

Tennessee Private Investigation and Polygraph Commission Meeting

MINUTES of the Tennessee Private Investigation and Polygraph Commission Meeting, held **May 26, 2017**, in Nashville Tennessee.

Approved by Teleconference

Minnie Ann Lane, Chair

Approved by Teleconference

Paul David Brown Jr, Vice Chair

Approved by Teleconference

Larry T Flair, Sr.

Approved by Teleconference

William Rick Jones

Approved by Teleconference

Dr. Paul Ritch

Approved by Teleconference

Arthur G (Jerry) Richards

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Alan G Rousseau

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David W Horton

PRIVATE INVESTIGATION AND POLYGRAPH COMMISSION

COMMISSION MEETING

May 26, 2017

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PRIVATE INVESTIGATION AND POLYGRAPH COMMISSION
COMMISSION MEETING
May 27, 2017
DAVY CROCKETT TOWER
500 JAMES ROBERTSON PARKWAY, ROOM 1A
NASHVILLE, TN 37243

TRANSCRIPT OF COMMISSION MEETING
Commencing at 9:30 a.m.

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A P P E A R A N C E S

COMMISSION MEMBERS
Minnie Ann Lane, Chair
Paul David Brown, Jr.
Larry T. Flair, Sr.
David Horton
Jerry Richards
Dr. Paul A. Ritch - by telephone
Alan G. Rousseau - by telephone
Walt Valentine
Rick Jones

ALSO PRESENT

Ashley Thomas, Staff Attorney
Lindsey Shepard, Staff Attorney
Shilina Brown, Staff Attorney
Cody Vest, Executive Director
Shauna Balaszi, Administrative Assistant
Mark Amick, Administrative Manager

* * *

MS. VEST: Ready, Madam Chair.
CHAIRPERSON LANE: Good morning, fellow
Commission Members, staff members and guests, looks
like we have several guests back there. The date is
Friday, May the 26th, at approximately 9:30 a.m. I'm
Minnie Ann Lane, your Commission Chairman. I will
now call to order the meeting of the Tennessee
Private Investigation and Polygraph Commission.
If each Commission Member has reviewed
the minutes of the March 31st Education Committee and
the minutes of the Commission meeting, then I'll ask
if there's a motion to approve both of these minutes
as they are presented.
DR. RITCH: I so move. Paul Ritch.
CHAIRPERSON LANE: Motion made by
Commissioner Ritch.
MR. BROWN: Second. Commissioner Brown.
CHAIRPERSON LANE: Second by Commissioner
Brown. Any discussion? All in favor.
THE COMMISSION: Aye.
CHAIRPERSON LANE: Opposed? Motion
carries. Would you do a roll call, please?
MS. VEST: David Brown.
MR. BROWN: Aye.

1 MS. VEST: Larry Flair?
 2 MR. FLAIR: Here.
 3 MS. VEST: David Horton?
 4 MR. HORTON: Aye.
 5 MS. VEST: Rick Jones?
 6 MR. JONES: Aye.
 7 MS. VEST: Minnie Lane?
 8 CHAIRPERSON LANE: Here.
 9 MS. VEST: Jerry Richards?
 10 MR. RICHARDS: Aye.
 11 MS. VEST: Dr. Ritch?
 12 DR. RITCH: Aye.
 13 MS. VEST: Alan Rousseau?
 14 MR. ROUSSEAU: Aye.
 15 MS. VEST: Walt Valentine?
 16 MR. VALENTINE: Present.
 17 MS. VEST: Ayes have it, Madam Chair.
 18 CHAIRPERSON LANE: Thank you very much.
 19 Has everyone had time to look at the agenda, I did
 20 not have the agenda approved first. If you have, is
 21 there a motion to approve the agenda as its
 22 presented?
 23 MR. VALENTINE: So moved. Commissioner
 24 Valentine.
 25 CHAIRPERSON LANE: Motion by Commissioner

1 MR. VALENTINE: Aye.
 2 MS. VEST: Ayes have it, Madam Chair.
 3 CHAIRPERSON LANE: At this point on the
 4 agenda we have listed the legislative update, and if
 5 you'll agree, Executive Director Cody Vest, I'll ask
 6 you to handle that.
 7 MS. VEST: Thank you very much. If you
 8 would turn to your iPads for the legislative update
 9 on this. I believe we got some feedback on the
 10 recording.
 11 MR. ROUSSEAU: I'm sorry, that was Alan
 12 Rousseau. I apologize.
 13 MS. VEST: That's okay. If you will look
 14 at Senate Bill 414, it says, "The Tennessee Code
 15 Annotated Section 62-26-223(b) is amended by adding
 16 the following as a new subdivision. A person engaged
 17 exclusively in the business of obtaining and
 18 furnishing information regarding a candidate for
 19 employment to the candidate's potential employer."
 20 That shall take effect as becoming law.
 21 I sent all this out to you ahead of time
 22 for possible discussion. I do not know how many
 23 companies or investigators are going to be affected
 24 by this. This is an employment -- I take it an
 25 employment company, that's what they do, just

1 Valentine. Is there a second?
 2 DR. RITCH: Second. Paul Ritch.
 3 CHAIRPERSON LANE: Second by Commissioner
 4 Ritch. All in favor?
 5 THE COMMISSION: Aye.
 6 CHAIRPERSON LANE: Opposed? Motion
 7 carries. Would you do a roll call, Executive
 8 Director?
 9 MS. VEST: David Brown?
 10 MR. BROWN: Aye.
 11 MS. VEST: Larry Flair?
 12 MR. FLAIR: Aye.
 13 MS. VEST: David Horton?
 14 MR. HORTON: Aye.
 15 MS. VEST: Rick Jones?
 16 MR. JONES: Aye.
 17 MS. VEST: Minnie Lane?
 18 CHAIRPERSON LANE: Aye.
 19 MS. VEST: Jerry Richards?
 20 MR. RICHARDS: Aye.
 21 MS. VEST: Dr. Ritch?
 22 DR. RITCH: Aye.
 23 MS. VEST: Alan Rousseau?
 24 MR. ROUSSEAU: Aye.
 25 MS. VEST: Walt Valentine?

