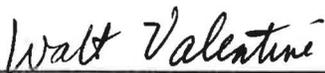


Tennessee Private Investigation and Polygraph Commission Meeting

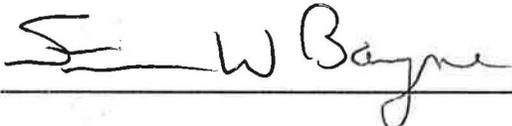
MINUTES of the Tennessee Private Investigation and Polygraph Commission Meeting, held **September 21, 2018**, in Nashville Tennessee.



Walt Valentine, Chair



Paul David Brown Jr, Vice Chair



Stuart W Bayne



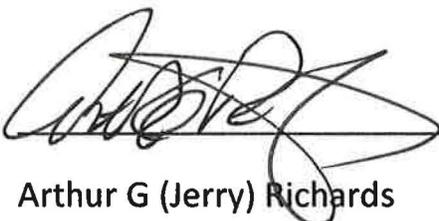
Larry T Flair, Sr.



Robin Brewer Johnston



William Rick Jones



Arthur G (Jerry) Richards



Alan G Rousseau



Douglas Shanks

PRIVATE INVESTIGATION AND POLYGRAPH COMMISSION

COMMISSION MEETING

September 21, 2018



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PRIVATE INVESTIGATION AND POLYGRAPH COMMISSION
COMMISSION MEETING
September 21, 2018

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TRANSCRIPT OF COMMISSION MEETING

Commencing at 9:30 a.m.

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* * *

MS. VEST: We have Alan who is calling in, so we do have to make sure we speak into the phone -- into your microphone, and please identify yourself when you speak for the court reporter.

We're ready anytime you are back there.

CHAIRMAN VALENTINE: Good morning, fellow commission members, staff members, and honored guests. Today's date is September 21, 2009[sic]. It's approximately 9:30. I'm Walt Valentine, commission chair.

I'll now call to order the meeting of the Tennessee Private Investigation and Polygraph Commission.

The executive director, Cody Vest, will please call the roll.

MS. VEST: Thank you. And for the court reporter, today -- this is 2018 still.

CHAIRMAN VALENTINE: 2018.

MS. VEST: We understand. All right.

CHAIRMAN VALENTINE: Time out.

MS. VEST: Stuart Bayne?

MR. BAYNE: Stuart Bayne, present.

MS. VEST: David Brown?

A P P E A R A N C E S

COMMISSION MEMBERS

Walt Valentine, Chair

Paul David Brown, Jr., Vice-Chair

Larry T. Flair

Jerry Richards

Alan G. Rousseau

Douglas Shanks

Stuart Payne

ALSO PRESENT

Ashley Thomas, Staff Attorney

Stuart Huffman, Staff Attorney

Cody Vest, Executive Director

Shauna Balaszi, Administrative Assistant

MR. BROWN: Present.

MS. VEST: Larry Flair?

MR. FLAIR: Present.

MS. VEST: Robin Johnston?

Rick Jones?

Jerry Richards?

MR. RICHARDS: Present.

MS. VEST: Alan Rousseau?

MR. ROUSSEAU: Present.

MS. VEST: Walt Valentine?

CHAIRMAN VALENTINE: Present.

MS. VEST: Let the record show that Robin Johnston and Rick Jones are not present, but you do have a quorum.

MR. ROUSSEAU: Cody, I'm here.

MS. VEST: Judge Shanks, I didn't call your name, I apologize for that. Doug Shanks is with us.

CHAIRMAN VALENTINE: Okay. Next item for approval is the agenda. I would like to ask each commission member if they have received and had time to review a copy of the agenda, and if so, is there a motion to adopt this agenda?

MR. BROWN: Commissioner Brown, make a motion that we adopt it.

1 MR. BAYNE: Commissioner Bayne, second.
 2 CHAIRMAN VALENTINE: It's been moved and
 3 seconded that we adopt the agenda. Any discussion?
 4 All in favor, say aye.
 5 (Chorus of ayes.)
 6 CHAIRMAN VALENTINE: All opposed?
 7 Motion carries.
 8 Next item on the agenda is the approval
 9 of the minutes from the last education committee and
 10 commission meeting. Has each commission member
 11 received and had time to review the copy of these
 12 minutes, and if so, is there a motion to adopt these
 13 minutes?
 14 MR. RICHARDS: Make a motion to adopt,
 15 Jerry Richards.
 16 MR. SHANKS: Doug Shanks, second the
 17 motion.
 18 CHAIRMAN VALENTINE: It's been moved and
 19 seconded that we adopt the minutes. Any discussion?
 20 Hearing none, all in favor, say aye.
 21 (Chorus of ayes.)
 22 CHAIRMAN VALENTINE: All opposed?
 23 Motion carries.
 24 MS. VEST: Excuse me, Mr. Chair, I'm
 25 sorry, but we're going to have to back up because we

1 texts showing the respondent was requesting a loan
 2 and believes she is being extorted.
 3 Complainant also alleges respondent has
 4 contacted her ex-husband and made false allegations
 5 and statements.
 6 In respondent's letter, he makes serious
 7 allegations against complainant to which complainant
 8 denies. Respondent states complainant and he were
 9 in a personal relationship after the divorce and
 10 complainant used this relationship to avoid paying
 11 the invoice. Respondent states the \$5,000 request
 12 was for a partial payment towards the invoice and
 13 not a loan. Respondent admits to calling
 14 complainant's ex-husband, knowing that he would
 15 relay any message to the complainant. Respondent
 16 denies any and all allegations.
 17 Complainant rebutted, stating that her
 18 ex-husband told her that respondent offered to sell
 19 information about complainant for \$5,000 in the
 20 case -- and the case that could cause her to lose
 21 custody of her children. The ex-husband confirmed
 22 this exchange with the investigator.
 23 The recommendation is to authorize
 24 formal charges and consent order with a civil
 25 penalty in the amount of \$1,000 for violation of

1 have to -- I have to do a roll call since we have
 2 someone on -- one of our commission members is on
 3 the phone.
 4 CHAIRMAN VALENTINE: We can't hear him?
 5 MS. VEST: I didn't hear him vote at
 6 all.
 7 MR. ROUSSEAU: Yes, I did on both, yes.
 8 MS. VEST: All right. Would you
 9 identify yourself when you do call in to vote?
 10 Thank you.
 11 MR. ROUSSEAU: Thank you.
 12 CHAIRMAN VALENTINE: Okay. Next on the
 13 agenda is the legal report by the staff attorney.
 14 MR. HUFFMAN: Good morning. Stuart
 15 Huffman for the department.
 16 Number 1 on the legal report is
 17 2018025961. Complainant hired respondent for
 18 services during her divorce/custody trial in August
 19 of 2016. Complainant and respondent have kept in
 20 contact since the investigation was concluded.
 21 Complainant alleges respondent recently asked for a
 22 \$5,000 loan, and when she refused, respondent sent
 23 her an alleged unpaid bill for investigation
 24 services of over \$28,000. Complainant alleges she
 25 paid respondent in full. Complainant also provided

1 Tennessee Rules and Regs 1175-04-.05, "Conflict of
 2 Interest: No licensee or employee of a licensee
 3 shall contact or cause to be contacted any
 4 individual under investigation for the purpose of
 5 revealing confidential information to that
 6 individual," and Tennessee Rules and Regs
 7 1175-04-.07, "Confidential Client Information:
 8 Licensee shall not disclose confidential information
 9 without the specific consent of the client."
 10 CHAIRMAN VALENTINE: Any discussion by
 11 the commission?
 12 MR. BAYNE: I have a question.
 13 CHAIRMAN VALENTINE: Go ahead.
 14 MR. BAYNE: I'm reading something.
 15 MR. BROWN: He owes a fine from a
 16 previous case, is that --
 17 MR. HUFFMAN: It goes back to 2000, so
 18 there's not much information. I think it was more
 19 of renewal of an application fine, but I couldn't
 20 confirm it.
 21 MR. ROUSSEAU: Alan Rosseau. I have a
 22 question to counsel.
 23 MS. VEST: Go ahead.
 24 MR. ROUSSEAU: Counsel, what is your
 25 recommendation to the commission?

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1 MR. HUFFMAN: My recommendation on this
 2 complaint -- this is actually against the
 3 individual -- is a \$1,000 civil penalty.
 4 MR. ROUSSEAU: Okay. Thank you.
 5 MR. BROWN: Is that amount in keeping
 6 with what we've done in similar cases?
 7 MS. VEST: Yes.
 8 MR. BROWN: Okay. I just wanted to be
 9 sure.
 10 MR. BAYNE: That answers my question.
 11 CHAIRMAN VALENTINE: Do I hear a motion?
 12 MR. FLAIR: I'll make a motion we accept
 13 counsel's recommendation.
 14 MR. BAYNE: Second.
 15 CHAIRMAN VALENTINE: It has been moved
 16 and seconded. Any further discussion?
 17 All in favor, say aye.
 18 (Chorus of ayes.)
 19 MS. VEST: I have to do a roll call
 20 vote. We will need to do a roll call.
 21 CHAIRMAN VALENTINE: Okay. Let's do a
 22 roll call vote then.
 23 MS. VEST: Stuart Bayne?
 24 MR. BAYNE: Present and aye.
 25 MS. VEST: David Brown?

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1 MR. BROWN: Aye.
 2 MS. VEST: Larry Flair?
 3 MR. FLAIR: Aye.
 4 MS. VEST: Jerry Richards?
 5 MR. RICHARDS: Aye.
 6 MS. VEST: Alan Rousseau?
 7 MR. ROUSSEAU: Aye.
 8 MS. VEST: Doug Shanks?
 9 MR. SHANKS: Aye.
 10 MS. VEST: Walt Valentine?
 11 CHAIRMAN VALENTINE: Aye.
 12 MS. VEST: Your ayes have it.
 13 CHAIRMAN VALENTINE: Okay. The second
 14 legal report?
 15 MR. HUFFMAN: Number 2, 2018026001.
 16 This is the exact complaint previously discussed.
 17 It's just against the company. The recommendation
 18 is to authorize formal charges to send a consent
 19 order with a civil penalty in the amount of \$500 for
 20 violation of Tennessee Rules and Regs 1175-04-.06,
 21 sub 4: "The licensee shall not bill a client for
 22 services or expenses which have not been provided or
 23 incurred." This goes back to sending an invoice
 24 with no detailed history.
 25 CHAIRMAN VALENTINE: Okay. Any further

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1 discussion?
 2 MR. BAYNE: Just one comment. This
 3 is -- I consider this almost egregious and find I'm
 4 -- concur with the counsel on authorizing formal
 5 charges.
 6 MS. VEST: I think you -- Mr. Huffman,
 7 could you explain the difference in paying the fine
 8 and formal charges?
 9 MR. BAYNE: Thank you.
 10 MR. HUFFMAN: What we're doing, we're
 11 authorizing formal charges against that person.
 12 However, in the consent order this is more of a --
 13 they can pay the fine, and then we do not go to a
 14 hearing, or they do not pay the fine and then we
 15 actually go to a hearing automatically.
 16 CHAIRMAN VALENTINE: What is the options
 17 in the hearing?
 18 MR. HUFFMAN: The options are anywhere
 19 from a civil penalty to revocation.
 20 CHAIRMAN VALENTINE: Of the license?
 21 MR. HUFFMAN: Of the license.
 22 CHAIRMAN VALENTINE: Okay. Any further
 23 discussion?
 24 MR. BAYNE: Thank you for the
 25 clarification.

