

2008 HOLIDAY PARTY



>> (From left) Bruce Frankel, Michael Hymanson of U.S. Security Associates and Jim Nicchio of Summit Security pause for a photo break.



>> (From left) Jack Goldsborough and Richard Lukins of T&M Protection Resources enjoy the festivities at Connolly's.

Member Events

Annual ALDONYS Meeting Installation of Officers

**Wednesday,
January 28, 2009**
Connolly's
14 E. 47th Street
New York, New York

4:00 p.m. Board Meeting
5:30 p.m. General Membership Meeting



>> (From left) Vice President - Security Mario Doyle and Past President John Beck trade tales during the cocktail reception.

ALDONYS SPOTLIGHT

The ALDONYS *Spotlight* is published for members of the Associated Licensed Detectives of New York State, Inc.

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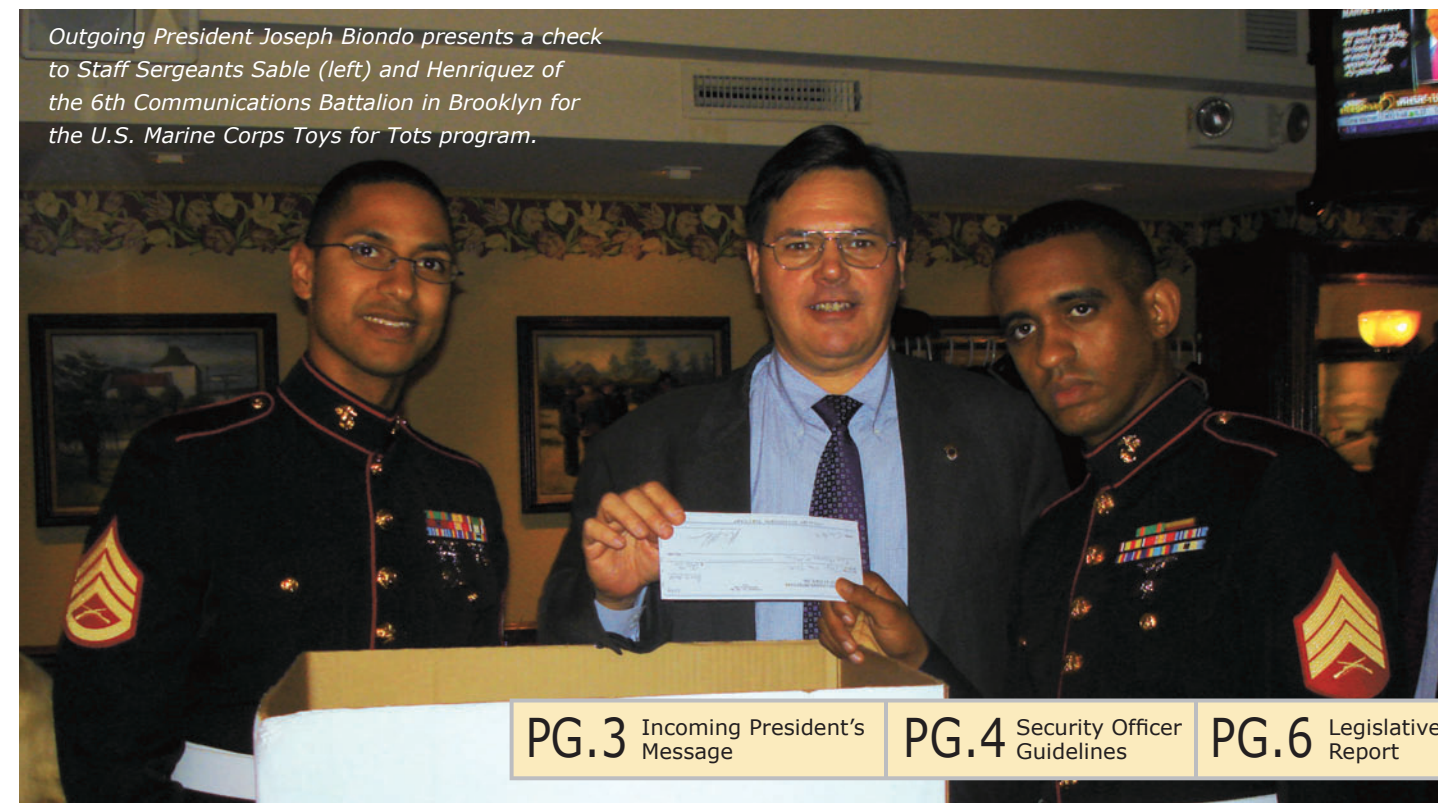
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ALDONYS SPOTLIGHT