1 employment. There are these types of companies that
 2 do more than just for employment. So I really don't
 3 know how this is going to affect. Do we have any
 4 questions or any discussion with the Commission
 5 Members?
 6 MR. FLAIR: What I didn't understand,
 7 Madam Chairman, I didn't understand, is it going to
 8 require a PI license and a PI business license in
 9 order to be able to do that?
 10 CHAIRPERSON LANE: That's it.
 11 MR. FLAIR: It's that simple, right?
 12 MS. THOMAS: What this new law does, is
 13 it exempts companies that solely do employment
 14 background checks. That's what this law does. And I
 15 think that's why Cody wanted the Commission to
 16 discuss to kind of see how the Commission feels, do
 17 they see that this trend is changing, how do they see
 18 this evolving maybe.
 19 CHAIRPERSON LANE: So like insurance
 20 companies, they are doing a lot of inhouse
 21 investigators, and they are exempt working for one
 22 attorney, one employee. This is going to be the same
 23 thing here. And it's in law now, I don't know what
 24 we can do about it.
 25 MS. VEST: Yes, ma'am. Thank you, that's

1 exactly what it is. But I just want -- we did
 2 discuss it briefly whenever it came up, but it is in
 3 effect now.
 4 MS. THOMAS: It is. May 18th.
 5 MS. VEST: May 18th.
 6 MS. THOMAS: Is when it was signed into
 7 law.
 8 MS. VEST: So what this means is if I get
 9 any telephone calls from someone who says, "Do I need
 10 to have a license to do background checks on
 11 individuals for employment," they do not have to have
 12 a PI license and they do not have to have a company
 13 license.
 14 MS. THOMAS: And just to clarify on that,
 15 this is if your company solely does that. So if that
 16 is just one part of what you do, you will still need
 17 a license. But if your company only does employment
 18 background screening, you no longer need a license
 19 for that.
 20 CHAIRPERSON LANE: That's the reason I
 21 did not think that it would really affect companies
 22 that have license.
 23 MS. THOMAS: I think companies that are
 24 currently licensed, if they solely do background
 25 checks, I think the effect would be they just won't

1 renew.
 2 CHAIRPERSON LANE: You don't think they
 3 would have to?
 4 MS. THOMAS: Because they don't have to
 5 keep up with that. Again, that's if that's all they
 6 do. I don't know how this will affect the industry
 7 going forward, how the legislature sees companies
 8 that solely do one thing, we start carving out
 9 exceptions for different types of checks as
 10 technology advances and things like that. This just
 11 seems like the first step maybe. Of course, we won't
 12 know until the new legislative proposals and things
 13 like that go into effect.
 14 CHAIRPERSON LANE: It will eventually
 15 hurt.
 16 MR. HORTON: Do you think that at some
 17 point it will hurt the PI business?
 18 MS. THOMAS: I think that's what Cody and
 19 I talked about. It's hard to gauge at this point,
 20 because I'm not sure how many companies we have
 21 currently that solely do background checks, but it
 22 could encourage people to begin those types of
 23 companies.
 24 MR. HORTON: But with internet, you can
 25 about find out anything about anybody. If you are

1 smart enough to do that. We have a son that's that
 2 smart, he's a computer programmer.
 3 MS. THOMAS: That's the thing about the
 4 definition about investigation companies, that we are
 5 tending to see that that definition is so broad. As
 6 technology advances, it becomes more and more
 7 difficult to determine who needs a license and who
 8 doesn't.
 9 MR. VALENTINE: I do a lot of background
 10 investigations, and the reason the companies use me
 11 is because you can't trust everything that's on the
 12 internet. And the databases that I use, you can
 13 trust. They are accurate and verified.
 14 MS. VEST: I also brought this up because
 15 I do not know how it's going to affect your bottom
 16 line. We won't know probably for, I want to say, at
 17 least a good two years to go through a renewal cycle,
 18 see who renews with these types of companies or how
 19 many telephone calls we might get asking these
 20 specific questions. So I will be keeping an eye on
 21 the budget and get back to you just as soon as I can,
 22 when I get this information.
 23 MR. VALENTINE: Did the General Assembly
 24 come to our Commission before they passed this law?
 25 MS. THOMAS: No.

1 MS. VEST: No.
 2 MR. VALENTINE: Why not?
 3 MS. VEST: You are asking me something I
 4 don't know an answer to because I didn't -- I don't
 5 believe anybody would come before you. You might be
 6 called to go before them, but they are not -- I just
 7 don't foresee them -- but I do understand your
 8 question.
 9 MR. VALENTINE: Just a curtesy call to
 10 ask if you --
 11 MS. VEST: What was going on?
 12 MR. VALENTINE: -- viable or necessary
 13 or --
 14 MS. VEST: They just send the information
 15 down from the Hill, and then I answer the questions.
 16 MS. THOMAS: And I will say in this
 17 particular bill, it wasn't just our chapter that was
 18 affected by this change. It did hit there, but it
 19 did affect different chapters in the law. So it will
 20 probably just be a waiting game to see how it affects
 21 other industries or companies going forward.
 22 DR. RITCH: As with most laws, this was
 23 prompted by some individual at some point in time.
 24 Do we have any idea what promoted this, who was the
 25 prime mover.

1 MS. VEST: No, sir, I do not know that
2 answer.

3 DR. RITCH: Okay. I don't think there's
4 anything clandestine about it. I think they just
5 didn't want to keep pay a fee for
6 something --

7 MS. VEST: Okay. Is there any other
8 discussion?

9 CHAIRPERSON LANE: If not, the next item
10 on the agenda --

11 MR. RICHARDS: I have one thing I need to
12 mention? Regarding the proposed changes in the
13 polygraph rules, we need to change the wording on one
14 of them, and I discussed that with you.

15 MS. VEST: Yes, sir. I am going to -- if
16 that's all right with you, we'll put that under
17 unfinished business.

18 MR. RICHARDS: That will be fine.

19 MS. VEST: Then we'll talk about that as
20 we go. Thank you, sir.

21 CHAIRPERSON LANE: Our next item on the
22 agenda is the legal report, and I'll respectfully
23 request our staff attorney, Ashley Thomas, along with
24 the Assistant General Counsel Ms. Brown.

25 MS. BROWN: Shilina Brown.

1 CHAIRPERSON LANE: And Lindsey Shepard
2 handle these legal matters.

3 MS. BROWN: Good morning, Commission, my
4 name Shilina Brown, and I am here to present to you
5 the legal report. We have a short report today.
6 This is actually one matter, with Respondent 1 being
7 the investigator, and Respondent 2 being the company.
8 I don't know if you'd like -- this is a little bit
9 lengthy, I don't know if you'd like to take a few
10 minutes and read this over or would you like me to
11 read this into the record?

12 CHAIRPERSON LANE: We need it read into
13 the record.

14 MS. VEST: I'm sorry, yes, we read all
15 complaints into the record.

16 MS. BROWN: Okay, I'm sorry. There's
17 several boards I cover, each board is a little
18 different. Okay.

19 So the first complaint number is
20 2017018721. Respondent 1 is the investigator. The
21 second complaint is 2017018761. Respondent 2 is the
22 company. This was a consumer complaint against the
23 Respondent investigator stating the Complainant
24 posted an advertisement on Craig's List for, "A
25 DeWalt four and a half angle grinder, never used."

1 The Complainant purchased the item in
2 2011 or 2012 from Lowe's in Hendersonville,
3 Tennessee, and never used the item. An individual
4 made an inquiry about the tool and asked to meet the
5 Complainant. The Complainant and the Respondent
6 agreed to meet in the early afternoon at Opry Mills
7 Shopping Mall in front of Chewy's Restaurant.

