

The M.I.S.A. Messenger



A Publication of the of the Maryland Investigators and Security Association

Spring, June 2021

The M.I.S.A. Messenger is published by and for the members of the Maryland Investigators and Security Association. **The M.I.S.A. Messenger** will publish original articles or secure reprint permission for articles that are of interest to our members. Our purpose is the fostering of professional investigative and security services.

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Last Board Meeting
April 28, 2021

Next Board Meeting
July 14, 2021
will be held via
teleconferencing.

New Member Special

Join now for \$35 for the remainder of 2021 if you pay \$75 for your 2022 dues at the same time.

[Membership application attached.](#)

MISA Board of Directors 2021

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President's Message



It is hard to believe we are already reaching the half-way point of this year. The Board of Directors have been busy fielding requests for service, working with state officials on window tinting for private investigators, membership drive, and weighing in on legislation on Prince George's County Council Bill CB-30-2021—Displaced Service Workers Protection which we oppose as written. In addition, Caitlin Kelley, Vice President of Investigations, is working on an in-person annual meeting sometime in late summer or early fall. We are hoping this event will be well attended and that we will be able to solicit member and non-member sponsors.

The 2022 session of the General Assembly is just around the corner, and we anticipate we will see a return to in-person gatherings of the assembly and the public. We need to hear from you now on any concerns you wish the association to address. Please reach out to our legislative Co-Chairs Kathy Morris and Pat Gibbons to discuss your needs.

We want to hear from our members on how we can best serve the security guard and private investigator industry. We encourage submission of news articles or promoting upcoming events you are offering. Based on when we receive notice of an upcoming event, we will notify our members by email and when appropriate we will include the announcement in our newsletter.

The strength of our membership is in our numbers. The more members the more benefits we can offer and a stronger voice we will have in Annapolis. Please consider encouraging your colleagues to join MISA by downloading an application at www.MISAHQ.com.

Sincerely,

Barry E. Leese
President

2021 Legislative Summary

As our new member Alex McGovern provided, HB 685/SB 107 requires that certain employees working at a heightened security interest location be paid a certain wage for certain time periods; requiring certain employers to pay certain covered employees a certain supplement benefit rate in a certain manner beginning January 1, 2026. In order to promote public safety by attracting experienced and trained employees at “heightened security interest locations,” defined as BWI Airport and Baltimore Penn Station, certain employers must provide an enhanced wage rate to their covered non-exempt employees. The new wage scale only applies to workers who are assigned to heightened security interest locations more than 50% of the time. Eligible employees must now be compensated according to the following wage schedule, with overtime (any number of hours over 40/week) at time and a half. Any tips received by the employee are not able to be applied to this amount:

<u>Effective Date</u>	<u>Minimum Hourly Wage Rate</u>
January 1, 2022	\$13.50
January 1, 2023	\$14.25
January 1, 2025	\$15.00
January 1, 2026	\$16.00

Senator Antonio Hayes (D-Baltimore City – Dist. 40) was the Sponsor of SB 107 which was returned passed and enrolled. Keep the schedule in mind if you currently have or plan to bid on contracts with BWI or Penn Station.

Effective March 15, 2021, Maryland joined the list of about 30 state-level jurisdictions that tax digital products and services. This means that Maryland’s 6% sales and use tax will apply to tangible personal property, a digital product, or a taxable service; this includes things like ring tones, satellite radio, streaming services, software subscriptions, and more. Initially passed by the Maryland legislature in 2020 as House Bill 932, the law was vetoed by Governor Larry Hogan. The veto was overridden.

In response to the changing non-physical environment for the acquisition and use of many digital products and services, Maryland will now tax a large variety of transactions. This will generate substantial revenue for the state and increase the cost and reporting requirements around such goods and services that are consumed or sold in Maryland. *(Continued on Page 8)*

The Value of MISA from My Perspective



The MISA organization is growing, and committees are expanding. Opportunities are available currently for you to get involved. James Teare and Wayne Engram are the new co-chairs of the Membership Committee. Brian Porter and Kathy Morris are new co-chairs of the IT Committee. Kathy also has been running the Legislative Committee with Pat Gibbons. The MISA board is seeking members to join these committees and assist in any way you are able. If you are skilled with developing websites, event planning and promoting, or simply have an interest in improving and/or advocating for your respective industry, then there is a role for you within MISA.