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1 MR. HUFFMAN: You're welcome.
 2 CHAIRMAN VALENTINE: Do I hear a motion?
 3 MR. RICHARDS: I make a motion that we
 4 accept the recommendation.
 5 MR. BROWN: Seconded.
 6 CHAIRMAN VALENTINE: Moved and seconded
 7 to approve. All in favor, say aye -- roll call.
 8 MS. VEST: Stuart Bayne?
 9 MR. BAYNE: Aye.
 10 MS. VEST: David Brown?
 11 MR. BROWN: Aye.
 12 MS. VEST: Larry Flair?
 13 MR. FLAIR: Aye.
 14 MS. VEST: Jerry Richards?
 15 MR. RICHARDS: Aye.
 16 MS. VEST: Alan Rousseau?
 17 MR. ROUSSEAU: Aye.
 18 MS. VEST: Doug Shanks?
 19 MR. SHANKS: Aye.
 20 MS. VEST: Walt Valentine?
 21 CHAIRMAN VALENTINE: Aye.
 22 MS. VEST: The ayes have it.
 23 CHAIRMAN VALENTINE: Okay. Number 3.
 24 MR. HUFFMAN: Number 3, 2018048241.
 25 Complainant claims they hired respondent to

1 investigate allegations that his former probate
 2 attorney had colluded with a bank to limit the
 3 bank's liability in a lost will case. Complainant
 4 later retained another probate attorney, however
 5 states that the current probate attorney and
 6 respondent refused to discuss complainant's
 7 collusion allegations against the former probate
 8 attorney. Complainant alleges he filed Board of
 9 Professional Responsibility complaints against both
 10 attorneys and they were disciplined.
 11 Respondent contracted with the probate
 12 attorney and not the complainant. Respondent also
 13 states that there were no disciplinary actions taken
 14 against either probate attorney or himself.
 15 Respondent had earlier concerns of complainant would
 16 tie himself and the probate attorney into his
 17 alleged conspiracy with the bank simply because they
 18 disagreed with the allegations. Respondent also
 19 states that the parties, including probate attorney,
 20 respondent, and complainant, agreed in writing that
 21 they would not be pursuing the conspiracy or
 22 collusion allegations.
 23 Recommendation is to close.
 24 CHAIRMAN VALENTINE: Okay. Any
 25 discussion or comments?

1 MR. FLAIR: I make a motion that we
 2 accept counsel's recommendation to close the case.
 3 CHAIRMAN VALENTINE: Do I hear a second?
 4 MR. SHANKS: Second.
 5 CHAIRMAN VALENTINE: Moved and seconded
 6 to follow the recommendations of counsel. Roll
 7 call.
 8 MS. VEST: Stuart Bayne?
 9 MR. BAYNE: Aye.
 10 MS. VEST: David Brown?
 11 MR. BROWN: Aye.
 12 MS. VEST: Larry Flair?
 13 MR. FLAIR: Aye.
 14 MS. VEST: Jerry Richards?
 15 MR. RICHARDS: Aye.
 16 MS. VEST: Alan Rousseau?
 17 MR. ROUSSEAU: Aye.
 18 MS. VEST: Doug Shanks?
 19 MR. SHANKS: Aye.
 20 MS. VEST: Walt Valentine?
 21 CHAIRMAN VALENTINE: Aye.
 22 MS. VEST: The ayes have it.
 23 CHAIRMAN VALENTINE: Number 4.
 24 MR. HUFFMAN: Number 4, 2018048511.
 25 This complaint is actually against the company of

1 the previous complaint. So the summary is the same
 2 and the recommendation is the same, to close.
 3 MR. BROWN: Approve it, the counsel's
 4 order.
 5 MR. SHANKS: Second.
 6 CHAIRMAN VALENTINE: Moved and seconded
 7 to approve. Any discussion?
 8 Call the roll.
 9 MS. VEST: Stuart Bayne?
 10 MR. BAYNE: Aye.
 11 MS. VEST: David Brown?
 12 MR. BROWN: Aye.
 13 MS. VEST: Larry Flair?
 14 MR. FLAIR: Aye.
 15 MS. VEST: Jerry Richards?
 16 MR. RICHARDS: Aye.
 17 MS. VEST: Alan Rousseau?
 18 MR. ROUSSEAU: Aye.
 19 MS. VEST: Doug Shanks?
 20 MR. SHANKS: Aye.
 21 MS. VEST: Walt Valentine?
 22 CHAIRMAN VALENTINE: Aye.
 23 MS. VEST: The ayes have it.
 24 CHAIRMAN VALENTINE: Motion carries.
 25 Thank you, sir.

1 MR. HUFFMAN: That concludes the legal
 2 report.
 3 CHAIRMAN VALENTINE: Next, do we have
 4 anyone wanting to appear before the commission?
 5 MS. VEST: No, sir.
 6 CHAIRMAN VALENTINE: Okay.
 7 Administrative matters, executive director Cody
 8 Vest.
 9 MS. VEST: Thank you. We have just a
 10 couple of things before we move on to something --
 11 to our correspondence.
 12 You have received your monthly reports.
 13 It's for July and August. Send those out in
 14 advance. There's really not anything that's changed
 15 on there. It just tells you about the complaints,
 16 and all you had was those four complaints.
 17 Budget review, I do have the totals for
 18 January. You are in the red \$1,589.
 19 Assistant Commissioner Carter Lawrence
 20 was not able to be with us today. Your next meeting
 21 is in November, and I have asked him if he could
 22 attend that meeting to help -- we'll be discussing
 23 the budget at that time.
 24 I have some more information for you,
 25 but it's a little further down and we will talk

1 about that under the -- I can't hold it down
 2 there -- because I don't have any legislative
 3 update, we don't have any application review, and we
 4 left the terminology correspondence on there, but we
 5 have a state comparison study. You asked me at the
 6 last meeting if I would go out and put out some
 7 information and see if I can determine the trends in
 8 your industry. We went out -- I had two staff
 9 members, which Jeff Winfree is with us today, he's
 10 going to do the presentation, Bradley Parks also
 11 participated in gathering this information, which
 12 took weeks to do. And from there, I'm going to go
 13 ahead and let Jeff get started with the presentation
 14 and we'll answer questions afterwards.

15 CHAIRMAN VALENTINE: Okay. Thank you
 16 for being here.

17 MR. WINFREE: Thank you.

18 MS. VEST: If you would -- if you would
 19 separately come over to the other side, you can look
 20 in that screen there. It's going to be on your
 21 screen. If you can see that one better, that's
 22 fine.

23 MR. BAYNE: Yep.

24 MR. WINFREE: Good morning. It's an
 25 honor to be here to make this presentation for you.

1 Number 4 was, what is the renewal fee
 2 for a private investigator company in Tennessee and
 3 other states?

4 And then the last two questions: What
 5 is the number of private investigators licensed in
 6 other states, and Number 6, what is the number of
 7 private investigative companies licensed in other
 8 states? And this is all compared to Tennessee.

9 The next two slides show the states that
 10 were chosen for this study. As you know, Tennessee
 11 has quite a few border states, so we figured that
 12 would be a pretty good -- I know I used to work for
 13 Tennessee wildlife, and we were always comparing
 14 ourselves with the border states, you know, how much
 15 they make across the border, how many of this do
 16 they have and that. So we chose our border states
 17 for comparison, and I have listed those with the
 18 asterisk. And then the other states that we chose,
 19 we did a little research and found out that some of
 20 these states seem to have -- New York was one, for
 21 example, I read something, they have more private
 22 investigators per capita than most any other state
 23 in the nation. I don't know -- I didn't come up
 24 with a reason why unless it's because New York City
 25 is there, and typically where you have a lot of

1 I attended the previous meeting when I
 2 had first started working here and I heard some of
 3 the questions that you all had. And then Cody came
 4 to me a couple or three weeks ago and asked if --
 5 she asked if Bradley and I would get together and
 6 put this presentation together and try to get some
 7 information for you, and so we started on that.

8 My name is Jeff Winfree. I started in
 9 July. I think Bradley has been on -- he's been
 10 working here since February or something like that.
 11 So both of us worked on this. He contributed about
 12 half the information that I'm going to share with
 13 you, and we just sort of divided the amount of
 14 information up to work on.

15 The questions that -- that we were given
 16 to try to come up with answers, Number 1, what's the
 17 initial fee for a private investigator to be
 18 licensed in other states? So basically we compared
 19 our fees with a number of other states.

20 Another question was, what is the
 21 renewal fee? How much does it cost to renew just a
 22 single private investigator from other states?

23 Third question is, what is the initial
 24 fee to become a private investigator company in
 25 Tennessee and other states?

1 people, you have a lot of need for your profession.

2 And then the other states, again, the
 3 border states have the asterisk. And then the other
 4 states there are just states that are near -- near
 5 our border or similar in size and other comparisons.

6 The greatest challenge to this study
 7 was -- came with Questions Number 5 and 6, the
 8 actual number of licensed individuals and the
 9 companies. And part of that is because of the way
 10 states keep up with it. When I talked to Ohio and
 11 they told me they had 24,000, I said something to
 12 Cody and we both about stroked out there. It's
 13 like, wait, something's not right. So I did get to
 14 the bottom of that. They just had everything lumped
 15 all together, so -- and I'll break those out for you
 16 in a few minutes when we get there. But this was a
 17 tough question, Number 5 and Number 6, because a lot
 18 of states don't keep up with it quite like that.

19 Another challenge was some states are
 20 very transparent. Indiana will almost chase you
 21 down the street to tell you everything you might
 22 like to know and more. Other states are not quite
 23 transparent, or not that much. Some of this
 24 information is not published and readily available
 25 on the internet. We use the internet to a great

1 degree to find some of this information.
 2 A number of states use -- they have the
 3 FOIL, the Freedom of Information Law, and you have
 4 to make a special request in writing. I called them
 5 up, I told them, "Hey, my name is Jeff Winfree, I'm
 6 from the government in Tennessee and I need -- I'm
 7 seeking information," and they said, "Put it in
 8 writing, submit it," and in some cases, we received
 9 information back from those states; in some cases,
 10 we did not. And when we get further into the
 11 presentation, the states that there's no information
 12 there, we contacted them, and as of about noon
 13 yesterday, I had not heard back from them. We sort
 14 of set that as a deadline so that I could finish the
 15 presentation and have it ready for the board today.
 16 So when you see those numbers that are missing,
 17 that's the reason.

18 And if you all have questions -- if I go
 19 across something and a question pops into your mind,
 20 I don't mind, go ahead and raise your hand or stop
 21 me and we will -- we can talk about that, or you can
 22 hold your question till the end, either way.