8 **A male individual met the Complainant in
9 the parking lot and inspected the tool and told the
10 Complainant the tool had been stolen and proceeded to
11 tell the Complainant that he was a private
12 investigator. The Complainant insisted it was not
13 stolen and asked the private investigator for some
14 identification. The Respondent showed the
15 Complainant his identification card.**

16 **The Complainant was still unsure whether
17 or not the Respondent was actually a private
18 investigator just by looking at the laminated
19 identification card, which just had "private
20 investigator" underneath the man's name. Since the
21 Complainant was involved in law enforcement with
22 another state agency and did not feel he was able to
23 determine whether or not the Respondent was actually
24 an investigator, the Complainant took a picture of
25 the identification card that the Respondent handed**

1 **him with his phone, and the Respondent grabbed the
2 identification card from him and told the
3 Complainant, "Better watch out or I'll call 911 on
4 you." The Complainant told him to, "Go ahead and
5 call them."**

6 **At this point, the Complainant was unsure
7 whether or not the Respondent was trying to steal his
8 tool from him. The Complainant told him that he was
9 a law enforcement officer and showed him his badge
10 and told the Respondent to return the grinder back to
11 the Complainant. The Complainant refused to give the
12 grinder back to the Complainant. The Complainant
13 believed the Respondent was attempting to steal his
14 property. The Respondent started waving his ball cap
15 in another direction over his head, as though he was
16 signaling someone in the distance to come over to
17 them, and at this point the Complainant grabbed his
18 grinder from the Respondent.**

19 **The Respondent stepped closer to the
20 Complainant, stated, "You better be careful, I'm a
21 retired Metro officer of 33 years and I'm a black
22 belt." The Complainant responded and stated, "You
23 are the one that needs to be careful." The
24 Complainant reached into his pocket to get his car
25 keys, and the Respondent stated, "Don't move, let me**

1 see your hands."
 2 The Complainant believed the Respondent
 3 had a gun concealed on him and the Complainant slowly
 4 brought out his hands with his keys in his hands.
 5 Thereafter, two other individuals, a male and a
 6 female, approached the Complainant, and the
 7 Complainant backed way from the Respondent and put
 8 the angle grinder inside his car and locked his car.
 9 Suddenly the mall security appeared and asked what
 10 was wrong, and the Complainant explained the
 11 situation to the security officer. The security
 12 officer stated it appears that everything was under
 13 control and left the area.
 14 The other two individuals approached the
 15 Complainant and accused him of stealing the tool.
 16 And the female had a box in her hand and demanded
 17 that the Complainant take out the angle grinder form
 18 the trunk of the Complainant's car so she could check
 19 the serial number, and the Complainant refused. The
 20 female individual threatened to call the police, when
 21 she suddenly remembered she had a picture of the
 22 serial number from the Craig's List post. The woman
 23 apologized for the confusion when she realized the
 24 serial number was different.
 25 UNIDENTIFIED SPEAKER ON PHONE: Hello?

1 MS. BROWN: Yes.
 2 UNIDENTIFIED SPEAKER ON PHONE: Who am I
 3 speak with?
 4 MS. VEST: Ma'am, are you calling on the
 5 line for Alan Rousseau?
 6 UNIDENTIFIED SPEAKER ON PHONE: No,
 7 ma'am.
 8 MS. VEST: Ma'am, this is the Private
 9 Investigations & Polygraph Commission that you called
 10 into.
 11 UNIDENTIFIED SPEAKER ON PHONE: I must
 12 have accidentally called. Because I don't remember
 13 calling this number, and I just heard somebody
 14 talking. So it must have been an accident, I do
 15 apologize.
 16 MS. VEST: Thank you, ma'am.
 17 UNIDENTIFIED SPEAKER ON PHONE: Uh-huh.
 18 MS. BROWN: The Respondent provided a
 19 response and stated he was working a theft case for
 20 his client and it was believed the grinder had been
 21 stolen from his client. The Respondent's client had
 22 seen the grinder on Craig's List, and it appeared to
 23 be brand new, just like her grinder. The Respondent
 24 claims he did not curse, yell or threaten the
 25 Complainant in any manner. The Respondent stated

1 that because the Complainant put his hands in his
 2 front pocket, the Respondent got into a defensive
 3 position. The Respondent claims he waved down the
 4 mall security guard and asked if he would check the
 5 serial number, and the security guard stated
 6 everything looked peaceful and he needed to get to
 7 the other side of the mall. The Respondent's clients
 8 walked up to the Complainant and checked the serial
 9 number and realized the Complainant's grinder had a
 10 different serial number, and the Respondent
 11 apologized and left.
 12 My recommendation is to authorize a
 13 formal hearing and send a consent order with a civil
 14 penalty in the amount of \$250 for violation of
 15 Tennessee Comprehensive Rules and Regulations
 16 1175-04-.02, Proper Conduct of Practice, (1), "The
 17 licensee shall at all times recognize the primary
 18 obligation to protect the health, safety, and welfare
 19 of the public in the performance of the licensee's
 20 professional duties."
 21 CHAIRPERSON LANE: Is there a motion?
 22 MR. ROUSSEAU: Alan Rousseau. I move we
 23 accept the recommendation of counsel.
 24 CHAIRPERSON LANE: Commissioner Rousseau
 25 made a motion. Is there a second?

1 MR. VALENTINE: I'll second.
 2 Commissioner Valentine.
 3 CHAIRPERSON LANE: Second by Commissioner
 4 Valentine. Discussion, please?
 5 MR. VALENTINE: Excuse me, do we have a
 6 copy of the photograph that he took with his
 7 cellphone of the identification of the private
 8 investigator?
 9 MS. BROWN: No, I don't believe he had
 10 sent that.
 11 CHAIRPERSON LANE: He is an investigator,
 12 correct, or we wouldn't be sanctioning him.
 13 MS. BROWN: Correct.
 14 MR. VALENTINE: He is licensed?
 15 MS. BROWN: He is a licensed
 16 investigator, and the company that was reflected on
 17 the ID card is also a licensed company.
 18 MR. VALENTINE: Okay.
 19 CHAIRPERSON LANE: Any other questions?
 20 All in favor?
 21 THE COMMISSION: Aye.
 22 CHAIRPERSON LANE: Opposed? Motion
 23 carries, to follow the recommendation of counsel.
 24 MS. BROWN: Thank you.
 25 CHAIRPERSON LANE: Thank you.

