

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

IN THE NORTH CAROLINA  
OFFICE OF ADMINISTRATIVE HEARINGS  
15 DOJ 03346

DANIEL JOSEPH STEELE )  
Petitioner )  
v. )  
NC PRIVATE PROTECTIVE SERVICES )  
BOARD )  
Respondent )

ORDER OF SUMMARY SUSPENSION OF  
UNARMED GUARD REGISTRATION  
PERMIT

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On May 26, 2015, pursuant to North Carolina General Statute § 150B-3(c) and North Carolina General Statute § 74C-6, the undersigned Administrative Law Judge called this case for hearing on the summary suspension of the unarmed guard registration permit issued to Petitioner Daniel Joseph Steele. Based on the events at hearing, the undersigned finds as follows:

FINDINGS OF FACT

1. The North Carolina Private Protective Services Act, N.C.G.S. §§ 74C-1, *et seq.*, created the Respondent Private Protective Services Board (“the Board”), and sets forth the licensing and permit registration of companies and individuals engaged in the armed and unarmed security guard and patrol business.
2. Pursuant to N.C.G.S. § 74C-12, the Board may, after compliance with Chapter 150B of the General Statutes, deny, suspend or revoke a registration or permit issued under this Chapter if it is determined that the registrant committed an unlawful act constituting a lack of good moral character.
3. Pursuant to N.C.G.S. § 74C-6, the Board’s Director shall administer the directives contained in the Private Protective Services Act, and the rules promulgated by the Board, in order to actively police the industry. Pursuant to N.C.G.S. § 74-6, the Board authorizes its Director to summarily suspend any license or registration permit pursuant to N.C.G.S. § 150B-3(c).
4. Petitioner Daniel Joseph Steele is currently registered as an unarmed security guard with York Securities, with such unarmed guard registration being issued by Respondent Board. Petitioner’s unarmed guard registration permit expires on July 31, 2015.
5. An investigation by the Board’s staff revealed that Petitioner was arrested and charged with first-degree murder in Wake County, North Carolina on April 18, 2015. This offense poses a serious threat to the public health, safety, and welfare.
6. By Order dated April 27, 2015, the Board’s Director, Barry S. Echols signed an Order of Summary Suspension of Unarmed Registration Permit, summarily suspending Petitioner’s unarmed guard registration permit because Petitioner charged and arrested for First Degree Murder. That Order notified Petitioner that the Office of Administrative Hearings would conduct a contested case hearing on Tuesday, May 26, 2015, at 2:00 p.m. on the issue of Petitioner’s summary suspension. While Petitioner’s home address is listed as 4205 Snowcrest Lane, Raleigh, North Carolina 28216, Respondent personally served its Order of Summary

Suspension on Petitioner in the Wake County Detention Center, 3001 Hammond Road, Raleigh, NC 27602.

7. On Tuesday, May 26, 2015, at 2:00 p.m., the undersigned called this case for hearing. Respondent's counsel and witnesses appeared for the administrative hearing in accordance with the Administrative Procedures Act.

8. Petitioner did not appear at the hearing, and did not attempt to contact the Office of Administrative Hearings or Respondent to request a continuance.

#### CONCLUSION OF LAW

Based upon the foregoing Findings of Fact, the undersigned hereby proposes that Respondent summarily suspend Petitioner's unarmed guard registration permit pursuant to N.C.G.S. § 150B-3(c), as the public health, safety, and welfare will be jeopardized if Daniel Joseph Steele is allowed to continue as an unarmed security guard for York Securities.

#### NOTICE AND ORDER

The NC Private Protective Services Board will make the Final Decision in this contested case. As the Final Decision maker, that agency is required to give each party an opportunity to file exceptions to this proposal for decision, to submit proposed findings of fact, and to present oral and written arguments to the agency pursuant to N.C. Gen. Stat. § 150B-40(e).

The undersigned hereby orders that Agency serve a copy of its Final Decision in this case on the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, N.C. 27699-6714.

This 29<sup>th</sup> day of June, 2015.

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Melissa Owens Lassiter  
Administrative Law Judge