>> ISSUE #1
>> 2009

>> ASSOCIATED LICENSED DETECTIVES OF NEW YORK STATE

Outgoing President Joseph Biondo presents a check to Staff Sergeants Sable (left) and Henriquez of the 6th Communications Battalion in Brooklyn for the U.S. Marine Corps Toys for Tots program.



PG.3 Incoming President's Message

PG.4 Security Officer Guidelines

PG.6 Legislative Report

Security Guard Committee of ALDONYS: A Busy Year Ends, More Work Ahead

The hard work of Security Guard Committee members produced impressive results in 2008. Without these focused lobbying efforts, the proposed amendments to the Security Guard Act (SGA) of 1992 would now be law, placing costly and unnecessary burdens on both security firms and their employees.

Generous contributions from individuals and companies allowed us to gain needed attention from state lawmakers and were instrumental in our successful fundraising event for Sen. Dean Skelos in September.

Meanwhile, our lobbyist Fred Altman, Esq., has been busy rewriting alternative legislation, which addresses concerns voiced by the New York City Mayor and Police Commissioner, while also protecting the interests of the security industry.

Yet much work lies ahead in the coming year, not only related to our continued work on the SGA amendment, but also in response to other pieces of legislation that affect our industry.

The Security Guard Committee of ALDONYS serves as an organized audience, speaking

with one voice, when Senate members and Assemblymen look for expert advice and counsel in deciding how to cast their vote on issues relevant to our members and our profession.

As we embark on the New Year, the leadership of ALDONYS urges each of you to recognize that our continued success in championing our industry requires

sustained support. We ask members to view donations to the Security Guard Committee not as one-time contributions, but as an annual, ongoing campaign.

Legislation will continue to challenge our industry, and ALDONYS remains committed to fighting for the interests of our members.



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ALDONYS



OUTGOING PRESIDENT'S MESSAGE

By Joseph W. Biondo

It is with sincere gratitude that I thank the entire membership and board of directors for the opportunity and privilege to serve as president of ALDONYS for the past two years. It has been a rewarding experience, and I look forward to my new role as chairman.

During the past two years, our industry has faced many challenges, both in our security guard and investigative professions. I am proud to say that, in each instance, our ALDONYS team has worked hard and diligently to assist our industry in overcoming many of these obstacles.

We are also extremely proud to have achieved many of our goals in the areas of increasing member benefits and expanding membership.

- In the past two years, we have added an annual subscription to *PI Magazine* to your membership.
- We have upgraded and published three issues of the *Spotlight* newsletter. This writing appears in a fourth issue, and we will continue to publish quarterly issues going forward.
- We published a new 2008 membership directory and addendum.
- We hosted a successful conference and Person of the Year dinner-dance with one of our national organizations, the National Council of Investigative and Security Services (NCISS).
- We also held meetings and training seminars both throughout the state and with other sister organizations.
- In addition, we experienced a new surge of members volunteering to assist by serving on committees and on our board.
- Last but certainly not least, we created an effective mechanism for our security guard members to organize their efforts to raise money and pool resources to fight adverse legislation: the Security Guard Committee of ALDONYS.

These efforts were successful and beneficial to the entire contract security guard industry, not just ALDONYS members. Through these efforts, we opened our doors to the entire contract security guard industry in New York State and have

increased membership in the security guard area.

We have significantly increased membership overall in both security and investigative members, as well as recruited new vendors to advertise and donate funds to our legislative and operational efforts.