23 There are some special considerations
 24 that I would like for you to keep in mind as we go
 25 through this. When we tried to compare, it was

1 spoke with Cody and she had told me that Tennessee
 2 used to keep up with the private investigators on a
 3 county-per-county basis. That's the way
 4 Pennsylvania does, and they have 67 counties. And
 5 they sent me a book that had all of their numbers in
 6 it, but they are -- individuals and companies,
 7 they're all lumped together. I could have spent
 8 about a week going through all 1,300 of them and
 9 made a spreadsheet and figured out which ones are
 10 which, but I didn't go quite that far, so -- just to
 11 see what they look like. They have three counties
 12 in their state that make up almost half of their
 13 total number of private investigators, and those
 14 three over there that you see, the blue one is
 15 Pittsburgh, the orange one is -- or the red one is
 16 Norristown, and I think that's kind of part of
 17 Philadelphia, and then there's a Philadelphia
 18 County, which is where Philadelphia is. So that's
 19 kind of the way that state looked.

20 So because these states are a lot
 21 different in how they keep up with their numbers and
 22 how they report them, some of them didn't quite give
 23 us the information we were looking for.

24 I know this board talked about some of
 25 these things in the last meeting, or the first

1 similar to comparing apples and oranges simply
 2 because all the states keep their records different.
 3 Some have everything lumped together, some have
 4 everything pieced out very meticulously, and some
 5 automatically are armed, some you can be armed or
 6 unarmed, some have renewal fees that are -- they
 7 renew every year. Most are every two years, some
 8 are three. One, I think -- I think Pennsylvania,
 9 after you renew the first time, from there on out,
 10 it's every five years. So when we tried to compare
 11 everything, it turned out to be a little bit
 12 difficult, but I'll point some of those out.

13 As I said, Ohio, when we first talked to
 14 them, they told me they had 24,000 and something,
 15 and as it turns out, 15,704 of that number is
 16 security guards. So they have Type A, B, and C
 17 designations, and the Type C is security only. So
 18 there was almost 16,000 right there. And then Type
 19 A was security and investigator, that was 7,000. So
 20 the private investigators only in Ohio was 939. So
 21 when you drill down into the numbers, you really
 22 found out -- you know, exactly what you were looking
 23 for.

24 Pennsylvania was a little bit unique,
 25 and I just did a little blurb on them just because I

1 meeting that I attended. I heard some of you
 2 talking about why -- are people coming into the
 3 profession? If so, why are they? If not, why are
 4 they not? I didn't really seek to answer a lot of
 5 those questions with this study; however, as we were
 6 looking for the information we were seeking, we did
 7 find a lot of different things. And California is a
 8 perfect example. They require 6,000 hours of
 9 investigative experience and a million dollar surety
 10 bond, liability insurance. So, I mean, that is a --
 11 kind of a big hurdle if you wanted to pursue your
 12 profession in California, just as an example.

13 Okay. So exactly what do we look like
 14 in Tennessee right now? So we got -- pulled some
 15 numbers together. We had some numbers that we
 16 thought might be accurate, but then we had some
 17 questions about them and Cody went back to someone
 18 in IT and they pulled some other numbers together,
 19 and so this is what we -- this was the last thing
 20 that we came up with.

21 We looked at Tennessee for the last six
 22 years. We had the information from 2013 through --
 23 originally through 2017, but we added 2018 there at
 24 the end. The number of individual private
 25 investigators over that six-year period decreased by

1 238 investigators. And that represents an
 2 18.12 percent reduction in numbers. This is what it
 3 looks like on a chart, or a graph. And you just --
 4 there's not been anything significant except from
 5 '17 to '18 is probably the biggest significant drop
 6 during that time period, and it dropped about --
 7 almost -- well, a little over 100 -- just under 200
 8 in that timeframe.

9 MR. BAYNE: Question. Could that not
 10 reflect baby boomers retiring? Is there an age, did
 11 you notice, or did you research that?

12 MR. WINFREE: I did not research that.

13 MR. BAYNE: I understand.

14 MR. WINFREE: I apologize, I don't have
 15 a lot of information for you as to why this is or
 16 what happened. This is just what we see happened.

17 MR. BAYNE: Yeah. Thank you.

18 MR. WINFREE: Uh-huh. The -- in that
 19 same six-year comparison, the private investigative
 20 company numbers also decreased. They decreased by
 21 114, and that also represents -- I think the other
 22 one is 18.12 percent. This is 18.16 percent. So
 23 your company numbers and your individual private
 24 investigators over that period of time have
 25 decreased almost exactly the same. And that's what

1 it -- kind of what it looks like, and you see a
 2 little bit -- there's a little bit different in the
 3 yearly trends. It looks like from 2016, '17 and
 4 '18, they dropped a little bit more than the first
 5 three years, but overall, it's been almost exact
 6 proportion decrease.

7 The next several slides are going to
 8 talk about -- it's going to talk about the exact
 9 number of -- and I preface here confirmed. I got
 10 some information from the U.S. Bureau of Labor and
 11 Statistics. I questioned that information. It was
 12 only good through 2012, and some of the numbers
 13 looked kind of funny, so I really wasn't real
 14 confident in those numbers and exactly -- plus I
 15 don't know exactly how they got them. I mean, I
 16 don't know if it was part of the U.S. Census study
 17 or what. But at any rate, these numbers you're
 18 about to see are just those that are confirmed
 19 numbers. In other words, a state called me back, or
 20 Bradley, and said, "This is how many we have." So
 21 you'll see that a lot of the numbers are missing
 22 there, and if they are missing, it's just simply
 23 that they didn't call us back or they didn't e-mail
 24 back.

25 I did get -- I got something from

1 Pennsylvania in the mail Monday, I think, of this
 2 week. I got an e-mail from New York one day this
 3 week as well. So we may get other information
 4 later, I don't know, but -- so those that are down
 5 at zero, that's just -- that just means we were not
 6 able to get that information.

7 I will note here that Mississippi -- you
 8 see Mississippi there in the middle of that spread,
 9 and that's mostly because it's in alphabetical order
 10 and that's just where it ended up. But Mississippi,
 11 they have private investigators, but they don't --
 12 the state doesn't regulate it. Bradley worked on
 13 the border states, and he explained a little bit
 14 about Mississippi. If you want to contribute a
 15 small amount of money to the -- there's like a state
 16 organization or something like that, that you can do
 17 that and become a private investigator there. So we
 18 didn't get any -- they didn't have any numbers for
 19 us on that.

20 You see Tennessee out there. I put
 21 Tennessee orange everywhere. I'm not necessarily a
 22 -- that doesn't mean I'm, you know, only a UT fan.
 23 I like UT most of the time. But I colored that just
 24 so it would stand out in each of the slides. And so
 25 these are confirmed numbers, but the better slide is

1 this one. It just sort of tells you -- you see that
 2 Tennessee there is about in the middle, at least of
 3 the states that we got information back from with --
 4 and that's a current number, that's 1,076.

5 Virginia had quite a few, and Cody asked
 6 me if that could be inflated, and I -- that was
 7 another one that the -- the border state that
 8 Bradley worked on, and I discussed that with him,
 9 and he felt like based on his discussion with the
 10 officials and where he found that information, he
 11 felt like that was a valid number. Why do they have
 12 so many more? Well, you have to realize Virginia
 13 does have -- when you get up there around Arlington,
 14 it's just outside of Washington, DC, and there
 15 again, when you have lots of people, you seem to
 16 have lots of need for investigations and things like
 17 that. So that could be an explanation as to why
 18 they're so far out, but that's what we have on that.

19 So what does it cost? It ranges from
 20 \$39 in Virginia to \$500 in Illinois and Missouri.
 21 And Tennessee is sort of in the middle of that road,
 22 and they are the same as Kansas. There's what it
 23 looked like on the big chart and in a better -- to
 24 me, those other charts are -- they are pretty, but
 25 to me, this shows -- I mean, there's Tennessee kind

1 of right there in the middle at \$250.

2 Now, another thing that I want to point
3 out, most of these -- most of these figures that --
4 or all of those figures that are on there, as best I
5 can attest to, that is a license and a registration
6 fee. That does not include -- a lot of states
7 require a test and they have a -- in some cases, a
8 pretty substantial fee for the test. So that does
9 not account for any training, any kind of education,
10 anything like that. That's just if you walked in
11 the front door here and you said, "Hey, I want to be
12 a private investigator," and they hand you an
13 application, you pay that application and license
14 fee, that's what those numbers represent. So it
15 would probably cost you a little bit more all the
16 way up and down the board there for those other
17 incidental fees that are involved.

18 This is the renewal. It ranges from \$34
19 in Virginia -- and that was another thing Cody and I
20 talked about. It's pretty cheap to get a private
21 investigator's license in Virginia, thirty something
22 dollars for the license, \$34 to renew. That could
23 be part of the reason that there's more there, in
24 addition to the fact that there's more people.

25 Again, Tennessee, to renew is -- it's

1 125, and when you put it on that other scale there,
2 it's a little bit on the lighter end of -- as far as
3 renewal is concerned with New York and Missouri
4 being at the higher end at \$400.

5 This slide here has an error on it, and
6 I found it last night while I was sitting on the
7 couch. I was kind of worried about coming in here
8 and doing this this morning, so I thought I'd go
9 through it one more time. But, anyway, the error is
10 up there at the top, the initial cost to become a
11 private investigator company, and it's not -- it
12 says it ranges from \$300 in Arkansas and Indiana.
13 That's actually -- Tennessee is -- that should have
14 said ranges from \$250 in Tennessee to \$1,000 in West
15 Virginia. So there is a little bit of an error
16 there, but I caught it.

17 Tennessee is on the low end of that. As
18 a matter of fact, it is the lowest, and that is as a
19 sole practitioner. When I first put this together,
20 I had that at \$500, and that's another level of
21 company in Tennessee. If you have five members --
22 what is it, Cody? Two --

23 MS. VEST: It's -- yes, six.

24 MR. WINFREE: If you've got over six
25 members, then that fee goes up. So that was the

1 initial one that I had in there. So we changed it
2 to the sole practitioner, so it's \$250. And when
3 you look at -- when you look at that list, now
4 there's all those states again that we didn't get
5 any information back from, and in some cases, you --
6 we found some of this information, we went directly
7 to their state laws and their rules and regulations
8 and we found some of those fees, but we didn't find
9 all of them, so -- what we found, Tennessee is the
10 cheapest if you want to become a company as a sole
11 practitioner.

12 If you are a business or a company and
13 you want to renew, \$62 in Texas all the way up to
14 500 in Missouri. Tennessee finds itself in the
15 middle with Kansas at \$250. And that little chart
16 there kind of shows Tennessee and Kansas right there
17 in the middle. And that's the renewal cost.

18 MR. FLAIR: Excuse me, I have a
19 question. Is -- your research on this, did it show
20 that the other states are comfortable -- or close to
21 us if you've got six or more, ten or more or so on,
22 I know you said sole for the first part, but on
23 company itself, am I correct, Ms. Chairman, in
24 that -- Director, I'm sorry, in that if we have a
25 company and we -- it's according to the renewal of

1 how many people we have?