1 MS. THOMAS: I believe that was the only
 2 case on the legal report.
 3 CHAIRPERSON LANE: Thank you very much,
 4 that's what I was waiting for. Do we have
 5 appearances that are here?
 6 MS. VEST: Yes, we do. If you want to
 7 move right onto the next thing on your iPads, is
 8 appearances. Under that would be April Silva, who is
 9 with us today. You might remember Ms. Silva, she
 10 appeared before you January the 27th of this year
 11 where her apprenticeship was denied. She asked to
 12 appear today because she has additional information
 13 that she wants to provide to you for you to
 14 reconsider that decision.
 15 Ma'am, would you please come up, sign in?
 16 CHAIRPERSON LANE: Welcome, Ms. Silva.
 17 We are taking just a few minutes to read this because
 18 this is the first time we have seen it, then I'll ask
 19 if you want to add to it.
 20 MS. SILVA: Okay.
 21 MS. VEST: Ms. Silva, did you bring any
 22 documentation with you this morning.
 23 MS. SILVA: I did.
 24 MS. VEST: Did you bring enough for the
 25 Commission Members to see it or do I need to have it

1 copied?
 2 MS. SILVA: You might want to have it
 3 copied because I only have one. I actually have two.
 4 CHAIRPERSON LANE: Is that an
 5 expungement?
 6 MS. SILVA: No, I actually went through a
 7 28-day treatment program.
 8 MS. VEST: Make copies for Jenny as well.
 9 MS. SILVA: I do have one expungement,
 10 though.
 11 MS. VEST: Since Ms. Silva has brought
 12 that up, we are going to let her discuss that
 13 whenever you are ready.
 14 CHAIRPERSON LANE: As far as for the ones
 15 that are calling in, if we want to kind of outline
 16 the handout?
 17 MS. VEST: Alan Rousseau, are you there?
 18 MR. ROUSSEAU: Yes, I am.
 19 CHAIRPERSON LANE: Dr. Ritch?
 20 DR. RITCH: Yes.
 21 MS. VEST: Unfortunately you are not able
 22 to see this, but this looks like -- I am going to
 23 call it a diploma, for lack of a better word, from
 24 Buffalo Valley Incorporated Substance Abuse Treatment
 25 Facility, Completion -- I mean Certificate of

1 Completion presented to April Silva. Admission date
 2 3/6/2017, discharged 4/3/2017, level care
 3 residential, and the counselor was Samantha Frye.
 4 Other than that, you should already have the
 5 information from Ms. Silva.
 6 CHAIRPERSON LANE: This was an
 7 outpatient?
 8 MS. SILVA: No, this was inpatient.
 9 CHAIRPERSON LANE: Residential --
 10 MS. SILVA: Yes.
 11 CHAIRPERSON LANE: Is there a motion?
 12 MS. VEST: We ready to hear from
 13 Ms. Silva?
 14 CHAIRPERSON LANE: Would you like to say
 15 something? I apologize.
 16 MS. SILVA: No, that's fine. I just want
 17 to ask that you please reconsider. I have been
 18 through a lot, and this was a lot of work and
 19 hopefully, you know -- I don't know what to say
 20 honestly. Doing the private investigating, I was
 21 really excited to do it. I did it for a temporary
 22 amount of time before my application was denied, and
 23 I really loved it. I just really would like to try
 24 again.
 25 MR. RICHARDS: In your e-mail you said

1 you were having trouble with the expungement because
 2 it required time hadn't passed. What's the required
 3 time?
 4 MS. SILVA: It has to be five years.
 5 MS. VEST: What we were talking about
 6 earlier with Ms. Silva, she did bring in an
 7 expungement for the DUI.
 8 CHAIRPERSON LANE: So now all that's left
 9 is the handgun?
 10 MS. VEST: Yes, it was the handgun.
 11 CHAIRPERSON LANE: Is that what you are
 12 trying to get expunged?
 13 MS. SILVA: Yes, but I have to wait five
 14 years.
 15 MS. VEST: But I believe whenever she was
 16 here the first time, the discussion was concerning
 17 the DUIs.
 18 MS. SILVA: Yes, I had two DUIs.
 19 CHAIRPERSON LANE: Two. Are both of them
 20 expunged?
 21 MS. SILVA: No, they can't be expunged.
 22 The DUIs cannot be expunged.
 23 MR. BROWN: What was expunged?
 24 MS. VEST: That's all that's left on her
 25 record, the other charges have been expunged.

1 CHAIRPERSON LANE: Okay.
 2 MR. BROWN: The DUI?
 3 CHAIRPERSON LANE: The two DUIs?
 4 MS. VEST: Yeah, that's all she has now
 5 on her record.
 6 CHAIRPERSON LANE: Thank you for that
 7 clarification. Do we have a motion?
 8 MR. ROUSSEAU: This is Alan Rousseau, I
 9 move that we accept the application.
 10 CHAIRPERSON LANE: We have a motion by
 11 Commissioner Rousseau to accept. Is there a second?
 12 MR. JONES: I'll second it. Commissioner
 13 Jones.
 14 CHAIRPERSON LANE: Second by Commissioner
 15 Jones. Discussion, please? Any other discussion?
 16 Okay. We'll vote. All in favor?
 17 THE COMMISSION: Aye.
 18 CHAIRPERSON LANE: Opposed? I'm going to
 19 abstain. Would you do a roll call, please?
 20 MR. RICHARDS: I abstain as well.
 21 MS. VEST: David Brown?
 22 MR. BROWN: Deny.
 23 MS. VEST: Larry Flair?
 24 CHAIRPERSON LANE: Excuse me. The motion
 25 was to accept and you are saying denied.

1 MR. BROWN: No.
 2 CHAIRPERSON LANE: So --
 3 MS. VEST: Your vote is no, all right.
 4 David brown votes no. Larry Flair?
 5 MR. FLAIR: Would we have a quorum if I
 6 abstain on this? I am going to abstain on this.
 7 MS. VEST: Abstain on that. David
 8 Horton?
 9 MR. HORTON: For.
 10 MS. VEST: In favor?
 11 MR. HORTON: Yes.
 12 MS. VEST: Rick Jones?
 13 MR. JONES: In favor.
 14 MS. VEST: Minnie Lane?
 15 CHAIRPERSON LANE: I abstain, please.
 16 MS. VEST: Jerry Richards?
 17 MR. RICHARDS: Abstain.
 18 MS. VEST: Dr. Ritch?
 19 DR. RITCH: Aye.
 20 MS. VEST: Alan Rousseau?
 21 MR. ROUSSEAU: Aye.
 22 MS. VEST: Walt Valentine?
 23 MR. VALENTINE: Abstain.
 24 MS. VEST: Just a moment.
 25 I'm sorry it took so long. We did --

1 even though we had Commission Members abstain, we did
 2 have enough for the vote and the vote was yes. So --
 3 CHAIRPERSON LANE: So going forward, you
 4 had a vote of four?
 5 MS. VEST: Yes. Yes, four yeses.
 6 CHAIRPERSON LANE: Four yeses, correct.
 7 MS. VEST: My question is, since the
 8 answer is yes, do we go back and re-open the
 9 application when she was here in January? See, in
 10 January -- if I am not mistaken, this is the lady I
 11 had approved by error, that's why I brought her back
 12 to you, for her apprenticeship.
 13 Are you still with that same company.
 14 MS. SILVA: Well, since January I haven't
 15 been able to do anything since my license was --
 16 MS. VEST: Will you be going back to that
 17 company?
 18 MS. SILVA: Yes, ma'am.
 19 MS. VEST: They will --
 20 MS. SILVA: Yes, but my apprenticeship
 21 would have expired in May, so I would have to do like
 22 the testing and the full licensure application moving
 23 forward.
 24 MS. VEST: Okay. Yeah, the
 25 apprenticeship was only for six months to begin with.