Perhaps you decide to have no official role and just partake in the board meetings, offering insight or opinions, which is also extremely valuable. One misconception that I would like to clear up is the belief that taking on a role within a professional organization is a significant time robber. On the contrary, minimal and meaningful contributions are exactly what MISA needs from members. Furthermore, the time commitment from any given member could and should average out to around 2-6 hours a month. If you are reading this, you are obviously a member and joined MISA for a reason. That reason will vary among members, but there was a purpose for joining or you wouldn't be a member.

The MISA board also recognizes the value of diversity and inclusion. I wouldn't have much perspective prior to 2018, but I can say the "Good Old Boys Club" connotation does not exist within MISA today, and any member truly can have a voice if they are involved. On that note, I challenge every member to see for their self if they haven't already and participate in an upcoming board meeting.

What is the value of being a MISA member? The answer is certainly subjective and tends to be repetitive with all the obvious benefits: networking, advertising, business support, legislative advocacy, etc., etc., etc. But in my experience, as with most things in life, what you put into it is what you will get out of it. If you join and don't attend any meetings/events or don't simply communicate with other members, then my question would be, what did you expect to get out of it.

My reason for joining MISA was easy. I needed the support of the local investigative community. When I first started my investigative agency, I felt a little lost in how to grow the business and didn't have the highest confidence level. Some people choose to "fake it til they make it", but I did not take that approach. Instead, I didn't hold back the fact that I was a new agency owner trying to grow a client base, and I sold myself on background experience and high standards of quality work.



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There is no doubt that lessons were learned in trial and error, but I learned a lot from other agency owners that I built relationships with over time. On the other hand, I have encountered a fair share of investigators that guard their methods, intel resources, and intellectual insight like an apocalypse prepper. And look, I respect that too.

I built relationships with all types of people in this industry, and through those relationships, trust was eventually solidified. Five years after starting the agency, I have gained confidence and have consistent full-time business. However, I always remain willing to learn and work every single assignment with the same standard of quality that I started with and like it could be my last. I take nothing for granted and I pay it forward as others have done for me. Sometimes investigators ask me how I manage to stay busy and get clients, and my answer is always the same. I was willing to get out into the legal communities and introduce myself to attorneys and paralegals. I am not talking about sending emails or even calling law firms. I am talking about walking down the streets and going inside of offices. Obviously, that was pre-pandemic, and even though many lawyers have been working remotely for the past year, many are getting back in the office now. Nonetheless, then referral business took off. I joined numerous professional organizations and I take advantage of each one to some degree. Building relationships with other agency owners has been essential in growing a successful business. But it cannot be approached with the mindset of “what can this person do for me.” Instead, ask yourself what you can do for them...and mean it. We can never know how that relationship will come full circle or if it ever will, but your business character is what will also play a role in your level of success. Going back to what I mentioned earlier about how some investigators don't want to share methods or insight with other investigators - I am not saying investigators should reveal all their trade secrets or teach another agency owner everything they know. I am just saying that we need to be supportive of each other and willing to help others. That could be done by providing advice, offering reduced sub-rates for each other, or referring work, and so on.

Some investigators have a fear of their client being stolen if they farm out work. I do not worry about other investigators trying to steal my clients because if my clients are capable of being stolen then I wasn't doing something right. Moreover, the way I operate with other investigators that send me work, instills a trust that reduces any risk of betrayal. For example, let's assume another local investigator sends me a domestic case because they are overwhelmed with their current case load. I may be in a position to take on that particular assignment, even by working directly with their client if they prefer, but if that turns into a long-term or ongoing assignment, I am always going to notify the original referral source of such, to offer it back to them or gain approval for continued work. Sometimes it may be known up front that any ongoing work is authorized. But as a general practice, I would not view that job as being solely mine, and I wouldn't dare take on additional assignments without the full approval of the referral source. Many times, my client is the other investigator via sub-contract work. And that brings me to another point. Investigators can literally build a business just doing sub-contract work from other investigators if they preferred that method. MISA provides investigators with a platform to meet other investigators. I send work to other MISA members and do work for MISA members all the time, almost always providing each other with a reduced rate.