I ask you all to join me in thanking the entire group of officers, board members, past presidents, committee members, vendors, and other volunteers who have worked hard to make these successes possible.

I would like to especially thank and mention Tom Berti at Iversen & Biondo; Theresa Biseglia; Mistina Picciano at Market it Write; Mike Lehner, Mark Katz and Steve Mechanic at The Mechanic Group; Bruce Hulme; Fred Altman; Robert Tucker, Lisa Dolan, Patrick Conroy and other members of the Security Guard Committee; Mike Hymanson (past president), who worked hard as our treasurer for the past several years; Theresa Balfe (vice president - investigations) who was extremely successful as our membership chair; David Zeldin (our well known past president); and

continued on next page



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ALDONYS MEMBERS MAKE MERRY DURING HOLIDAY PARTY AT CONNOLLY'S



^ Vice President - Investigations Theresa Balfe and President-elect Robert Tucker show off the fine holiday meal at Connolly's.



^ (From left) Steve Mechanic, Irv Mechanic and Michael Lehner represent The Mechanic Group in full force.



<< (From left) Lisa Dolan of Securit speaks with Jim Nicchio and Nick Auletta of Summit Security at the annual holiday party.

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ALDONYS Takes Position on ASIS Private Security Officer Guidelines

In early November 2008, ASIS released the second edition of its Private Security Officer (PSO) Selection and Training Guidelines, opening the document for public review and comment through December 20, 2008.

ALDONYS members were encouraged to review the PSO draft and respond with their comments. Many members, clients and security companies replied with deep concern over certain language in the guidelines.

The trade association sets forth minimum qualifications for security guards, as well as national criteria for employee hiring and training, to "improve the performance of private security officers and the quality of security services."

What follows is a summary of the concerns, questions and comments expressed by ALDONYS and its members.

Not A "One-Sized" Industry

ASIS recommends each guard complete 48 hours of training within the first 100 hours of employment. Not only does this standard far exceed most state requirements, but it may also be cost-prohibitive for some businesses and result in a reduction of security coverage.

A "one-size-fits-all" security guard training and qualification approach does not take into account the various levels of protection duties that officers perform, nor does it allow flexibility in hiring and education specific to an assignment.

The degree of vetting and training of guards should be based on the guards' responsibilities, as well as clients' needs and budgets. Security personnel hired to patrol a vacant warehouse do not require the same level of screening and training as guards who watch over hospitals or college campuses.

ALDONYS Position

Trade associations such as ASIS are not appropriate entities to determine individual company employment criteria. Instead, ALDONYS suggests ASIS draft a Customer Bill of Rights to assist customers in identifying issues to consider when contracting with a security company.

Unclear Standards

The PSO encourages companies to administer pre-employment and random drug screenings. However, the document is not specific as to the type of drug test to use, which employees should be randomly

tested, and how frequently to administer tests.

ASIS also recommends that companies avoid hiring an applicant who has been convicted of a job-related crime seven years prior to the date of employment, but the organization is not specific as to the type of unacceptable crime.

Certain states ban employers from denying employment due to a past criminal record.

Does a conviction of disorderly conduct constitute a job-related crime? Is the company at risk of being sued by an applicant not hired due to a misdemeanor arrest?

A contract between a security guard firm and a client is a business agreement. Both entities need the freedom and flexibility to determine the most appropriate candidates for an assignment.

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LEGISLATIVE NEWS



DEAL OR NO DEAL?

ALDONYS Introduces Alternative to Security Guard Bill

By Frederick M. Altman, Esq.

The elections are over and the votes are counted, but the fate of the New York State Senate remains in unprecedented confusion and uncertainty. While I hope, by the time you read this report, the results will be clear, I won't bet the farm on it.

The 'Gang of Three'

After Election Day, it appeared the Democrats would control the state congress after winning two more seats than the Republicans. But the celebration was short-lived when the so-called 'gang of three,' two Democrat Senators and a Senator-elect, threatened to align with the GOP caucus to allow the Republicans and Sen. Skelos to retain power.