1 Once you have had an apprenticeship, according to
 2 your statute, no matter whether it's completed or
 3 not, you only get that apprenticeship one time. Now
 4 she would be required to make application to be a
 5 private investigator. And from what I understand
 6 from your vote today, we will be granting that, once
 7 she meets all the other requirements, take the test,
 8 whatever she needs to do.
 9 CHAIRPERSON LANE: That's my
 10 understanding also. Congratulations to you. I wish
 11 you well.
 12 MS. SILVA: Thank you so much.
 13 CHAIRPERSON LANE: Can we take about a
 14 ten-minute break now?
 15 MS. VEST: Yes, please.
 16 (Short break.)
 17 CHAIRPERSON LANE: I'll call the meeting
 18 back to order. Everybody's here. Looks like next on
 19 the agenda we have the administrative matters, and
 20 I'll, again, turn this over to our Executive Director
 21 Cody Vest to handle it.
 22 MS. VEST: Thank you. Yes, if you'll
 23 look on your iPads, the next thing on the agenda is
 24 your monthly reports. These were sent out to you in
 25 advance. We'll go ahead and take a look. You have

1 the month of March and April are exactly going to be
 2 the same. We have four Commission Member vacancies,
 3 that's Allen Rousseau, David Horton, Minnie Lane, and
 4 Dr. Ritch. I have not heard anything about these
 5 reappointment, but we do have reappointed Walt
 6 Valentine, David Brown, and Larry Flair. And we
 7 do -- of course, we do appreciate you serving until
 8 your term expires or the Commissioner reappoints
 9 someone or you get reappointed. And we certainly
 10 appreciate everyone serving and continuing to serve.

11 The next month is actually the same
 12 thing, it just tells you the same information that I
 13 have to report from month to month.

14 If there's no questions about those,
 15 we'll just move right on, if would you, please.

16 MR. VALENTINE: I noticed that we had
 17 four complaints in March.

18 MS. VEST: Yes.

19 MR. VALENTINE: And none in April.

20 MS. VEST: Yes.

21 MR. VALENTINE: How many complaints do we
 22 have on the books now?

23 MS. THOMAS: If I'm not mistaken, I
 24 believe there are two, not counting the one Ms. Brown
 25 presented this morning. I believe that's correct.

1 MS. VEST: In answer to your question, we
 2 have a couple of those that are still being worked.
 3 MR. VALENTINE: Okay.
 4 MS. VEST: If there's no other questions,
 5 we'll just move onto what we call the budget review
 6 that we just handed out in color. I do apologize, it
 7 was so small on the iPads, I'm sure you couldn't read
 8 them. Well, they weren't on your iPads because of
 9 the change that I had received, and so we handed that
 10 out to you, had it sitting at your areas when you
 11 came in. But it was brought to my attention that it
 12 could not be read, so we went and printed it in color
 13 for you.

14 All right. I'll go over this briefly.
 15 What you need to look at is the bottom line where it
 16 says "Net Surplus, Deficit." Your total so far for
 17 the fiscal year is \$21,810. Now, of course, we still
 18 have the month of May and June to put on here. So
 19 far the only really big difference there, let's see,
 20 if you'll look at "Administrative Cost Backs," it's
 21 in the second block under "PI Poly Expenses." You'll
 22 see a little bit of an increase there, it's \$4,422.
 23 It's almost double what you had all the other months.
 24 That is where we had another charge for our new
 25 computer system, and they went into each program and

1 did a charge to us based on the number -- I believe
 2 it was based on the number of your investigators.
 3 And I do apologize, we did have a way I
 4 could just push a button and find out how many
 5 private investigators there are, now it requires me
 6 to contact IT to get that information. Hopefully I
 7 will be able to tell you next time we meet how many
 8 private investigators you actually have that are
 9 active and how many companies. We might want to take
 10 a look at that and do a comparison and see what
 11 happened over the course of time.

12 CHAIRPERSON LANE: Okay.

13 MR. VALENTINE: That information isn't
 14 online for to us access ourselves?

15 MS. VEST: I don't -- you may be able to
 16 find that information under core.tn. If there wasn't
 17 any other questions about that, we can move on. What
 18 I do have is some correspondence.

19 We have an individual, Randall,
 20 R-A-N-D-A-L-L, last name W-I-T-T-I-G, who has come up
 21 for renewal, but he is out of the country. He is in
 22 Honduras. He has a private investigator license and
 23 he has a company license. The company license
 24 requires, on paper anyway, a notarized statement of
 25 affiliates. He's not able to get it notarized in

1 Honduras by an American notary. I think we already
 2 had this at the last meeting, and we said something
 3 like, why didn't he get the notary from that country
 4 to do it, but I don't know if every country has
 5 notaries. I don't know anything about that. What we
 6 did the last time, though, was we let him go ahead
 7 and renew, and when he does come back into the
 8 country, he will give us a notarized statement.

9 So I'm asking you if I can do that for
 10 this gentleman to tell us, yes, we will accept his
 11 notarized statement. He has no investigators, it's
 12 just him. He's out of the country, but he's supposed
 13 to come back maybe in September or October, and at
 14 that time he needs to give me a notarized statement
 15 of his affiliates. From now on, we should not be
 16 running into this because you are required to do your
 17 renewals online now, but he was out of the country,
 18 couldn't get it done for some reason.

19 CHAIRPERSON LANE: Do you need a motion?

20 MS. VEST: Yes, I need a vote on that so
 21 I can make sure I can go ahead and approve his
 22 renewal.

23 CHAIRPERSON LANE: Would someone make a
 24 motion on that, please?

25 MR. BROWN: I will --

1 MR. ROUSSEAU: I move we accept the
 2 recommendation of --
 3 CHAIRPERSON LANE: Motion by Commissioner
 4 Rousseau. Is there a second?
 5 MR. BROWN: Second. Commissioner Brown.
 6 CHAIRPERSON LANE: Second by Commissioner
 7 Brown. Any discussion? All in favor?
 8 THE COMMISSION: Aye.
 9 CHAIRPERSON LANE: Opposed? The ayes
 10 have it. We need a roll call.
 11 MS. VEST: David Brown?
 12 MR. BROWN: Aye.
 13 MS. VEST: Larry Flair?
 14 MR. FLAIR: Aye.
 15 MS. VEST: David Horton?
 16 MR. HORTON: Aye.
 17 MS. VEST: Rick Jones?
 18 MR. JONES: Aye.
 19 MS. VEST: Minnie Lane?
 20 CHAIRPERSON LANE: Aye.
 21 MS. VEST: Jerry Richards?
 22 MR. RICHARDS: Aye.
 23 MS. VEST: Dr. Ritch?
 24 DR. RITCH: Aye.
 25 MS. VEST: Alan Rousseau?