2 MS. VEST: Right. It's based on zero to
3 one, two to five, and more than five.

4 MR. FLAIR: I guess --

5 MS. VEST: The more you have, the more
6 you pay the renewal fee.

7 MR. FLAIR: -- were you able to get any
8 type of that response?

9 MR. WINFREE: I didn't -- I didn't look
10 that deep into that. I will say this: There again,
11 not many other states did it quite like Tennessee in
12 the first place. So that kind of made the
13 comparison, again, that threw us back into the
14 apples and oranges thing because, you know, other
15 states, they all did it a little bit differently.
16 You know, in some states, you can be a private
17 investigator, and then if you get real busy, you can
18 hire two people and then you're -- and then you're a
19 company, and then you hire somebody over in Donelson
20 because you have some kind of measure of crime spree
21 or whatever you are investigating, and you open up a
22 branch, and so you've got four people there and
23 you're a company, you're four different individuals,
24 and you're a branch all rolled up into one. So it's
25 kind of hard to compare that with all those states

1 and make some kind of statement that sort of makes
2 any sense out of it.
3 So that's sort of the end of what we put
4 together that -- to answer as best we could those
5 six questions that you had.
6 So, again, you know, we just brought you
7 some information. As far as why, reasons behind
8 this, the only thing I'll say about it is, you know,
9 when you go to college -- and everybody now is being
10 encouraged to go to college. I mean, my son is
11 going on the Tennessee Promise, it's free. I really
12 like that idea. Or it's not completely free, but a
13 big chunk of it is. But the thing about it is when
14 he gets ready to get a job, they're going to want
15 him to have experience. Well, he doesn't have any
16 experience because he spent the last four or five
17 years in college. If you go to get that job and it
18 requires college and experience and you try to get
19 the job before you go to college, then you don't
20 have college or experience. So you get into this
21 endless loop of I can't get a job because I don't
22 have experience, and I can't get experience because
23 I don't have a job. And I don't know if any of
24 y'all have been there, but it's easy to find
25 yourself in that spot.

1 what studies do.
2 MS. VEST: Alan, are you still with us?
3 MR. ROUSSEAU: Yes, I am.
4 MS. VEST: Do you have any questions?
5 MR. ROUSSEAU: No, I do not. I want to
6 thank Jeff for taking time. This had to be very
7 time-consuming to put together.
8 MS. VEST: Thank you.
9 MR. BAYNE: Being probably relatively
10 old school, I'd like to -- I use the word
11 "percolate" -- study the numbers, study the
12 presentation, which I think was terrific. Is there
13 a way to get ahold of that in my home office?
14 MS. VEST: Yes, we can send anybody a
15 copy of the presentation if you would like to have
16 it.
17 MR. BAYNE: Yes, I would.
18 MS. VEST: Why don't I just send it out
19 to all commission members. That way you can look at
20 it if you wish.
21 CHAIRMAN VALENTINE: That would be good.
22 Thank you.
23 MR. WINFREE: I will correct that one
24 slide before we send it out to you, and then it will
25 be a teeny bit more correct than --

1 So, you know, how do you get into this
2 profession? He even asked me last night, he saw me
3 working on this and he said, "How much does that
4 pay?" So he is trying to decide what he wants to do
5 with his life. He's not real sure.
6 So -- but, you know, when -- like
7 California, when you require 6,000 hours of
8 investigative experience and a million dollar
9 insurance bond, that's a pretty major thing to be
10 thinking about.
11 So, you know, Tennessee, I know you
12 require some investigative experience, you have
13 apprentice programs and things like that, but -- so
14 I guess you just have to ask yourself the question,
15 how would somebody get into this business here in
16 Tennessee based on our current set of regulations
17 and standards and what-not, and then just ask the
18 question would it be easy or difficult to do that?
19 And then again, we didn't really look into that
20 specifically, but going through and trying to find
21 all this information, we ran across a lot of mention
22 about this is required and that.
23 So are there any other questions
24 specifically that -- I probably led you to more
25 questions than maybe answers, but sometimes that's

1 MR. FLAIR: That 250 figure?
2 MR. WINFREE: Yes. That was really the
3 only thing that -- unless we get information in
4 later or something, but --
5 MR. BAYNE: You might want to change
6 that Tennessee color, make it blue-ish maybe.
7 MR. WINFREE: Okay.
8 MR. BAYNE: I jest.
9 MR. BROWN: I think we all can agree it
10 stays the same.
11 MR. WINFREE: Thank you.
12 CHAIRMAN VALENTINE: Thank you.
13 Appreciate you making that presentation for us.
14 MS. VEST: Yes, thank you, Jeff.
15 MR. BROWN: That was a lot of work, it
16 really was.
17 MS. VEST: These two gentlemen that
18 pulled this information together do not work for the
19 private investigation committee. They are in an
20 office for other professionals, but in our office,
21 everyone works on everything. So Jeff can work on
22 the applications for security guard, for instance,
23 then he is going to come over and help us do
24 something else. That's why it has been so difficult
25 to work on a budget because, for instance, my salary

1 is a third, third, and third the professions that we
2 have. But we will be looking into that further as
3 far as the budget is concerned.

4 We wanted to make you ask -- ask me to
5 do this trend -- I believe Mr. Bayne asked me to do
6 this. It was an eye-opener for all of us, I think.
7 Especially -- I did some preliminary work and talked
8 with Jeff, and I went, "No, I don't think these
9 numbers are right." So I went to IT and I had them
10 pull these numbers that you have seen. That
11 actually comes out of our database. The IT
12 department pulled it together for us. I did a
13 little spread myself.

14 In 2013, you had 628, 14, 615, 15, 616,
15 16, 584, 17, 570 and 18, 514 --

16 MR. BAYNE: I'm not following you there.

17 MS. VEST: I'm sorry. I didn't tell you
18 what it was, did I? Okay. Let me try that again.

19 Your private investigators, we're going
20 to do that. In 2013 was 1,314. In Year '14, you
21 had 1,285 and 53. '15, you had 1,249, a little bit
22 of a decrease. 2016, you went down in 1,228, but on
23 2018, you are down 1,076. That is a pretty good,
24 significant drop. That's in the -- that's in your
25 chart, it's in your spread that you're going to be

1 get people at all in the industry? How are we going
2 to be able to help them? I think it is the
3 associations that's going to have to try to help us
4 do that.

5 MR. FLAIR: I have a question, Madam
6 Director. Is it legislative? Does it have -- it
7 has to go to the hill for us to change the actual
8 requirements of -- and the fees? Is that a -- for
9 counsel, is that a legislative question that they
10 would have to do?

11 MS. THOMAS: So the requirements would
12 require legislative change. They would have to come
13 from the hill.

14 MR. FLAIR: And I think you addressed it
15 once before, but I forget. If we wanted to
16 introduce the bill and go through the hoops and this
17 and this, how much time does that individual,
18 whomever that may be, need to do the lobbying and
19 things of that nature, in other words, before it can
20 get on the agenda for a legislative to be
21 introduced? Do you know that answer by chance?

22 MS. THOMAS: I don't have an exact
23 amount of time. If you're saying if the commission
24 wanted to present something to the commissioner to
25 put in their department bill, that's -- I don't have

1 getting, but I just -- that was an eye-opener to us.
2 I've told you all along I felt like we were
3 decreasing. I can see my totals, but sometimes
4 they're not -- I'm not real sure about what I'm
5 seeing or where I pulled them, but my numbers came
6 pretty close to what IT had.

7 What are we going to do about this?

8 Well, I don't know the answer to that.

9 CHAIRMAN VALENTINE: Who had --

10 MS. VEST: I'm not going to stand on a
11 street corner and say, "Come on in, let's be a
12 private investigator." I'm going to tell you, for
13 instance, we are having a seminar in Gatlinburg.
14 Very few PIs are even participating. We don't even
15 get an audience here. Sometimes we have individuals
16 and we do appreciate that.

17 We can go to fairs. It's real hard --
18 we can go to these fairs and I can say here is
19 information to become a private investigator. Are
20 you going to hire them? They have no experience. I
21 mean, this is your profession. I don't know -- this
22 is something you should be talking about in your
23 association meetings, I think. We should talk be
24 talking and saying, hey, what are we going to do to
25 help get people in this industry, if we're going to

1 a time line for that. All we can do is propose the
2 change, and if the commissioner chooses to include
3 that in her packet to lobby for, it would go that
4 way.

5 The -- probably the quicker way is for
6 one of you all to obtain a sponsor that's already on
7 the hill to push for that change. That's probably
8 easier than trying to include that change in the
9 department's package. Just based on the numbers of
10 the industry changing and all that and the number of
11 licensees, I think it will be a hard sell for the
12 commission to say that we need a huge legislative
13 overhaul.

14 MR. BROWN: I know the question was
15 asked earlier about baby boomers. I got about 10 or
16 15 friends of mine that have retired, PIs, because
17 of the age to where they're at. Some of the lower
18 numbers of people in terms of their license numbers,
19 a bunch of them are retired.

20 MR. BAYNE: I have questioned my fellow
21 commission members with this. In the last six
22 months, I've had two -- I've interacted with two
23 younger folks, both of whom have become licensed
24 PIs, and I was contacted recently by a third who
25 also would like to move in that direction. Has any

1 of the other commission members had that experience
2 with younger folks indicating an interest?

3 CHAIRMAN VALENTINE: No.

4 MR. RICHARDS: Yes.

5 MR. BAYNE: Do speak to that, Jerry, if
6 you would.

7 MR. RICHARDS: I'm like Walt. I'm not
8 going to take anybody else into my company for a
9 variety of reasons, but -- I'm just not going to do
10 it, and I think probably most of the members here on
11 the commission feel the same way.

12 MR. BAYNE: Of the thousand and so
13 number licensees, would it be relatively safe to say
14 that the folks who are licensees, a significant
15 number of them are former law enforcement to some
16 degree?

17 MS. VEST: I'm going to say yes, to some
18 extent, yes.

19 MR. BAYNE: To some extent.

20 I had an idea. I don't know that it's a
21 commission thing, I don't know that it's a staff
22 thing, but -- and I'm kind of a neophyte here.
23 However, it seems to me that there are insurance
24 claims associations operating across the state,
25 there are various and sundry types of law

1 going to be quite frank with you. They want to talk
2 about security guards. They said the quickest thing
3 they can become is a security guard. Some of them
4 already are while they're attending school. But,
5 yes, I do talk on all the professions.

6 If I do get an invite to go to one of
7 those associations, I would love to go and perhaps
8 take a board member, commission member, with me
9 because it is your profession. All I can speak on
10 is how to become one and how much it's going to cost
11 you to where you would be able to speak on actually
12 your profession itself.

13 MR. BAYNE: Responding to that, would
14 commission members be willing to promote the idea to
15 various and sundry associations across the state and
16 step up and participate?

17 MR. FLAIR: I don't think we can do that
18 as commissioners, can we?

19 MR. BAYNE: Not as commissioners.

20 MR. FLAIR: Right. Okay.

21 MS. VEST: No, but you would be going
22 with me to speak as a private investigator with your
23 experience as a private investigator, not as a
24 commission member, because I'm the one there that's
25 going to be speaking on that. You're going to say

1 enforcement associations operating across the state
2 and meeting. Recently I volunteered to speak at a
3 high school, which may or may not take me, and talk
4 about the career of being a PI, and I wonder if we
5 wouldn't find an interest in a sheriff's officer
6 association or a Tennessee Association of Chiefs of
7 Police association meeting in which we could say to
8 them, "I'm very specialized in my work, PI-related
9 work, others aren't, and yet I've got two young
10 people wanting to get into this profession."

