Simply go to texasmutual.com, click on the safety tab, click on safety resource center in the left-hand menu, and enter your login credentials or create a free account.

The system will direct you to a custom home page with resources hand-selected for the security industry. You can also click on resource catalog to access streaming videos, Toolbox Talks, downloadable safety programs and other resources.

Free safety resources are just one of many benefits of joining the ASSIST/Texas Mutual safety group. Members also get a discount on their workers’ comp premium. In addition, many members have qualified for monetary rewards from Texas Mutual based largely on their workplace safety records.

For more information, ask your insurance agent about the ASSIST/Texas Mutual workers’ compensation safety group.
In various roles with the Texas A&M Engineering Extension Service I have been responsible for the development and delivery of security and infrastructure protection courses both internationally and domestically. I’ve also participated in numerous security-related summits, seminars, and conferences including the U.S.–Canada Border Security Summit, Project STADIA Subject Matter Experts Meeting in Qatar, and INTERSEC Dubai.

Over the past several years I’ve been afforded some unique opportunities to observe and experience the numerous and varied perspectives, challenges, and exceptional efforts of security professionals throughout the world. The challenges of securing borders and ports of entry, sports and entertaining venues, manufacturing and transportation systems, information and data, as well as the places we live and work daily are global issues that are evolving daily, as are the security industry and profession. If you have attended a security conference, read a security magazine, or visited a security website lately you have been inundated with technological “solutions” to meet your every security challenge and need; closed circuit television; radio–frequency identification; keyless entry systems; global positioning systems; geographical information systems, unmanned aerial systems; biometric security systems; mobile devices; and smart-everything. The security industry is experiencing a technological evolution.

So how is this evolution of technology impacting the security profession? Is it enhancing or degrading the overall security posture? Does it make the job of security professionals more or less difficult? What is the human impact? These are all complex and widely debated questions with no simple, one-dimensional answers.

On one hand, technology is used to map the world, track everything from inventory to people, and provide instantaneous visual and audio connectivity globally. This rapid, near real-time information transfer certainly enhances an organization's capability to accomplish the most basic and primary security role of protecting people and property. On the other hand, the technology brings additional security challenges such as securing the technology itself, the data it stores and transmits, and the processes and functions it controls.

Other challenges for security managers and companies include the potential for misuse, exploitation, and failure to understand and fully integrate technologies with one another and with traditional security tools and methods, including security personnel and teams. There is also the fear, and in some cases reality, that technology may reduce or eliminate the need for security personnel altogether. In many instances individuals responsible for physical security are competing with their cybersecurity counterparts instead of collaborating with them.

This edition is about the future of security. If I could predict the future I would have won the $1.5 billion Powerball jackpot. Since I’m not psychic, I can only provide my opinions. I believe the future of security lies in the continuous evolution and development of the human resource. Obviously being a member of the training and education community I’m a huge proponent of this. To accomplish this, the security profession must incorporate and leverage technology to both expand training opportunities to the millions of professionals around the world through the use of online training and information sharing and enhance the knowledge, skills, and abilities of security professionals through the use of advanced technologies such as simulation systems.

I am not suggesting replacing face-to-face training with technology, I’m advocating the incorporation and leveraging of technology in training enhances individual capabilities much like it has enhanced organizational security capabilities. Because technology allows for almost continuous connectivity and communication on a global scale, and relatively inexpensively, it offers the opportunity for the continuous transfer of knowledge worldwide. As a result, online education and training continues to experience exponential growth and acceptance. The security professional is, and must continue to capitalize on this. Additionally, advanced technologies such as shooting and virtual reality simulators provide opportunities for practicing perishable skills such as use of force and decision making in simulated environments and conditions. Simulation systems are much less expensive than building the infrastructure to support multiple environments, the scenarios are easier to build and customize, and the systems allow for portability of training. The result in many cases is the ability to train more people, in a variety of situations, with lower relative investment and cost.

Another significant factor regarding the importance of integrating technology in both security operations and training is the value of human capital. The security profession, much like every other profession, has a multi-generational workforce. This current generation and the next one have grown up with technology. It touches every aspect of their daily lives including home, work, play, and school. It is how they have always lived and learned and how they choose to live and learn. It is imperative the security profession fully incorporate various technologies to attract, develop, and retain this new workforce. It is and will be a critical factor in the ability to become or remain competitive in a security industry that is rapidly evolving around technology.

I’ll end by saying that I continue to be amazed and humbled by the dedicated efforts of the men and women to protect their communities. I’m also proud to be of a member of, and serve, the community of security professionals in this great state.

Ed Brickley, Program Director
Texas A&M Engineering Extension Service
Law Enforcement and Security Training Division
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