1 MR. ROUSSEAU: Aye.
 2 MS. VEST: Walt Valentine.
 3 MR. VALENTINE: Aye.
 4 MS. VEST: Ayes have it, Madam Chair.
 5 CHAIRPERSON LANE: Thank you.
 6 MS. VEST: Thank you. I believe the next
 7 thing on the agenda under me is going to be the
 8 Education Committee.
 9 CHAIRPERSON LANE: Yes.
 10 MS. VEST: Education review.
 11 CHAIRPERSON LANE: I'd like to point out
 12 that the Education Committee did meet open to the
 13 public at 9 o'clock this morning and went over the
 14 applications or the request for the education. Now
 15 I'll ask our Executive Director Cody Vest to handle
 16 the presentation of it.
 17 MS. VEST: Okay. Well, for the education
 18 review, we had three of them this morning, all three
 19 were approved by the Education Committee. So we'll
 20 bring in all three to a vote for the Commission. The
 21 first one, Indiana Society of Professional
 22 Investigators, 24 hours continuing education, was
 23 approved. Number two was the Administrative Office
 24 of the US Courts Office of Defender Services Training
 25 Branch. They requested 16 hours for continuing

1 education. That was approved. The third one was
 2 Pathlore Learning Management System, P-A-T-H-L-O-R-E,
 3 and this was for one individual. He asked for --
 4 it's 120-hour course, which was approved for the
 5 16 hours -- 12 hours, I'm sorry.
 6 CHAIRPERSON LANE: 12 hours.
 7 MS. VEST: 12 hours. All three of those
 8 were approved by the Education Committee.
 9 CHAIRPERSON LANE: You mentioned that
 10 we'll be adding the first two to the approved list.
 11 MS. VEST: All right. I believe we are
 12 ready probably for a vote now, Madam Chair.
 13 CHAIRPERSON LANE: Is there a motion?
 14 MR. BROWN: So moved that we accept them.
 15 CHAIRPERSON LANE: Motion by Commissioner
 16 Brown. Is there a second?
 17 MR. FLAIR: I'll second, Madam Chairman.
 18 Larry Flair.
 19 CHAIRPERSON LANE: Second by Commissioner
 20 Flair. Any discussions?
 21 MR. FLAIR: Madam Chairman, I have one
 22 question. What was the correct title for the second
 23 one, Ms. Cody?
 24 MS. VEST: For the second one?
 25 MR. FLAIR: Department of Justice or

1 Department of Public Defender?
 2 MS. VEST: It was Administrative Office
 3 of the US Courts Office of Defender Services Training
 4 Branch.
 5 MR. FLAIR: For the record, that's the
 6 training that's in New Orleans, and they are often at
 7 no expense.
 8 MS. VEST: To private investigators?
 9 MR. FLAIR: Yes, ma'am.
 10 CHAIRPERSON LANE: Any further
 11 discussion? All in favor?
 12 THE COMMISSION: Aye.
 13 CHAIRPERSON LANE: Opposed? Would you do
 14 a roll call, please?
 15 MS. VEST: David Brown.
 16 MR. BROWN: Aye.
 17 MS. VEST: Larry Flair?
 18 MR. FLAIR: Aye.
 19 MS. VEST: David Horton?
 20 MR. HORTON: Aye.
 21 MS. VEST: Rick Jones?
 22 MR. JONES: Aye.
 23 MS. VEST: Minnie Lane?
 24 CHAIRPERSON LANE: Aye.
 25 MS. VEST: Jerry Richards?

1 MR. RICHARDS: Aye.
 2 MS. VEST: Dr. Ritch?
 3 DR. RITCH: Aye.
 4 MS. VEST: Alan Rousseau?
 5 MR. ROUSSEAU: Aye.
 6 MS. VEST: Walt Valentine?
 7 MR. VALENTINE: Aye.
 8 MS. VEST: Ayes have it, Madam Chair.
 9 CHAIRPERSON LANE: Thank you. Looks like
 10 we are down to unfinished business. I'll ask if
 11 anyone has unfinished business.
 12 MS. VEST: Yes, at this time I believe we
 13 do have some polygraph unfinished business that we
 14 would like to discuss.
 15 MS. THOMAS: Mr. Richards, did you want
 16 to mention the change to the rule?
 17 MR. RICHARDS: Yes. This is under
 18 Section 1160-1-.06, Professional Standards,
 19 Paragraph (8)(a), and we need to change the wording
 20 to this: "Has been asked the same pertinent and
 21 relevant questions at least three times, semi colon
 22 and."
 23 MS. THOMAS: Right, and I will state to
 24 the Commission that I have spoken with Commissioner
 25 Richards about that. We have made that change.

1 Originally it stated, "on at least two separate
 2 charts," and that has been changed to, "at least
 3 three separate times." Just as far as a status
 4 update, these rules have been approved, notarized,
 5 and they are currently at the Attorney General's
 6 Office awaiting his signature. Once that's done,
 7 they will be filed with the Secretary of State.
 8 MR. RICHARDS: Thank you.
 9 CHAIRPERSON LANE: Any other unfinished
 10 business? What about new business, do we have any
 11 new business?
 12 MS. VEST: Yes.
 13 CHAIRPERSON LANE: Still unfinished?
 14 MS. THOMAS: It's new. I want to bring
 15 to the Commission's attention that I have been asked
 16 to possibly discuss proposed legislation for 2018. I
 17 know we just finished 2017, but if any of the members
 18 have suggestions regarding changes to the actual law
 19 that we can propose, what will happen is we will look
 20 at those changes, Cody and I, and we will submit it
 21 to the Commissioner to be included in her
 22 administrative packet. If she accepts that, she will
 23 include it to send to the Hill for proposed changes.
 24 We don't have control as to which program she accepts
 25 the changes for.

1 I know at our prior meeting, Commissioner
 2 Richards, you mentioned some legislative changes,
 3 we'll include that in there as well. I know I
 4 discussed that the law changes have to go through
 5 legislation. Like I said, we can't guarantee that
 6 will be accepted by the Commissioner. If not, again,
 7 you are free to try to get a sponsor that will
 8 propose those changes, but I wanted the Commission to
 9 be thinking about those changes. Feel free to e-mail
 10 myself or Cody with those changes, and we'll try
 11 include that.
 12 MS. VEST: On another note on the same
 13 line, for instance, the statute does say that you are
 14 supposed to have your application on file before you
 15 take the exam. With our new database, we want
 16 everything uploaded when you make application.
 17 Therefore, you should be taking the exam before you
 18 make the application. That is the number one thing
 19 that is holding up applications in our office.
 20 These individuals are taking these exams
 21 three, four, sometimes as many as six times. Each
 22 time they do, they have to pay to do it. I am going
 23 to be meeting later on this month with the PSI, it is
 24 not for an item of review, it is just to make sure
 25 that we understand how they are handled. But we just

1 recent -- not really too long ago sat down and
 2 actually did an item review with the laws and the
 3 rules and then the amended back questions for the
 4 actual private investigators. So I will be talking
 5 with Alex Rodriguez at our appointment. I want to
 6 make sure that I do get a monthly count of how many
 7 are taking that exam, how many are failing that exam,
 8 and if at all possible, what areas that they are
 9 failing in to see if I can bring it back to the
 10 Commission, do we need to have another item review,
 11 is our exam too hard, is it too easy, are people not
 12 studying, is the exam material not correct. There is
 13 some reason that somebody has to take it six times.
 14 CHAIRPERSON LANE: I was one that sat on
 15 than, and I would have thought it would have been too
 16 easy. I am shocked. I am interested in knowing,
 17 once you talk to them, maybe they are not
 18 implementing it correctly or something.
 19 MS. VEST: Not studying is probably the
 20 number one. I do stress to them that it is
 21 50 percent based on the laws and the rules. I mean,
 22 you got 50 percent already, if you know those. And
 23 you have to purchase the material, and you have to
 24 study that material in order to take that exam. But
 25 then we need to actually consider, Madam Chair, that

1 you are a private investigator, and you have been one
2 for years, so you probably do know all that.