11 MS. VEST: Are you going to hire these
12 two young people --

13 MR. BAYNE: I've got one.

14 MS. VEST: -- make them apprentices?

15 MR. BAYNE: I've taken one on and I'm
16 considering the other.

17 MS. VEST: Are they going to be
18 apprentices?

19 MR. BAYNE: One is a licensee, an
20 affiliate now. The other is unlicensed, and you
21 will meet him Monday. He is coming in to say hi.

22 MS. VEST: Okay, good, it's a meeting,
23 good.

24 Now, I have gone to different colleges
25 and spoken when I get the invitation to do so. I'm

1 this is -- maybe you're going to give your life
2 story, this is how I became a private investigator,
3 this is what I had to do. I mean, surely you have
4 stories of rolling around in trash cans, rolling
5 down a hill, and you probably have really
6 interesting stories to tell that we don't do now and
7 move over into what you do in the profession now
8 compared to what it was.

9 MR. BAYNE: And while there are
10 commission members here who would not hire, I don't
11 think that's the prevailing activity across the
12 state, one of the two persons with whom I spoke
13 found himself a PI company and was hired. So,
14 again, the question is, is the commission willing to
15 contribute a piece of time in their own area and
16 promote the idea to various and sundry associations
17 that it's time for some of those old grizzled police
18 officers to leave and become licensed PIs?

19 MS. VEST: I do get the invitation to
20 the TIPI -- what is that, Tennessee investigators
21 and the other association or what, but these are
22 already private investigators. The only thing I'm
23 doing is going back in. They already know my story.

24 MR. BAYNE: Yeah.

25 MS. VEST: But you're talking about

1 going out into the field to talk to individuals who
2 might be interested in getting into the industry. I
3 think that's great. I can do that. I can tell them
4 what is required legally to do that. I'm not going
5 to be able to tell them what they would do in the
6 industry. I'm willing to --

7 MR. SHANKS: I think one of the issues,
8 most of us won't hire a PI to work under us, and we
9 are getting stuck on the 2,000 hour. But if you
10 look at the state law, it says "or education." So
11 if somebody has an associate degree in criminal
12 justice or a bachelor's degree in whatever, wouldn't
13 that be enough education to cover the 2,000 hours or
14 the "or" part?

15 MS. VEST: All right. I'm going to let
16 the attorney address that, but let me explain this
17 to you: I'm -- when I go to the seminar Monday,
18 there is no 2,000 hours. 2,000 hours is to start a
19 company, not to become a private investigator.

20 MR. SHANKS: Right.

21 MS. VEST: There is a very big
22 distinction there.

23 MR. SHANKS: Okay. But, Cody, if we are
24 not hiring private investigators, for them to become
25 a private investigator, they had to do like I did

1 MS. VEST: That's what he was talking
2 about, but I was really thinking what Mr. Bayne was
3 saying, the direction he was going into was to ask
4 us to go out there, get people to get interested in
5 the industry, but who's going to hire them?

6 MR. BAYNE: Themselves.

7 MS. VEST: So they're going to be a
8 company?

9 MR. BAYNE: Correct.

10 MS. VEST: Start their own company?

11 MR. BAYNE: There are some benefits to
12 being both a company and a PI.

13 MS. THOMAS: And I think that's where
14 Cody is going as far as the outreach is concerned by
15 having you all as the industry experts to be able to
16 go and sell the attractiveness of this industry to
17 people that don't know, because like she said, all
18 she can do is point out to them these are the things
19 you have to do to become a private investigator, but
20 they then need to know these are the opportunities
21 that this license gives you, you can go out and do
22 X, Y, and Z. I think that's what Cody was speaking
23 to.

24 MR. BROWN: Let me ask a question that
25 was kind of raised. If we go to speak as an

1 and become a company.

2 MS. VEST: Right.

3 MR. SHANKS: So we can tell them you can
4 become a company with your bachelor's degree or with
5 your associate degree in criminal justice because --

6 MS. THOMAS: And, Mr. Shanks, you are
7 correct, it does say the 2,000 hours of
8 investigative experience or one year of applicable
9 related experience or education, says "as approved
10 by the commission." So you all do have the
11 authority to look at that education and determine if
12 that is sufficient enough to start a private
13 investigation company.

14 MR. BROWN: We've had applicants come
15 before us asking for those waivers or approval from
16 us.

17 MS. VEST: Okay. I think we are talking
18 two different things here. One is hiring somebody
19 to work for your company. He's not going to do
20 that. But if he is a -- or her -- individual who
21 wants to get into the industry, can't find someone
22 to hire them, that's when they would go to this
23 section, whether it be the 2,000 hours experience or
24 their education.

25 (Inaudible speaking.)

1 individual, association, or whatever, do we identify
2 ourselves as -- are we allowed to identify ourselves
3 as a commissioner member, or is it just PI and
4 company name?

5 MR. FLAIR: Sunshine law.

6 MS. VEST: If you get invited to speak,
7 you would need to explain that you are speaking on
8 behalf of yourself as a private investigator and
9 make it known it's not part -- you're not speaking
10 on the commission --

11 MR. BROWN: What I'm saying is if they
12 --

13 MS. THOMAS: It's not assumed that you
14 are hiding that you're a commission member, you're
15 just giving them information --

16 MR. BROWN: But if there's a program or
17 agenda that says "David Brown, commissioner member,
18 PI/polygraph," we can't do that, can we?

19 MS. THOMAS: I would advise not to do
20 that.

21 MR. BROWN: That's what I thought.

22 MS. VEST: It needs to say "private
23 investigator number," whatever your number is.

24 MR. BROWN: Period, right.

25 MR. FLAIR: All this results to the

1 Sunshine Law, does it not? Is that really what it
2 stems from is for us on behalf as the commissioner,
3 we can't discuss outside the public forum anything
4 as a commission member is what I understand it and
5 the way I interpret it. Is that pretty much --

6 MS. THOMAS: That's correct, but it's
7 also you don't want to say something that they then
8 rely on, thinking that it's coming from the
9 commission.

10 MR. BROWN: I gotcha. They take it as
11 gospel and run with it, and you give them bad
12 information.

13 MR. FLAIR: I've got one other comment,
14 if I may. Over the past year and a half or two
15 years, I've had several people come to Flair
16 Enterprises and my company and ask to be hired.
17 When I would interview them, I would ask them what
18 their intentions -- why they wanted to be a PI or
19 whatever. They don't want to get out and do the
20 surveillance. They don't want to do the major
21 multi-million dollar theft, fraud, things of that
22 nature. They want to be able to sit at their
23 computer and do computer research, backgrounds. And
24 speaking as an owner of a company, you know, I can
25 see where we are having a decline in our industry

1 wanted to make that comment.

2 CHAIRMAN VALENTINE: I think all of our
3 discussion that we've had here in the past half hour
4 is based on our budget and whether we're going to
5 make the budget or not and whether we're going to be
6 in the sunset area. And it seems to me like, you
7 know, looking at the figures of our surplus and
8 deficit, that the major expense we have is the
9 Edison expenditures, and that is more than our
10 income. Can we do away with Edison?

11 MS. VEST: It's nice knowing you there,
12 Mr. Valentine, because that's where my salary comes
13 from. Lighten it up in here just a little bit.

14 MR. BAYNE: Let the record state that
15 Mr. Valentine said that.

16 MS. VEST: That's why I told you I need
17 to have Assistant Commissioner Carter Lawrence come
18 in. And I told you when I started this that we are
19 taking a look at that, we're taking a look at the
20 expenses on our computer, we are looking at the
21 expenses for the employees, but there's --
22 gentlemen, there's only so much I'm going to be able
23 to do with that. These salaries are set. We've got
24 a computer, we're -- and we have to pay our fair
25 share for it. I told you before already, the only

1 because of the cyber world, and it's not required to
2 be a PI to do cyber research, in my opinion, or
3 that's the way it's been expressed to me. So I
4 think -- and I'm sure the other fellow commissioners
5 realize that as well.

6 You know, I've got a certain fee that my
7 company charges to do background research, I've got
8 a certain fee for this, this, and this, but so much
9 of this can be done through the computer systems,
10 and when we explain that even to the people as
11 clients -- and, honestly, I direct them, I said save
12 yourself some money and this is what you can do as
13 long as you stay within the rules, and I think
14 that's got a real big impact on our industry is just
15 the cyber world itself.

16 I don't know how we -- I don't like the
17 word "get around it." I don't know how we address
18 it. And, again, if we addressed it, it wouldn't --
19 in my opinion, if we addressed it to try to get
20 legislative to say if you do research for more than
21 one person and this and that and so on through the
22 cyber world, are you required a license. I don't
23 know how you are going to get around that. I just
24 don't know how to address that. I don't know if
25 today is the platform to even go into it. I just

1 thing I can hold down is expenses, and that's
2 nothing more than what paper, pens, something of
3 that nature, that's all we can do.

4 So before I say anything else, I'm going
5 to leave it at that so I can talk with the assistant
6 commissioner, we can see what we're going to do, how
7 he can assist us with this, but you do need to
8 realize it might not be a solution.

9 CHAIRMAN VALENTINE: It seems to me like
10 if we're trying to balance the budget, that we could
11 simply increase the fees for renewal from 125 to 200
12 dollars --

13 MS. VEST: I do --

14 CHAIRMAN VALENTINE: -- and that would
15 put us in line with a lot of other states, and I
16 don't know how much revenue that would generate, but
17 the way it is right now, our expenditures are pretty
18 cast in concrete.

19 MS. VEST: Yes, it costs a lot to run a
20 nine-member commission.

21 CHAIRMAN VALENTINE: And we're not going
22 to have any more income.

23 MS. VEST: That's what it looks like to
24 me. I don't see the trend of more people coming in
25 to generate more additional income.