I hope that this article has provided at least some value to all who took the time to read it. I am thankful that the MISA organization is strong today and that we have such wonderful members. If you know other investigative or security agencies that are not currently MISA members, please take a moment to reach out to them and encourage them to join.

Caitlin Kelley
Old Line Investigative Services

Active Shooter

The phenomenon of the active shooter is of big concern today. The frequency of these events, and their exact definition can be debated. However, the perception of them as a growing issue is obvious. If your business is engaged in supplying armed officers to client premises, then you have no choice about your requirements. Your officers must be trained to respond to these events. Our question in this article is what standard of training, concerning active shooters, should be part of your permit renewal process in Maryland?

At a minimum, it would be prudent that your officers understand the liability consequences of an active shooter occurrence. Under the general duty clause of the OSHA regulations {Sec 5(a)(1)}, businesses must publicly disclose the potential impacts of targeted violence. The legal concept of “duty of care” creates an obligation for employers to ensure their premises and surrounding vicinity provide a reasonable expectation of protection from harm within the workplace. A cursory examination of the monetary settlements that have been awarded in these cases reveals the burden employers can often face. Protection officers need to understand the basics of the longer term consequences, which are numerous. Beyond the legal ramifications, both criminal and civil, there are emotional traumas such as PTSD and public perceptions that will also play a role for all involved. Mental preparation through training can assist officers in their decision making in these high stress tragedies.

In the best of cases, a client requesting protection officers would have developed an emergency crisis plan for their facility. Whether they are a corporation, hospital, school or other type of employer, having a plan in place, should a situation occur, will provide at least a starting point for your officers and supervisors to reference. It should include a thorough risk assessment to include an all hazards approach to all their buildings and properties. The assessment should identify areas of vulnerability, and define both security strengths and weaknesses. There should be at least some planned course of action, some over all strategic plan and some type of budget to cover necessary components. A sound plan would have layers of security protocols and processes, which would address access control and security screening systems, among other items. Officers should have a fundamental understanding of how a plan would be created, what their role would generally be, and why decision making and “what if” training are every bit as important as firearms training. In a worst case scenario, they may find themselves at the “point of the spear” with no time to think. Training will be vital if they are to cope with these overwhelming circumstances.

There are generally two types of responses to active shooter scenarios. A.L.I.C.E, which stands for Alert, Lockdown, Inform, Counter, Evacuate is one suggested response model, and the other is Run, Hide, Fight. The big difference is that A.L.I.C.E. recommends evacuating as a last option, while the other model sees it as the first option. This would make a substantial difference in the behavior of your officers in an active shooter response plan. In a real situation officers will experience physiological reactions, such as adrenaline rush and loss of fine motor skills. They will also experience perceptual changes, such as tunnel vision, auditory exclusion and temporary memory loss. These will all contribute to difficulty in decision making. Without at least some fundamental understanding of these unavoidable reactions, officers will be at a great disadvantage in extreme situations.

Even under great stress, officers must continue to follow the dictates of the use of force continuum that governs how they may react. The use of deadly force is justified in only the most extreme circumstances, and of course would not extend to injuring innocent people by accident in dealing with an active shooter. Without adequate training, officers would be unlikely to have the skill sets necessary to cope with such circumstances. Even if they come from backgrounds in military or law enforcement, they would benefit from participating in ongoing training that reinforces their existing skill sets. Using the permit renewal cycle as an aid to scheduling this type of training can enhance the value of your officers to your clients.

While it may be surprising, there is still a void among end user clients when it comes to having an adequate plan in place to cope with the very real possibility of an active shooter incident. FBI statistics reveal that commercial businesses and educational institutions account for the majority of these incidents. Your clients would definitely benefit from having a security partner who can participate with them in developing a well considered tactical response plan, and having professional officers who are up to the task of dealing with an active shooter scenario. Like most insurance, you may never need it, but you will be thankful if you ever do that you had it.