3 I don't know what direction we are
4 leaning into, that's why I said I am going to meet
5 with them. I will present it back to you, whatever
6 findings I have, and I am going to require them to
7 give me a report so we can actually delve down into
8 finding out what the problem is.

9 MR. BROWN: Are most of our applicants,
10 are they from the police, law enforcement,
11 background, are they general?

12 MS. VEST: The trend now is, no. At one
13 time there was that trend, now you are just getting
14 people making application because they are sitting at
15 home working on their computers looking things up and
16 they are saying, oh, this is what I want to do.

17 MR. BROWN: Well, that book -- I think if
18 you read that book, I don't know what questions they
19 are asking, but --

20 CHAIRPERSON LANE: Each question was
21 referenced, we would go to the book.

22 MR. BROWN: That book is a very good
23 book.

24 MS. VEST: Yes, that's what I have been
25 told. I do -- I don't see the trend improving with

1 over those and I will let you all know the date as
2 soon as I have it.

3 MS. VEST: What that actually means is
4 they can call us up to the Hill, and we have done
5 this before, I will notify all Commission Members. I
6 know it's a great deal to ask you to come in, but the
7 Senators, representatives, they do like to see the
8 support of the Commissions. I will introduce you, of
9 course, as the PI Commission and individually, and I
10 may ask you for support when we -- if and when we do
11 have to go to the Hill.

12 CHAIRPERSON LANE: We'll be behind you.

13 MS. VEST: I believe that's all we had
14 under new business. Was there anybody that signed up
15 to speak?

16 CHAIRPERSON LANE: No one signed up.

17 MS. VEST: No.

18 CHAIRPERSON LANE: Well, I guess I'll ask
19 for a --

20 MR. FLAIR: I don't know if this is the
21 arena to do this right now, but one quick question,
22 probably directed at counsel. Did I understand when
23 you were talking to Commissioner Richards, you guys
24 go over some things that you might feel need to be
25 changed with input from whomever, and then it's

1 the private investigation field. So many things, as
2 you said before, can be done on the computer. It
3 looks like it's actually leaning towards being more
4 specialized.

5 CHAIRPERSON LANE: Yes.

6 MS. VEST: But, yes, we still do get
7 applications in. They are still rolling in, they are
8 just not being able to complete their applications
9 because I am only going to hold them open so long, if
10 you make a diligent effort. Is six times a diligent
11 effort? Yes, I mean as long as you -- you are
12 attempting to do this, we do hold them open a year.

13 CHAIRPERSON LANE: I'm sure you'll bring
14 those numbers and reports to us.

15 MS. VEST: Yes.

16 CHAIRPERSON LANE: When you get them.

17 MS. VEST: All right. That's really all
18 I had on that. You want to tell them about
19 September?

20 MS. THOMAS: I guess the only other thing
21 is that we have been informed that the Private
22 Investigation and Polygraph Commission as a whole has
23 been put on the sunset hearing calendar for
24 September. We don't have exact dates yet. As soon
25 as we get the questions, again, Cody and I will go

1 presented to the Commissioner, and then she has a
2 packet, and then she presents that? So that would
3 not require a sponsor to go in front of the
4 legislative, she would present that package alone?
5 Is that the way it works? I'm confused how it works,
6 is the reason I'm asking.

7 MS. THOMAS: Okay, if I'm understanding
8 your question, what will happen is we will look
9 through the PI and Polygraph laws. We will propose
10 changes to the Commissioner. This Commission, as
11 well as all the other programs under Commerce and
12 Insurance, she will pull the ones that she thinks, I
13 guess, require immediate attention. She can only
14 pull so many. And then she will present that to the
15 legislature to propose that change. It will be in
16 one bill.

17 MR. FLAIR: I understand now, thank you.

18 MS. THOMAS: Yes.

19 MS. VEST: To clarify, we did have
20 legislation that we did have asked passed for our
21 different programs, she only picked out one part, or
22 whomever, only picked out one part that was under the
23 Private Protective Services. But there's maybe 30,
24 35 regulatory boards now, and all of us are
25 submitting changes. So whoever that is will decide

1 which ones they are going to pick and choose.
 2 But once we sit down and take a look at
 3 that, we will tell the Commission or ask you your
 4 opinion of the changes. We won't just automatically
 5 do it ourselves. Your proposed changes have to come
 6 back to you, that's why I threw out about taking the
 7 exam. That's on there. Another example I can think
 8 of we just talked about is that notarized statement.
 9 No, we don't need that any more because you're doing
 10 it online, you are attesting to it. So the notary
 11 needs to come off.
 12 It's just like -- going through each
 13 line, trying to pick out and move it into the --
 14 online application. So if you -- that's what we are
 15 looking at, sitting down with it, going line by line,
 16 here's the law, here's the rule that goes with it,
 17 what can be changed, what needs to be changed. He we
 18 are not talking about something drastic changing your
 19 profession, we are just trying to clean it up because
 20 we are going online now. Anything that you --
 21 DR. RITCH: A question from Paul Ritch in
 22 Chattanooga. When we are doing a renewal online, we
 23 require mugshots. Do they have to mail that in, I
 24 guess?
 25 MS. VEST: No, sir. We want everything

1 uploaded. We want you to go out, fill out the
 2 application. Of course you do go to -- the
 3 individual would go to L-1 or more Videotrust. You
 4 get a receipt, we want that uploaded. Your photo,
 5 and it doesn't have to be that 2 by 2, 1 by 1,
 6 whatever the requirements were, you can just take
 7 your photo with your phone now and just upload that.
 8 It comes straight to us, it comes to us in color, we
 9 just print it right off.
 10 DR. RITCH: How about that.
 11 MS. VEST: If everything is done online
 12 and you submit everything that we need at that time,
 13 it's just a matter of days before your license can
 14 get approved. It's that quick now. It's just when
 15 everybody doesn't submit everything they need and we
 16 have to send correspondence out to you, is really
 17 what takes so long. All right, thank you, Dr. Ritch.
 18 DR. RITCH: Thank you.
 19 CHAIRPERSON LANE: Well, there being no
 20 further business, I call for a motion to adjourn.
 21 MR. FLAIR: I'll make that motion, Madam
 22 Chairman.
 23 CHAIRPERSON LANE: Motion by Commissioner
 24 Flair. Is there a second?
 25 MR. HORTON: Second.