Senator-elect Pedro Espada and Senator Ruben Diaz, both from the Bronx, and Senator Carl Kruger of Brooklyn sought leadership and influence concessions. Frantic political maneuvering and deal-making followed, with each party trying to woo the allegiance of the three.

When it appeared the Democrats won the bidding war, a deal was announced: Sen. Malcolm Smith, the presumptive new Democrat Majority Leader, would split his authority with Senator-elect Espada. Sen. Smith would retain the senior office of President Pro Tempore, and Sen. Espada would serve as the new Majority Leader.

The two remaining members were promised prestigious committee chairmanships

Historically, both Senate leadership roles are held by one person, so questions arose as to how power and control would be divided. As soon as the agreement was announced, it began to unravel because no one was satisfied.

Impact on Security Guard Bill

How does all this affect the security guard bill? At the moment, that also remains unclear. We were successful in stopping the bill last session, even though it passed the Assembly literally at the eleventh hour of the last night of regular session. But Senate Majority Leader Bruno and his successor Sen. Skelos held it in the Senate, and the status was left unchanged, even after three special sessions.

All bills must be re-introduced for the new (2009-10) session beginning in January. The proposed security guard legislation, like many bills, has yet to be introduced due, in part, to continued uncertainty surrounding Senate leadership.

In the interim, however, ALDONYS has moved forward and adopted a dual-track strategy for the new session. We will continue to strenuously oppose the old bill when, and if, it is introduced. At the same time, we will also provide a proactive alternative to the legislature. The ALDONYS version of the bill responsibly addresses all of the legitimate issues raised but without the objectionable special-interest concerns that we oppose.

Additionally, we will monitor and take appropriate action on other bills of interest to the security guard or P.I. industry.

The Risks of Negligence

With an inherent trust in the opinion of trade associations, courts are increasingly appreciative of national safety codes and guidelines issued by these voluntary organizations.

In theory, the ASIS hiring and training guidelines are not legally binding, but in practice, security guard companies will be faced with one of two choices: adopt the minimum standards voluntarily or risk legal charges of negligence if they fail to adopt the standards. The firms, their clients and ASIS will be held accountable and liable for presumed neglect.



THE ALDONYS ALTERNATIVE

By Bruce H. Hulme, CFE

ALDONYS has drafted an alternative bill in response to the proposed amendments to the Security Guard Act of 1992. Our proposed legislation calls for expansion of the Security Guard Advisory Council with the addition of three (3) new permanent governor-appointed seats, based on recommendations by the Mayor of the City of New York, the Police Commissioner of the City of New York, and the State Director of Homeland Security, which will give the city a direct voice in security guard training standards.

The ALDONYS bill includes the following points:

1. Private contract security guard services in the State of New York are uniformly regulated statewide.
2. The Security Guard Act of 1992, as amended, provides a comprehensive framework for regulation of the private security guard industry.
3. The current act also established the Security Guard Advisory Council (SGAC) to advise the state on training standards and addresses new and emerging security risks.
4. The act established uniform statewide standards for licensing, registration, regulation, training, criminal history and character screening, examination, eligibility, unlawful acts, and enforcement.
5. The ALDONYS proposed legislation identifies certain upgrades and improvements to the SGA-1992 to meet the challenges of new and emerging security risks to "critical infrastructure" and at nightlife establishments regarding "bouncers."
6. The proposed amendments accommodate the needs of City of New York, while maintaining statewide uniformity and applicability wherever similar threats may develop.
7. The proposed bill avoids the unintended consequences that would result from the previously proposed legislative amendments, including increased cost of services, loss of sales tax revenues by encouraging in-house operations, inconsistent standards, and duplicity of regulations.

ALDONYS is currently seeking sponsors for the bill. Members who have an excellent rapport with a state legislator are asked to please contact Fred Altman and/or me to receive a copy of the legislation.