1 CHAIRMAN VALENTINE: My best guess is we
 2 are going to have fewer members come into the
 3 business.
 4 MR. BAYNE: That may be the first thing
 5 I question -- or object to. I'm not sure I agree
 6 with that.
 7 CHAIRMAN VALENTINE: Well, it's gone
 8 down every year for the past 20 years. I don't see
 9 any change in that.
 10 MR. BAYNE: I understand.
 11 MR. SHANKS: Question: If I'm going
 12 back to the company, that's our issue, we got to get
 13 people wanting to start companies, if the board
 14 agrees if somebody has a criminal justice degree and
 15 they apply, instead of coming to us, if we say yes,
 16 if they have a criminal justice degree, that
 17 qualifies for 2,000 hours, would you have to bring
 18 that to us every time?
 19 MS. VEST: What is -- yes. The
 20 commission has the authority to make that decision,
 21 but I'd have to bring it before you, yes.
 22 MS. THOMAS: If they agree to that now?
 23 MS. VEST: Okay. I'm sorry, I
 24 misunderstood.
 25 MS. THOMAS: You can delegate that

1 MS. VEST: I just have the number of
 2 licensees. I don't have the number of applicants
 3 available.
 4 MR. SHANKS: But, again, if that ideal
 5 of criminal justice degree or whatever associate
 6 degree, if we start having issues, we always can
 7 address it no, they need to come before us from this
 8 point on. We could do that also, couldn't we?
 9 MS. VEST: Yes, sir, if they meet those
 10 requirements, you don't even -- that she's listed,
 11 you don't even see the applications. I approve them
 12 myself. They meet the requirements. The only ones
 13 you're going to see -- which you have not seen
 14 applications in a long time. You might see a
 15 polygraph, but you haven't seen a private
 16 investigator.
 17 MR. BROWN: We haven't seen any in a
 18 long, long time.
 19 MS. VEST: Are getting a license because
 20 they are qualified.
 21 MR. SHANKS: So basically, if I make a
 22 motion -- I'm not making one, but if I make a motion
 23 that says if somebody has an associate degree in
 24 criminal justice or a bachelor's degree with some
 25 criminal justice, that would qualify for a PI

1 authority if that's the standard you want to set for
 2 education for a company --
 3 MR. SHANKS: No, if it's a criminal
 4 justice degree that's related to investigations, I
 5 mean, you've got a lot of students that are trying
 6 to be crime scene techs and they are getting out and
 7 realizing TBI is the only place they can go and
 8 they're already booked and full and here they got a
 9 degree, but can't use it.
 10 MS. THOMAS: Right.
 11 MR. SHANKS: So --
 12 MS. THOMAS: Yeah, so that's something
 13 that the commission can decide is acceptable
 14 qualifying education essentially for their
 15 application for a company, and if you all make that
 16 decision, when Cody gets an application that is
 17 reflective of that, she wouldn't have to bring that
 18 to you all to approve.
 19 MR. BROWN: How many applicants have we
 20 had this year for PI?
 21 MS. VEST: I don't have that figure for
 22 this year. This year started in July.
 23 MR. BROWN: Okay. Well --
 24 MS. VEST: '18 --
 25 MR. BROWN: Or '17.

1 company?
 2 MS. THOMAS: So, yes, you can make that
 3 motion is the short answer. I think the question
 4 becomes if you say a bachelor's degree with some
 5 criminal justice, I think the commission needs to
 6 decide how much criminal justice education is
 7 enough.
 8 MR. BAYNE: I'll hold. I'll wait.
 9 MR. SHANKS: Like we've mentioned a
 10 minor in criminal justice. So if we have a minor in
 11 criminal justice with a bachelor's -- you know,
 12 bachelor's with a minor in criminal justice.
 13 MS. THOMAS: If that's what the
 14 commission desires, yes.
 15 MS. VEST: I don't know. I know I --
 16 I'm sorry. Sometimes my face gives me away. That's
 17 not really, I don't think, the issue here. Those
 18 people that are coming in meet these requirements.
 19 MR. SHANKS: But people aren't coming
 20 because they don't have the requirements. I have
 21 people saying, "I don't have 2,000 hours. I can't
 22 get there."
 23 MS. VEST: To start their own company?
 24 MR. SHANKS: To start their own company.
 25 We're not going to hire them. We need to get people

1 to start their own companies and be competitors with
2 us and --

3 MS. THOMAS: So, again, I think it may
4 be more of an issue of educating them that this
5 requirement is --

6 MR. SHANKS: It's there.

7 MS. THOMAS: -- situation, yeah. It's
8 not necessarily the commission needs to say this
9 education qualifies. It's that the public needs to
10 know that it's not 2,000 and the one year of
11 education. If we can educate them in some way that
12 it's an either/or situation, I think that that may
13 address what you're thinking about.

14 MR. SHANKS: But I'd rather Cody be able
15 to approve it instead of having to come to us every
16 time.

17 MS. THOMAS: I think what she said is
18 she does if a person submits an application and they
19 have a bachelor's degree that looks at education
20 because oftentimes she would come to me, we'll look
21 at it, and if there's a question, she will bring it
22 to the commission, but if it's clear that it is
23 clear within the investigation --

24 MR. SHANKS: So that's already being
25 done with people with -- oh, I'm sorry. I thought

1 we weren't getting those.

2 MR. BAYNE: In 2015 and '16 and '17 --
3 2015, '16 and '17 fiscal years, was this commission
4 profitable, meaning in the black? So what I think
5 I'm hearing is this is the first year we're in the
6 red.

7 MS. VEST: The short answer is yes.
8 This one here we have is the fiscal year that ended
9 in '17 is the first year that you have actually been
10 in the red that I can remember now. I'll have to go
11 back and pull my --

12 MR. BROWN: From '14, this is the first
13 time it's happened?

14 MS. VEST: This is -- yeah. You could
15 have hit some rocky road, but '17 is one that really
16 stands out with 21,000, and you're already in the
17 red for July and I'm sure you are in the red for
18 August, I'd have to take a look at that. I see the
19 trend is the whole year going that way. Have you
20 been profitable in the past? We don't actually make
21 a profit. We were in the black.

22 MR. BAYNE: Thank you. That's what I
23 meant.

24 MS. VEST: Yes, we have.

25 MR. BAYNE: I'm just looking at the

1 numbers on Jeff's presentation and seeing the
2 difference in PI numbers between '16 and '18 amount
3 to about 150 PIs. So that represents 150 licensees
4 that didn't --

5 MS. VEST: That did not --

6 MR. BAYNE: -- did not pay. So, yes.
7 While I see the trends over these last six years --
8 thank you, Mr. Winfree -- I do believe the work is
9 out there for the enterprising person.

10 MS. VEST: We are looking at the
11 computer. Just give me just a moment. You asked a
12 question.

13 (Brief pause.)

14 MS. VEST: Okay. I believe the question
15 was asked to me how many applicants we had this
16 year? Was that not a question I was asked?

17 MR. BROWN: Yes, ma'am.

18 MS. VEST: We have 15 open applications
19 that have not been approved yet.

20 MR. BROWN: Okay.

21 MS. VEST: Now, among those, there could
22 be someone with a criminal record that's not going
23 to get approved or decide not to or lose their
24 company affiliation or whatever, but as it stands
25 right now, there's 15.

1 MR. BAYNE: Three months? Over three
2 months, roughly?

3 MS. VEST: Yes, sir, that's July, yes,
4 sir. Starting with this new fiscal year.

5 CHAIRMAN VALENTINE: How do we raise the
6 renewal fee?

7 MS. VEST: The trend that I'm actually
8 seeing is deregulation on the hill, or an attempt to
9 deregulate. For you to -- someone would find
10 representative on the hill to submit this
11 information, but like I have said before, I don't
12 believe you can raise fees on the application
13 because you don't want to detour the individual
14 getting into the industry. So it's going to be
15 raising renewal fees. So I would have to sit down
16 and try to figure out roughly how many I anticipate
17 for this year, see how much of an increase that
18 would have to be. I don't know that right off the
19 top of my head.

20 CHAIRMAN VALENTINE: If we have 200
21 renewals at \$75, that's \$15,000.

22 MS. VEST: Okay. But maybe this raising
23 fees is not the way -- is that the way to keep this
24 program running? Am I going to raise them again the
25 following year? The following year? The following

1 year?

2 CHAIRMAN VALENTINE: Well, we haven't
3 raised them in many, many years.

4 MS. VEST: That's true.

5 CHAIRMAN VALENTINE: If they -- if we
6 keep the budget the way it is now, that would be
7 quite a surplus.

8 MS. THOMAS: I think those rules would
9 be hard to pass when there are already people that
10 are deciding not to renew at the cost that it is now
11 because there's a decrease in the number of
12 licensees every year. I think that -- once it gets
13 to the hill, I think it would be hard to justify why
14 we need to increase the fees on people who are
15 currently licensed when people are leaving the
16 industry at the pace that they are.

17 CHAIRMAN VALENTINE: Are they -- I don't
18 think they are leaving because of the fees --

19 MR. BROWN: Age.

20 MR. BAYNE: Correct.

21 CHAIRMAN VALENTINE: -- at all.

22 MS. THOMAS: I understand that. What
23 I'm saying is you don't want to seem as though you
24 are, for lack of a better word, punishing people
25 that are still here because people are leaving the

1 MS. VEST: Okay. I'm not going to
2 dispute --

3 MR. BROWN: No, I'm saying if we are
4 low -- we can't keep operating in the red, that's
5 for sure. We need to do something. Fifteen
6 applicants is not a whole lot coming in.

7 MS. VEST: That's right. Mr. Valentine,
8 you would be going on the hill with me this time
9 instead of Mr. Brown.

10 CHAIRMAN VALENTINE: Thanks.

11 MR. BROWN: I second that.

12 MS. VEST: You can go for support, Mr.
13 Brown because actually I'd be probably calling in.

14 MR. BROWN: Oh, no.

15 MS. VEST: All right.

16 CHAIRMAN VALENTINE: Okay. Have we beat
17 this dead horse enough?

18 MR. BAYNE: Bayne has another question.
19 I wonder if the initial application fee -- I know
20 this is an offset, but I'll throw the question out
21 there. If there was a reduction in the initial
22 application and a corresponding increase or a
23 marginally more -- larger increase in renewals,
24 because our renewals are among the lowest in the
25 country or in the 22 state -- 12 states, I wonder if

1 industry for whatever reason.

2 CHAIRMAN VALENTINE: But you've just
3 presented to us the fact that Tennessee is very,
4 very low in the renewal fees. So if we're going to
5 stay a viable commission, we're going to have to
6 have more income. And the answer is not getting
7 more people to come into the industry because we
8 can't control that.

9 MR. BAYNE: Bayne agrees.

10 CHAIRMAN VALENTINE: But we can raise
11 the fees on renewal.

12 MS. VEST: What fee was that that you
13 presented there, Mr. Valentine?

14 CHAIRMAN VALENTINE: Changing the
15 renewal fees from 125 to 200 dollars.

16 MS. VEST: Based on the numbers that we
17 have, it would be what?

18 CHAIRMAN VALENTINE: If you multiply
19 that \$75 times 200 people, that would be \$15,000.

20 MS. VEST: That doesn't cover. You are
21 in the red 21.

22 MR. BROWN: Let me give you this. We've
23 got 1,074 PIs, is that correct? Every two years, it
24 comes up for renewal. 80,550 is \$75 increase. You
25 split that in half, that's 40,000 a year.

1 that might not also attract -- might attract some
2 new PIs. Just a thought.

3 MS. VEST: Mr. Rousseau, have you got
4 any comments?

5 MR. ROUSSEAU: No, I am listening at
6 this point, trying to digest this, and I thank
7 everybody getting the slide show and just really
8 digesting where we are. And it would be interesting
9 -- it is interesting to see that we're -- looks like
10 we might be doing better than some other states. If
11 we need to -- I think we need to figure out or
12 discuss more money may be an issue or how you going
13 to go about making the industry attractive for
14 people and expand. A lot of young people and old
15 people don't really understand what the PI industry
16 is and what it is all capable of doing in 2018. So
17 we may need to look at that also.

18 MS. VEST: All right. If it's okay with
19 the commission and chair, I'm going to table the
20 discussion about fees until I have an opportunity to
21 speak with the assistant commissioner and take a
22 look more closely at what we have here and get an
23 explanation on it and come in and present it.