1 CHAIRPERSON LANE: Second by Commissioner
 2 Horton. All in favor?
 3 THE COMMISSION: Aye.
 4 CHAIRPERSON LANE: Do roll call, please.
 5 MS. VEST: David Brown?
 6 MR. BROWN: Aye.
 7 MS. VEST: Larry Flair?
 8 MR. FLAIR: Aye.
 9 MS. VEST: David Horton?
 10 MR. HORTON: Aye.
 11 MS. VEST: Rick Jones?
 12 MR. JONES: Aye.
 13 MS. VEST: Minnie Lane?
 14 CHAIRPERSON LANE: Aye.
 15 MS. VEST: Jerry Richards?
 16 MR. RICHARDS: Aye.
 17 MS. VEST: Dr. Ritch?
 18 DR. RITCH: Aye.
 19 MS. VEST: Alan Rousseau?
 20 MR. ROUSSEAU: Aye.
 21 MS. VEST: Walt Valentine?
 22 MR. VALENTINE: Aye.
 23 MS. VEST: Ayes have it, Madam Chair.
 24 CHAIRPERSON LANE: Committee meeting is
 25 adjourned.

1 (WHEREUPON, the meeting was adjourned at
 2 11:05 a.m.)
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REPORTER'S CERTIFICATE

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COUNTY OF SUMNER

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PRIVATE INVESTIGATION AND POLYGRAPH COMMISSION

EDUCATION MEETING

May 26, 2017

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PRIVATE INVESTIGATION AND POLYGRAPH COMMISSION
EDUCATION COMMITTEE MEETING
May 26, 2017
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500 JAMES ROBERTSON PARKWAY, ROOM 1A
NASHVILLE, TN 37243

TRANSCRIPT OF EDUCATION COMMITTEE MEETING
Commencing at 9:00 a.m.

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MS. VEST: I'll do a roll call. I'm sorry. I jumped ahead.
CHAIRPERSON LANE: We are just doing the education right now?
MS. VEST: Yes.
CHAIRPERSON LANE: And I guess just discussion, open to the public?
MS. VEST: Yeah. Let me go ahead for the record and say who is here. Alan Rousseau?
MR. ROUSSEAU: Here.
MS. VEST: Minnie Lane?
CHAIRPERSON LANE: Here.
MS. VEST: Dr. Ritch?
DR. RITCH: Here.
MS. VEST: David Brown?
MR. BROWN: Here.
MS. VEST: Larry Flair? Larry's not present. I think we can move on, Madam Chair, if you'd like. I believe we sent out all the continuing education to the Education Committee.
CHAIRPERSON LANE: We did.
MS. VEST: I think the first one we want to look at is that Indiana Society of Professional Investigators, Undercover Reasonable Doubt, Criminal

A P P E A R A N C E S

EDUCATION COMMITTEE MEMBERS

- Minnie Ann Lane, Chair
- Paul David Brown, Jr.
- Dr. Paul A. Ritch - by telephone
- Alan G. Rousseau - by telephone

ALSO PRESENT

- Ashley Thomas, Staff Attorney
- Cody Vest, Executive Director
- Shauna Balaszi, Administrative Assistant

Defense and Due Process. They want 24 hours of continuing education credit. What do we think about that one?
CHAIRPERSON LANE: I didn't have a problem with it. That was my question, are they asking for 24 hours --
MS. VEST: Yes, they are asking for 24 hours. Three-day training for 24 hours.
CHAIRPERSON LANE: Seems like they are using it for something else then. What did the other Commission members on the Education Committee think?
DR. RITCH: I have no problem with it. This is Paul Ritch.
MS. VEST: Alan, did you get a chance to look it over?
MR. ROUSSEAU: Yes, I did. I have no questions about it.
MS. VEST: Okay. David?
MR. BROWN: Okay.
MS. VEST: You thought -- okay. How about you, Madam Chair?
CHAIRPERSON LANE: The course is good, yes.
MS. VEST: So I am going to say, yes, we are going to approve it.

1 I think the next one on the list is
2 Administrative Office of the US Courts Office of
3 Defender Services Training Branch. It's a parallel
4 course with the investigators. They requested
5 16 hours of continuing education.

6 DR. RITCH: I have a question about that
7 one?

8 MS. VEST: All right, let's hear it,
9 Dr. Ritch.

10 DR. RITCH: On Page 2 of the material
11 that came with it, it says, Order of --

12 MS. VEST: Dr. Rich, just a second, we
13 have -- the court reporter is here, can you start the
14 conversation over again and go kind of slow.

15 DR. RITCH: Yes, I'm sorry. I apologize.
16 My question is that I think we require all hours to
17 be open to the public.

18 CHAIRPERSON LANE: Not any more.

19 DR. RITCH: Not any more?

20 CHAIRPERSON LANE: Not any more.

21 DR. RITCH: Then I withdraw my objection.

22 CHAIRPERSON LANE: That was left out the
23 last time we had changes, so we cannot --

24 DR. RITCH: Okay, I missed that.

25 MS. VEST: So you do agree with this

1 course, Dr. Ritch?

2 DR. RITCH: I have no problem with it.
3 That was my only concern.

4 MS. VEST: How about you, Alan?

5 MR. ROUSSEAU: I don't have no problem.

6 MS. VEST: All right. I'm sorry, Minnie?

7 CHAIRPERSON LANE: It's a good course. I
8 think every investigator should attend it. It's
9 good.

10 MS. VEST: David Brown?

11 MR. BROWN: I second with what the
12 chairman said, I think it's a very good course.

13 MS. VEST: All right. We are all in
14 agreement. I'll present it to the Commission. All
15 right.

16 The third one on the list is Pathlore
17 Learning Management Systems. This was for an
18 individual. He wants to have the continuing
19 education, he said, for 120 hours, but we know we
20 won't give him credit for that. But that is the
21 course, for 120 hours, but he wants it for his
22 individual. It will not be put on the course list
23 because it's an individual who has requested this.

24 CHAIRPERSON LANE: I didn't see a problem
25 myself giving six hours to that individual for that.

1 MS. VEST: That's going to be six hours?

2 DR. RITCH: I have no problem giving six
3 hours.

4 MS. VEST: Okay.

5 MR. ROUSSEAU: Alan Rousseau, I have no
6 problem.

7 MS. VEST: Okay. He has to have -- they
8 have to have 12 hours of continuing education in the
9 renewal period. Are you just approving this for just
10 six hours?

11 CHAIRPERSON LANE: No, 12. I'm sorry, I
12 misspoke.

13 DR. RITCH: I'm okay with 12.

14 MR. ROUSSEAU: I'm okay with 12.

15 MS. VEST: Just want to make sure I got
16 it straight, because he'll have to get more
17 education, if we don't. And, David, what's your
18 opinion on this?

19 MR. BROWN: I'm okay with it.

20 MS. VEST: Now we will present it to the
21 Commission as an approved course.

22 CHAIRPERSON LANE: I have one question,
23 the Indiana Society of Professional Investigators and
24 the Administrative Office, the other two, did they
25 ask for them to be put on the approved list?

1 MS. VEST: Yes, these are going to go on
2 the approved list. That's all I have, so I think we
3 can adjourn the meeting, unless someone else has
4 anything else.

5 CHAIRPERSON LANE: I believe that's all
6 we need.

7 DR. RITCH: I have no other issues.

8 MS. VEST: We are going to go off the
9 record.

10 (WHEREUPON, the meeting was concluded at
11 9:10 a.m.)

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