LEGISLATIVE REPORT

NEW LEGISLATIVE SESSION BRINGS NEW CHALLENGES



By Bruce H. Hulme, CFE

As the outgoing 110th Congress deals with multiple issues related to the current financial meltdown, none of the federal bills related to the security industry has been passed, nor is expected to before the new Congress convenes.

The detrimental legislation we defeated in 2008 must be re-introduced, but I expect the Democratic-controlled Congress, along with the President-elect, will present challenges for our profession, both on the legislative and regulatory fronts.

Employee Free Choice Act (EFCA)

A major legislative battle not previously covered is a union organizing bill, which has an excellent chance of passing in the new Congress and being signed by President-Elect Obama.

If enacted, the law will eliminate secret ballots by using "Card Check" and mandates binding arbitration if employers and unions do not reach agreements with a signed contract within 90 days. Business lobbies and unions, including the SEIU, are prepared for battle over the bill, which is predicted to change labor laws and have detrimental implications for employers.

I will attend a conference in Washington, D.C., and keep ALDONYS members updated as this issue evolves.

Ex-Offenders Get Second Chance

Effective February 1, 2009, three (3) new rules go into effect in the State of New York to provide ex-offenders a second chance of entering the workforce. This legislation affects both employers and background investigation firms.

The legislative intent stems from a 2007 study that found New York employees are largely unfamiliar with state laws related to past convictions and unaware that a criminal record poses a significant barrier to employment.

The new rules require employers to:

- Provide a copy of Article 23-A to all job applicants undergoing a background check.
- Post a copy of Article 23-A in "a place accessible to his or her employees and in a visually conspicuous manner."
- Again provide a copy of Article 23-A to the applicant if a criminal record is found.

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American Bar Association Update

American Bar Association (ABA) Resolution 301 allows organizations to test the qualifications of computer forensic investigators and urges state regulatory agencies to refrain from requiring private investigator licenses and, instead, to support professional certification or competency requirements.

At the International Association of Investigative and Security Regulators November conference in Orlando, Fla., the ABA Science and Technology Law Chair and two computer forensic experts supported the organization's position that state private investigator licenses should not be required when conducting computer or digital forensic examinations.

When questioned about the speed of Resolution 301's approval, the chairwoman explained that the quick passage was due largely to recent litigation involving the Recording Industry Association of America and Media Sentry.

Model Private Investigator Act

At the American Legislative Exchange

Council (ALEC) in December, members addressed this same licensing requirement and discussed endorsement of the Model Private Investigators Licensing Act (MPILA), authored by Jordan Ulery and John Healy of New Hampshire.

I, along with others, received the opportunity to offer insight before the ALEC's Criminal Justice & Homeland Security Task Force meeting. After all presentations were made, the task force tabled its endorsement of the act pending further study.

Acquisition of ChoicePoint by Lexis-Nexis

As reported in the last issue of *Spotlight*, the Federal Trade Commission's consent agreement with Reed Elsevier and ChoicePoint could limit private security firms' access to private records.

The consent order requires Reed Elsevier to provide transitional services to West for up to two years, maintains viability and marketability of AutoTrackXP and CLEAR prior to the divestiture, and allows for the appointment of an interim monitor to ensure that Reed Elsevier meets its divestiture obligations and files periodic reports.

In October I, along with a Washington government affairs representative from NCISS, met FTC attorneys in Washington, who assured us that investigator access to information products will not be compromised. The attorneys also predicted that the acquisition would lead to new products for private investigators.

We expressed concerns that, as major providers consolidate, they will begin performing their own background investigation and pre-employment screening services and compete directly with the private sector. The FTC representatives assured us of swift investigative responses to situations that would lessen competition or lead to a monopoly.

Lexis-Nexis, ChoicePoint and Westlaw all compete directly with our members in various fashions. I urge ALDONYS members to immediately pass along to me any instances of closure of access or changes in contracts and agreements you have with data information providers. These companies are bulk resellers of information acquired from Lexis-Nexis, ChoicePoint and West Law.



