

# Tennessee Private Investigation and Polygraph Commission Meeting

**MINUTES** of the Tennessee Private Investigation and Polygraph Commission Meeting held **May 19, 2020**, in Nashville Tennessee.

*Walter Valentine*

Walter Valentine (Aug 6, 2020 15:06 CDT)

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Walt Valentine, Chair

*David Brown*

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Paul David Brown Jr, Vice Chair

*CHARLES BRADLEY*

CHARLES BRADLEY (Aug 16, 2020 11:09 CDT)

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Charlie Bradley

*Kendall Barham*

Kendall Barham (Aug 17, 2020 09:50 EDT)

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Charles Kendall Barham

*Stuart W. Bayne*

Stuart W. Bayne (Aug 13, 2020 09:32 EDT)

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Stuart W Bayne

*Robin Johnston*

Robin Johnston (Aug 15, 2020 14:38 CDT)

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Robin Brewer Johnston

*Alan Rousseau*

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Alan G Rousseau

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Douglas Shanks

Signed 8-6-20

**TENNESSEE PRIVATE INVESTIGATION AND POLYGRAPH COMMISSION  
EDUCATION & COMMISSION MEETING MINUTES**

**Date:** Tuesday May 19, 2020 9:00 A.M. (CST)

**Place:** WebEx platform based at  
Davy Crockett Tower  
500 James Robertson Parkway  
Nashville, TN 37243

**Commission Members Present:**

Stuart Bayne  
David Brown  
Robin Johnston  
Alan Rousseau  
Doug Shanks  
Walt Valentine  
Charles Barham  
Charles Bradley

**Staff Members Present:**

Cody Vest, Executive Director  
Ashley Thomas, Staff Attorney  
Jesse Gentry, Asst. General Counsel  
Shauna Balaszi-Williams, RBAA3  
Carol McGlynn, Paralegal

**Call to Order:** - Walt Valentine, Chairman

Chairman Valentine called the meeting to order at 9:31 A.M. Executive Director Cody Vest called roll.

**Roll Call:** - Cody Vest, Executive Director

Walt Valentine – Here  
David Brown – Here  
Doug Shanks – Here  
Stuart Bayne - Here  
Alan Rousseau - Here  
Robin Johnston – Here  
Kendal Barham – Here  
Charles Bradley – Here

Let the record show there is a quorum.

**Agenda:**

Motion was made by Commissioner Rousseau to adopt the agenda as proposed. Motion was seconded by Commissioner Shanks.

**Roll Call:**

Walt Valentine – Aye  
David Brown – Aye  
Doug Shanks – Aye  
Stuart Bayne - Aye  
Alan Rousseau - Aye  
Robin Johnston – Aye  
Kendal Barham – Aye  
Charles Bradley – Aye

**MOTION CARRIED**

**Minutes: - January 16, 2020, Commission Education and Meeting Minutes**

**CORRECTION OF THE MINUTES:**

Correction of the education course Kansas Association of Licensed Investigators was approved with 12 hours of continuing education and not 16 hours.

Motion was made by Commissioner Rousseau to adopt the minutes from 01/16/20, with the correction of the course continuing education hours. Motion was seconded by Commissioner Shanks.

**Roll Call:**

Walt Valentine – Aye  
David Brown – Aye  
Doug Shanks – Aye  
Stuart Bayne - Aye  
Alan Rousseau - Aye  
Robin Johnston – Aye  
Kendal Barham – Aye  
Charles Bradley – Aye

**MOTION CARRIED**

**Election of Officers:** - Cody Vest, Executive Director

Nominations for Commission Chair: Charles Bradley nominates Walt Valentine  
Alan Rousseau seconds Walt Valentine

No other nominations for Commission Chair. Motion was made by Commissioner Brown to elect Walt Valentine as Commission Chair by acclamation. Motion was seconded by Commissioner Rousseau.

**Roll Call:**

David Brown – Aye  
Doug Shanks – Aye  
Stuart Bayne - Aye  
Alan Rousseau - Aye  
Robin Johnston – Aye  
Kendal Barham – Aye  
Charles Bradley – Aye

**MOTION CARRIED**

Nominations for Commission Vice Chair: Stuart Bayne nominates David Brown  
Alan Rousseau seconds David Brown

No other nominations for Commission Vice Chair. Motion was made by Commissioner Bayne to elect David Brown as Commission Vice Chair by acclamation. Motion was seconded by Commissioner Rousseau.