24 CHAIRMAN VALENTINE: Okay. I had one
25 other question. What are the ramifications if we

1 deregulate?
 2 MR. ROUSSEAU: I think that's a scary
 3 thought, especially with some of the complaints that
 4 the legislative report -- excuse me, legal report
 5 was today. And we are legislated. To have no
 6 legislation is -- I think that would hurt the
 7 credibility of those that have worked so hard for
 8 good reputations.

9 MS. VEST: There would be a
 10 possibility -- they actually -- I don't know the
 11 professional term for it -- instead of being a
 12 license, maybe it could be a registration. So you
 13 would still have PIs that would register as private
 14 investigators.

15 CHAIRMAN VALENTINE: But no oversight?

16 MS. VEST: Maybe that means that they
 17 would lose a company affiliation, maybe it would
 18 just be private -- I don't know those ramifications.
 19 I can see some of the differences being made there.
 20 Of course, there's always the possibility the whole
 21 profession is deregulated. I mean, you had what,
 22 two complaints? I mean, it was four, but it was a
 23 PI and his company. That made two complaints. How
 24 many did you hear last month? How many did you --
 25 last meeting? How many did you hear the meeting

1 before that? Mostly what you are hearing, I think,
 2 is somebody giving me a report. Could that not be a
 3 civil matter? I don't know. There's a lot -- maybe
 4 different ramifications. Don't ask me them
 5 questions.

6 CHAIRMAN VALENTINE: Okay. Are we
 7 through the administrative matters?

8 MR. RICHARDS: I've got one question for
 9 Ashley. If this commission makes recommendations
 10 for changes in the law and sends them to the
 11 commissioner, why would the commissioner not include
 12 them when she sends them over to the hill?

13 MS. THOMAS: She's granted a certain
 14 amount of leeway of which programs. There are 27
 15 programs here. There may be some that require more
 16 immediate action than what we have presented, but
 17 there are a lot of considerations for the
 18 commissioner as to which law she's going to propose
 19 in her packet.

20 MR. RICHARDS: So she can present
 21 recommendations for each individual if they like
 22 polygraph, you know, we made those -- several months
 23 ago, we made recommendations to have changes made in
 24 the law. She chose not to send them to the hill.
 25 I'm just wondering why.

1 MS. THOMAS: Again, it has to go with
 2 what is a priority for the programs. I can't really
 3 speak to what those discussions are. It's the
 4 commissioner's decision, I'm sorry, I don't have
 5 more information for you.

6 MR. BAYNE: I would like to ask
 7 Mr. Richards as the representative of polygraph,
 8 pretty important business, to weigh in on what he's
 9 been hearing these last 45 minutes.

10 MR. RICHARDS: I don't know what you are
 11 referring to.

12 MR. BAYNE: In terms of industry trends,
 13 in terms of numbers, in terms of -- relative to
 14 polygraph.

15 MR. RICHARDS: As far as polygraph is
 16 concerned, most of the examiners are law
 17 enforcement. It's very, very difficult for a
 18 private examiner who's not been in law enforcement
 19 to get a polygraph license because you can't find a
 20 sponsor. And we've got a man now that is -- been to
 21 the school in Atlanta. This guy is a Ph.D. He is
 22 retired from DOE, he was a UT professor, but he
 23 can't find -- or he's having difficulty finding a
 24 sponsor. You have to have 50 examinations in order
 25 to get your license. Unless you are a police

1 examiner, it's difficult to get those 50.

2 MR. BAYNE: Unless you have 50 kids and
 3 you want to put them each on poly- -- I'm kidding.
 4 I jest.

5 MR. RICHARDS: Well, no. Police
 6 departments will not sponsor a private examiner.
 7 You have to look elsewhere. And there's just not
 8 that much polygraph work to get your 50
 9 examinations.

10 MR. BAYNE: Where do you see the
 11 polygraph industry going?

12 MR. RICHARDS: Well, it's -- if you are
 13 a police examiner and you get your license, it's
 14 going well. But it's -- again, it's difficult for a
 15 private examiner -- or for a private person to get a
 16 license.

17 MR. BAYNE: Thank you.

18 CHAIRMAN VALENTINE: Do we have any
 19 other administrative matters?

20 MS. VEST: No, sir, I believe we are
 21 down to the education -- education.

22 CHAIRMAN VALENTINE: Okay. Executive
 23 Director Cody Vest, education report.

24 MS. VEST: The education committee met
 25 this morning. You have that information, do you

1 not, Mr. Chair?
 2 CHAIRMAN VALENTINE: Yes. We approved
 3 four different courses. To the Knoxville ACFE
 4 chapter, to Devan and Associates, and two to Steve
 5 Reed for Nashville corporate security symposium and
 6 active shooter preparedness workshop.
 7 MR. SHANKS: Shanks makes a motion to
 8 accept it.
 9 MR. BROWN: Commissioner Brown seconds
 10 it.
 11 CHAIRMAN VALENTINE: Okay. We have a
 12 motion and second. Any discussion?
 13 All in favor, say aye. No, we will call
 14 the roll.
 15 MS. VEST: We'll do a roll call.
 16 Stuart Bayne?
 17 MR. BAYNE: Aye.
 18 MS. VEST: David Brown?
 19 MR. BROWN: Aye.
 20 MS. VEST: Larry Flair?
 21 MR. FLAIR: Aye.
 22 MS. VEST: Jerry Richards?
 23 MR. RICHARDS: Aye.
 24 MS. VEST: Alan Rousseau?
 25 MR. ROUSSEAU: Aye.

1 MR. SHANKS: I'm happy with a Thursday.
 2 CHAIRMAN VALENTINE: I would like a
 3 Monday or Wednesday, if we can.
 4 MR. BROWN: I'll meet anytime you want
 5 to.
 6 MR. FLAIR: I'm going to object to any
 7 time.
 8 MR. BAYNE: Bayne seconds that. I'll
 9 meet any time too.
 10 MS. VEST: No, you can't vote.
 11 Okay. So we have to go back out and
 12 look because we already did the dates for next year.
 13 We have to consider what's happening in Nashville
 14 for you to even get into Nashville with the
 15 Predators going or a concert happening or whatever
 16 might be happening, and they're usually coming in on
 17 the weekend to do. So we will take a look and
 18 hopefully I'll come back to you at the November
 19 meeting and propose some new dates.
 20 MR. BROWN: A lot of times when the
 21 legislature is in action, it's hard to get a room
 22 and the room rates go up.
 23 MS. VEST: All right. Perhaps I can
 24 have a vote from the commission and we can change it
 25 to a Thursday. Would that be acceptable?

1 MS. VEST: Doug Shanks?
 2 MR. SHANKS: Aye.
 3 MS. VEST: Walt Valentine?
 4 CHAIRMAN VALENTINE: Aye.
 5 MS. VEST: The ayes have it.
 6 CHAIRMAN VALENTINE: Do we have any
 7 unfinished business?
 8 MS. VEST: Just a little bit, yes, sir,
 9 we do. Unfinished, I'm sorry, no unfinished.
 10 CHAIRMAN VALENTINE: Do we have any new
 11 business?
 12 MS. VEST: We have the new dates for
 13 2019, commission dates, and once again --
 14 CHAIRMAN VALENTINE: And that's
 15 quarterly as opposed to every other month?
 16 MS. VEST: Yes, sir. We looked at that.
 17 We decided, the commission did, four meetings a year
 18 starting in November.
 19 Again, I'm going to bring it up that
 20 maybe we can move the commission meetings from a
 21 Friday to another day. With Nashville the way it
 22 is, with the traffic, people coming in on the
 23 weekend, I don't know how much trouble you are
 24 having getting rooms, leaving. I have a program
 25 that meets on Thursdays, for instance.

1 MR. SHANKS: I make a motion that we
 2 change our date to a Thursday.
 3 MR. BROWN: Have a second. I'll second
 4 it. We'll take it to a vote and see.
 5 CHAIRMAN VALENTINE: I would like it on
 6 Wednesday, but --
 7 MR. BAYNE: Why Thursday?
 8 MS. VEST: Why Wednesday, actually? But
 9 I already have a meeting --
 10 MR. BAYNE: But Fridays are usually
 11 busier?
 12 MS. VEST: Yes, Fridays are usually
 13 extremely busy because first to get ready for a
 14 board meeting, it takes several days. We don't
 15 care. I have one that's already meeting on
 16 Thursday, it works fine. But if you want to meet on
 17 a Wednesday -- this is your commission. I'll do
 18 whatever day that you want us to do.
 19 MR. BROWN: What's better for you and
 20 the staff?
 21 MS. WILLIAMS: A lot of stuff that goes
 22 on in Nashville when I research this, it's like a
 23 Monday through Wednesday, and towards the end of
 24 weeks are when it's stopping, and a lot of stuff
 25 will start on a Monday and Tuesday again.

1 MR. BAYNE: So Thursday's in between
 2 that Monday through Wednesday and then the weekend.
 3 MS. WILLIAMS: Thursdays and Fridays
 4 were a lot better with a lot of stuff going on.
 5 MS. VEST: Well, if you want to do
 6 Wednesday -- whatever you vote for is okay with me.
 7 I don't care.
 8 MR. ROUSSEAU: Mr. Chair, may I offer an
 9 amendment to the motion?
 10 MS. VEST: Yes, sir.
 11 MR. ROUSSEAU: Would you consider an
 12 amendment to the motion that we wait for a report
 13 back from the staff on the feasibility of what dates
 14 will work better between -- I think you said Monday
 15 and Thursday? Because of the various activities, we
 16 don't really -- we might get ourselves in the same
 17 situation Thursday. Let's give the staff a chance
 18 to look at other activities going on throughout the
 19 year.
 20 MS. VEST: Thank you, Mr. Rousseau.
 21 Yes, sir, I think that's -- we can -- if that's okay
 22 with the commission, we will take a look at
 23 Wednesday or Thursday. Then we will come back to
 24 you in November. Or if not -- or maybe even sooner,
 25 I can send you an e-mail if we see it looks good.