INCOMING PRESIDENT'S MESSAGE

By Robert Tucker

I am pleased and honored to assume the duties as president of ALDONYS and offer my sincere thanks to outgoing President Joe Biondo for his hard work and leadership. His many accomplishments during his tenure have strengthened our organization and better prepared us to meet the many challenges ahead.

One of my primary objectives as president in the year ahead will be to encourage and promote teamwork throughout ALDONYS and our industry. With your help, we can build on past achievements, continue to grow our membership, and work together as partners to ensure a bright future for our profession.

Among our greatest challenges are several pieces of legislation that, if passed, have the potential to adversely affect our members and the industry. Our lobbyist Fred Altman has been busy crafting alternative amendments to the SGA-1992 Act, which addresses the concerns of Mayor Michael Bloomberg and Police Commissioner Raymond Kelly, while also protecting our interests.

While Senate leadership issues remain unresolved, I urge you to contact state legislators with whom you

OUTGOING PRESIDENT'S MESSAGE

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our secretary, Mario Doyle, who will soon serve as our vice president - security.

Each of these individuals has served ALDONYS well, worked hard over the past two years, and deserves special recognition.

As I move out of the president's position, I am proud to welcome our incoming president, Mr. Robert Tucker, and his team, who will take ALDONYS to the next level and benefit all ALDONYS members, as well as our industry.

Mr. Tucker has my complete confidence, and I ask all of you to welcome and support him as you did me.

It is very important that we continue to build on the foundation we have laid in

have strong relationships to assist in finding sponsorships for our suggested amendments.

On the federal level, Bruce Hulme shares important insights into major legislation related to union organizing that, if added to the new congressional session agenda, is expected to pass and be signed by the president.

Bruce has also requested that members share any changes your information providers make to contracts to ensure ALDONYS members continue to have access to private records following the FTC's consent agreement with Reed Elsevier and ChoicePoint.

Additionally, I encourage you to carefully review the summary of ASIS' Private Security Officer (PSO) Selection and Training Guidelines and the ALDONYS position in response to the recommendations. While the public comment period has passed, our membership needs to be vocal in sharing our position on the proposed training and hiring standards for security guards.

As the year progresses, I'll share in detail our plans for projects, membership initiatives and organizational strategies. Until then, thank you again for giving me the opportunity to serve as president. I welcome your support and feedback as we move ahead together.

All the best,

Robert S. Tucker

the past two years and have all members participate in our growth and success.

As a parting thought, I would ask each member to inspire one colleague to join ALDONYS as a way of supporting our organization.

Keep in mind that we, your board, will continue to work hard for you, our organization and our industry.

Joseph W. Biondo



MEMBERSHIP CHAIR REPORT

By Theresa Balfe
THERESAPI@aol.com

Dear Members:

Since the last edition of the *Spotlight*, we have been quite busy! We accepted nominations for the 2009 officers and regional directors on the board, had an Albany meeting, and sent out 2009 dues notices, along with ballots for the elections.

We also had a fantastic holiday party at Connolly's in Manhattan with a wonderful turnout. The food, conversation and business cards were flowing! The Toys for Tots drive was very successful as well. The Marines in uniform collecting the toys made the toy drive a nice presentation.

At the Albany meeting, we had two (2) gentlemen from the Department of Motor Vehicles (DMV) speak to us about the DMV audit process and how to establish good record-keeping habits. They provided us with documents and answered questions for more than an hour. Much of that information can be found on the members-only section of the ALDONYS web site.

We have also gained seven new members since the last issue of the *Spotlight*. Please welcome the following people.

We welcome our newest members:

- Anthony Chan
- Kevin Cockerham
- Leonard Kestecher
- Marcus Martinez
- Cesar Merello
- Robert Wolfgang
- Vasili Yacalis

I hope everyone had a happy, healthy and joyous holiday with their family and friends.

Thank you to Joe Biondo for his strong leadership over the past two years. Great job, Joe.

Thank you to all for your participation in ALDONYS. We are looking forward to another great term ahead under the leadership of our new president-elect, Robert Tucker.

Happy New Year!
Theresa Balfe
Membership Chairperson