R. Bruce Smith
President/Owner
Dejamuse LLC



Private Detective Agency
"Serving Maryland & Beyond"

JAMES TEARE
President
443-732-0713
protectcsi@gmail.com
www.protectcsi.com

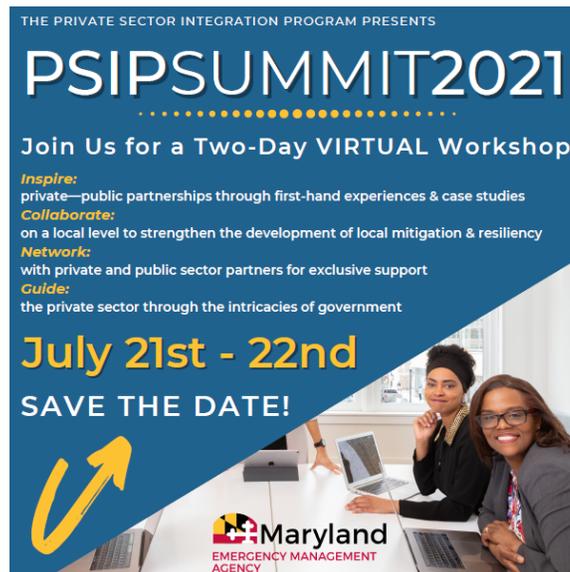
PROTECT CSI, LLC

2021 Legislative Summary *(continued from Page 3)*

As of April 12, 2021 the Maryland General Assembly, in accordance with [S.B. 787](#), passed legislation that retroactively amends the state's digital products sales tax provisions, and delays the state's digital advertising gross revenue tax by one year.

- Exclusions from the definition of a "digital product" now include:
 - Prerecorded or live instruction by a public, private, or parochial elementary or secondary school or a public or private institution of higher education
 - Instruction in a skill or profession in a buyer's current or prospective business, occupation, or trade and/or a seminar, discussion or similar event hosted by a nonprofit organization or business association if the material is:
 - ✦ Not prerecorded and features interactive element between the buyer and host or other buyers

A professional service obtained electronically or delivered through the use of technology having electrical, digital, magnetic or electromagnetic, wireless, or similar capabilities.



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July 21st - 22nd

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The poster features a blue background with white and yellow text. At the bottom, there is a photograph of two women sitting at a table with laptops, smiling. A yellow arrow points upwards and to the right.

MSP LICENSING DIVISION

COMMANDER CAPTAIN ANDREW ROSSIGNOL

ASST. COMMANDER LIEUTENANT PADRAIC LACY

MAIN TELEPHONE NUMBER 410-653-4500

PRIVATE DETECTIVE
MSP.PRIVATEDetective@MARYLAND.GOV

SECURITY GUARD SECTION
MSP.SECURITYGUARD@MARYLAND.GOV

SECURITY SYSTEMS UNIT

Caitlin Rauschenberg Kelley
Agency Owner

Private Investigations & Process Serving

Old Line Investigative Services

caitlinkelley@oldlinepi.com
(443)536-1785

222 Courthouse Ct. Suite 3L
Towson, MD 21204
www.oldlinepi.com

Maryland Investigators and Security Association

Join Today only \$75.00 annually for Active Membership

Membership Categories

Active - One Licensee per membership may vote, hold any position, Legislative representation; networking, use of logo, seminars, receive referrals, receive the newsletter, and Maryland State Police representation.

Associate - Employees of Active members may serve on committees, receive the newsletter, Legislative representation, networking and seminars.

Affiliate - Related business professionals may serve on committees, receive the newsletter, advertising opportunities, networking, and seminars.



The M.I.S.A. Messenger

Barry E. Leese, Editor

Barry.Leese@resolutescsi.com

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Editorial, advertising and subscription correspondence should be addressed to:

The M.I.S.A Messenger
PO BOX 1053
MT AIRY, MD 21771