1 MR. SHANKS: So I guess I need to take
 2 away my motion.
 3 MS. VEST: You can withdraw your motion.
 4 MR. SHANKS: I'll do that.
 5 MS. VEST: We don't need a motion for
 6 that. I'll just do the research and I'm going to
 7 look for Wednesday or Thursday if that's okay with
 8 the commission.
 9 MR. BAYNE: It's fine. Be sure I
 10 understand, in 2019 we are going to quarters?
 11 MS. VEST: Yes, sir.
 12 MR. BAYNE: As for me, Fridays are
 13 generally easier, but I'm going to be happy to meet
 14 anytime.
 15 MS. VEST: Thank you. And we serve at
 16 your discretion, so any day that you choose is when
 17 we will do that. And I really appreciate that. I
 18 have been asking for years to change it from a
 19 Friday, so -- and that's great. Thank you.
 20 We will take a look at it. I'm going to
 21 come back to you in November and give you the new
 22 dates. Either it will be on Wednesday or Thursday
 23 if at all possible. We have to go out and see
 24 what's happening for next year because here in
 25 Nashville, you need to go ahead and make your room

1 reservations for the entire year because, I mean,
 2 seriously, it's just hopping here in Nashville.
 3 Is anybody having trouble getting a
 4 room?
 5 MR. FLAIR: (Raised hand.)
 6 MR. ROUSSEAU: I have from time to time
 7 depending on what basketball games or football games
 8 are going on.
 9 MS. VEST: Yes, sir. That's why I said
 10 once I give you this schedule, we need to go ahead
 11 and book it for the whole year, wherever you're
 12 going to stay at.
 13 MR. BROWN: You need to pay extra
 14 refundable so you can cancel it in case of bad
 15 weather.
 16 MS. VEST: That's always a possibility.
 17 Mr. Flair, what's your problem with --
 18 MR. FLAIR: It's the schedule of the
 19 atmosphere of Nashville and they're gouging the
 20 rooms. You can't get a room under \$350 in downtown.
 21 You can go over to the one over here, I think, but
 22 -- but that's my issue, and I do it in advance,
 23 online.
 24 MS. VEST: Okay. Let me explain that to
 25 you. If you're asking for the state rate, you need

1 to call. Do not do it online. There are several
 2 hotels around here that are offering the state rate.
 3 MR. FLAIR: But in my experience, Madam
 4 Chairman -- or Director, I'm sorry, when you go
 5 online or you call them in person -- and I discussed
 6 it earlier with one of the other people here -- like
 7 the particular venue that I use, my senior used to
 8 be rate was cheaper than the state. So I would
 9 always book it that way because it saved the state
 10 some money. Now this occasion and the other places
 11 that I stay at the different venues, the state rate
 12 was cheaper than the senior, so it's swapped around
 13 now. And that's -- I found that only here in
 14 Davidson County.
 15 MR. SHANKS: I know the Holiday Inn over
 16 on Broadway by the convention center, they honor the
 17 state rate and it's two blocks, and that's where I
 18 stay. And I --
 19 MS. VEST: Yes, sir, that's where -- I
 20 sent out an e-mail to my alarm board. They were
 21 having some difficulty finding places and we did
 22 find several hotels that were still -- but you have
 23 to call them and ask for the state rate. Yes, I
 24 have experienced seeing how much is a room and find
 25 out it was say \$200 and the state rate was even more

1 than what the room was. So you have -- you have to
2 know what you're doing there, but make sure you call
3 to make your reservations.

4 But I will do this for you. We will get
5 this information to you as fast as we can. We will
6 send out an e-mail to everyone.

7 MR. FLAIR: What is the date in
8 November, please?

9 MS. VEST: November the 9th.

10 MR. BROWN: Be sure to vote on Tuesday.
11 That Tuesday is a general election. Be sure
12 everybody gets out and votes.

13 MS. VEST: Okay. It wouldn't be on a
14 Tuesday.

15 MR. BROWN: Being a good patriot, you
16 know.

17 CHAIRMAN VALENTINE: Do we have any
18 further new business?

19 MS. VEST: No, sir, I do not.

20 MR. BAYNE: Just a comment. If you --
21 there were ten states who did not reply. There was
22 ten states where all the information you desired
23 didn't get to you. You anticipate any additional
24 information coming in?

25 MR. WINFREE: It's possible that --

1 want to go ahead and get your room.

2 MR. BROWN: Already have.

3 CHAIRMAN VALENTINE: Okay. Are there
4 any continuing education participation forms?

5 MS. VEST: No, sir.

6 CHAIRMAN VALENTINE: Okay. We are
7 through with the agenda. Can I hear --

8 MR. FLAIR: Make a motion that we
9 adjourn.

10 MR. SHANKS: Second.

11 CHAIRMAN VALENTINE: We are adjourned.

12 MS. VEST: No, we've got to do a roll
13 call vote.

14 CHAIRMAN VALENTINE: Got to do a roll
15 call? Golly. Okay.

16 MS. VEST: Who made the motion?

17 MR. FLAIR: Larry Flair.

18 MS. VEST: Who seconded it?

19 MR. SHANKS: Doug Shanks.

20 MS. VEST: Stuart Bayne?

21 MR. BAYNE: Aye.

22 MS. VEST: David Brown?

23 MR. BROWN: Aye.

24 MS. VEST: Larry Flair?

25 MR. FLAIR: Aye.

1 because I made -- I made a request to Illinois and
2 California and Florida, I did those myself, and I'll
3 have to ask Bradley which ones he asked for, but
4 those states I didn't hear from. I did hear from
5 Ohio officially, Pennsylvania officially, and New
6 York officially, that they responded to written
7 e-mail request as they indicated.

8 MR. BAYNE: The reason I ask is between
9 now and November 9, I imagine we're all going to get
10 that presentation that you did, and I would wonder
11 if you get any additional, keep it brief and simple,
12 to the point and send it to us?

13 MR. WINFREE: Sure. I can do that.

14 MR. BAYNE: Thank you. Thank you for
15 your work.

16 MR. BROWN: Some of the states like
17 Mississippi is not going to send you anything.
18 There is no association, no state regulation. They
19 have encouraged me to join the association down
20 there, which I have. All it is is a listing
21 basically what it is. Somebody wants to see -- find
22 a PI in North Mississippi, you'll find me.

23 MS. VEST: Okay. That November date,
24 November 9th, if you haven't already booked your
25 rooms, that is Veteran's Day weekend. You might

1 MS. VEST: Jerry Richards?

2 MR. RICHARDS: Aye.

3 MS. VEST: Alan Rousseau?

4 MR. ROUSSEAU: Aye.

5 MS. VEST: Doug Shanks?

6 MR. SHANKS: Aye.

7 MS. VEST: Walt Valentine?

8 CHAIRMAN VALENTINE: Aye.

9 MS. VEST: The ayes have it.

10 CHAIRMAN VALENTINE: We are adjourned.

11 (WHEREUPON, the meeting was adjourned at

12 11:13 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

September 21, 2018



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PRIVATE INVESTIGATION AND POLYGRAPH COMMISSION
EDUCATION COMMITTEE MEETING
September 21, 2018

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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: Let's take a look at -- hopefully you've got it in the same order, Association of Certified Fraud Examiners. Usually if I get anything like that, it's automatically approved. But they had a couple -- they're having a chapter meeting, and if you look on your iPads, you will see that you have the whole day that looks like they have the Tennessee Office of Inspector General, Asbury and Sims is going to be participating, so it looks like a special agent from the FBI, so it looks like they might have a very interesting course. So they want to go ahead and they want to have this in October. So they've sent it in in advance. I started just to go ahead and approve it, but since it was just this one thing here, this one presentation, I thought I would bring it to you.
All right. Mr. Valentine?
MR. VALENTINE: Good morning. Has everybody had an opportunity to look at the education review?
MR. FLAIR: I have.
MR. VALENTINE: The first one there is the Knoxville AFCE chapter, a seminar for seven

A P P E A R A N C E S

EDUCATION COMMITTEE MEMBERS

Paul David Brown, Jr.
Alan G. Rousseau
Larry T. Flair, Sr.
Walt Valentine
Stuart Payne

ALSO PRESENT

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

hours. Any comments on that one?
MR. BAYNE: None. I move to accept.
MR. BROWN: Commissioner Brown. Second.
MS. VEST: Okay. That was -- Mr. Bayne made the motion?
MR. BAYNE: Stuart Bayne, yes.
MS. VEST: And Mr. Brown did the second? Okay.
MR. VALENTINE: Any discussion? Hearing none, all in favor say aye. (Chorus of ayes.)
MR. VALENTINE: All opposed? Motion carries.
The second one is Devan and Associates, conference in North Carolina and South Carolina for 12 hours. Any comments or discussion?
MR. BROWN: They've been approved before, haven't they?
MS. VEST: They're on the -- yes, they are on your approved course list, but not for this.
MR. BROWN: I looked at it --
MS. VEST: They're for one thing, if I'm not mistaken.
MR. BROWN: Correct.
MS. VEST: Do what now, I'm sorry?

1 They're only on your course approved list for one
2 class.

3 MR. BAYNE: This is Bayne. This program
4 is offered in November, so it's ahead of time.

5 MS. VEST: Yes.

6 MR. BAYNE: And they appear to have sent
7 you everything they needed to send you, and it looks
8 quite adequate.

9 MS. VEST: Yes, it looked like a good
10 presentation to me for a layperson. I've read some
11 of this stuff in here and I'm going, okay, I can do
12 this.

13 MR. BROWN: Commissioner Brown makes the
14 motion we approve it then.

15 MR. VALENTINE: Do I hear a second?

16 MR. FLAIR: I'll second, Flair.

17 MR. VALENTINE: Move and second to
18 approve. All in favor, say aye.

19 (Chorus of ayes.)

20 MR. VALENTINE: All opposed?

21 Carries.

22 Next is Steve Reed, Nashville Corporate
23 Security Symposium, six hours.

24 MS. VEST: Yes, let me explain that to
25 you. That is our fault. It's a class that was from

1 The first one --

2 MR. VALENTINE: So we might as well
3 consider both of them together --

4 MS. VEST: Yes, oh, yes.

5 MR. VALENTINE: -- since it's the same
6 person and it was --

7 MS. VEST: Right.

8 MR. FLAIR: I make a motion that we
9 accept.

10 MR. VALENTINE: Do I hear a second?

11 MR. BROWN: Commissioner Brown, second.

12 MR. VALENTINE: Moved and seconded to
13 approve. All in favor, say aye.

14 (Chorus of ayes.)

15 MR. VALENTINE: All opposed?

16 Motion carries.

17 Anything further?

18 (Discussion off the record.)

19 MS. VEST: That's all we have,
20 Mr. Chairman.

21 MR. VALENTINE: Okay. Do I hear a
22 motion to adjourn?

23 MR. FLAIR: I'll make that motion, Larry
24 Flair.

25 MR. VALENTINE: Do I hear a second?

1 April, and in August he wanted us to approve and it
2 got in with the alarm continuing education.

3 MR. BAYNE: It got lost in the alarm?

4 MS. VEST: Yes. We get a lot of
5 education for alarms, and it just got into the wrong
6 stack. It's our fault. It's still -- he's got his
7 certificates there where he attended them,
8 Department of Homeland Security, they're the one.

9 MR. FLAIR: I have a question just real
10 quick. Larry Flair. Is this a firearms -- did I
11 read that correctly, it had something to do with
12 carrying firearms?

13 MS. VEST: Yes, an active shooter class.

14 MR. FLAIR: Okay. That's what I -- I've
15 had both myself, but I thought it was like getting a
16 permit to carry a firearm or something --

17 MS. VEST: No.

18 MR. FLAIR: This was the active shooting
19 class?

20 MS. VEST: This is an active shooting
21 workshop.

22 MR. FLAIR: I have no problem with it.

23 MR. VALENTINE: The active shooter is
24 the second one.

25 MS. VEST: The second one, yes, sir.

1 MR. BAYNE: Bayne, second.

2 MR. VALENTINE: Moved and seconded to
3 adjourn. All in favor, say aye.

4 (Chorus of ayes.)

5 MR. VALENTINE: We are adjourned.

6 MS. VEST: I guess whenever we have the
7 actual board meeting, Mr. Chair, you can discuss it
8 with everyone and tell them that all of them were
9 approved so we can get an approval by the
10 commission.

11 MR. VALENTINE: Okay.

12 (WHEREUPON, the foregoing proceedings were
13 concluded at 9:11 a.m.)

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