**Roll Call:**

Walt Valentine – Aye  
Doug Shanks – Aye  
Stuart Bayne - Aye  
Alan Rousseau - Aye  
Robin Johnston – Aye  
Kendal Barham – Aye  
Charles Bradley – Aye

**MOTION CARRIED**

**Legal Report:** - Jesse Gentry, Assistant General Counsel

New Cases:

1. 2019103151  
Respondent:  
License Status: – ACTIVE  
First Licensed: 8/5/2014  
License Expiration: 8/31/2020  
Disciplinary History: None

Summary: Complainant stated that the Respondent is his ex-wife. Complainant stated that he had contacted a utilities company about setting up service and the company found that there was a previous account that was set up 10 years ago in Complainant's name.

Complainant confronted Respondent about this issue and he stated Respondent made comments about the parties' respective credit information and a statement that he believed to be a veiled threat regarding her work and skills as a private investigator. Respondent paid off the utilities account. Complainant also had concerns that he believed Respondent had tapped his phones after he said his phones started acting "funny" and he was receiving texts and calls from unknown numbers, however, there was no evidence that Respondent had done this or that his phones were tapped.

The parties were never in a business relationship; therefore, the only way Respondent could be disciplined by the Commission is if she engaged in deceitful or fraudulent behavior. This appears to be more of a domestic issue as it relates to whether the Respondent should have removed Complainant from the utilities at her home after their divorce.

Recommendation: Close.

**Commission:** Motion was made by Commissioner Rousseau to concur with recommendation of counsel. Motion was seconded by Commissioner Shanks.

**Roll Call:**

Walt Valentine – Aye  
David Brown – Aye  
Doug Shanks – Aye  
Stuart Bayne - Aye  
Alan Rousseau - Aye  
Robin Johnston – Aye  
Kendal Barham – Aye  
Charles Bradley – Aye

**MOTION CARRIED**

2. 2020030021  
Respondent:  
License Status: UNLICENSED  
First Licensed: N/A  
License Expiration: N/A  
Disciplinary History: None

Summary: This case originated as a Consumer Affairs case that was referred to the Private Protective Security Program for investigation as the Respondent was seen in a security officer uniform and the individual who made that complaint did not believe the Respondent had a valid license. That complainant was able to find a business license for the Respondent, which he provided with his statement.

Upon investigation of this complaint, it was determined that the Respondent does not have any type of security or a private investigation license. Respondent stated his company does not provide security services, so that complaint will likely close.

Respondent stated that his company acts as an advocate for individuals who may have been wrongfully incarcerated. In order to complete this work, Respondent completes a power of attorney form with an individual or his/her family so that Respondent can access and retrieve documents to assist in advocating for the release of incarcerated individuals. Respondent stated his primary duties are research and document retrieval, which may include documents from law enforcement and courts. Respondent also stated he is not paid for its services, but he is reimbursed for expenses incurred in his investigations.

Respondent's business has been in operation since 2003. Previously, it operated under a different name and was run by a pastor. Respondent did not provide a list of how many cases it has worked since it has been in operation, but he did state the business has helped four individuals get released from prison and prevent another 500 from being incarcerated.

**Recommendation: Authorize formal charges and the offer to settle this matter through a Consent Order and a \$250 civil penalty for a violation of TENN. CODE ANN. § 62-26-204.**

**Commission:** Motion was made by Commissioner Shanks to concur with recommendation of counsel. Motion was seconded by Commissioner Brown.

**Roll Call:**

Walt Valentine – Aye

David Brown – Aye

Doug Shanks – Aye

Stuart Bayne - Aye

Alan Rousseau - Aye

Robin Johnston – Aye

Kendal Barham – Aye

Charles Bradley – Aye

**MOTION CARRIED**

**Administrative Matters:** Cody Vest, Executive Director

**Monthly Report** – January, February & March 2020

Two vacancies: Alan Rousseau expired 09/30/2014, he still serves.

**Budget Review** – July 2019 up to March 2020  
Total showing now is \$24,252 in the black.

**Legislative Update** – Nothing to report

**Education Review:**

**Education Committee Members:** Walt Valentine, David Brown, Doug Shanks, Stuart Bayne, Alan Rousseau. Education Committee meeting held at 9:00 A.M. on Tuesday May 19, 2020, Alan Rousseau was absent.

Cody Vest, Executive Director reviewed the education with the Education Committee with the following recommendations for Commission approval.

**Alert Mid-South**

**A.L.E.R.T. Mid-South Conference (May 1, 2019)**

**Continued Education – Sean Dees**

**Requested 8 Hours**

Education Committee approved course with only 6 hours of continuing education.

**International Anti-Counterfeiting Coalition**

**IACC SPRING CONFERENCE (MAY 15-17, 2019)**

**Continued Education – Sean Dees**

**Requested 10 Hours**

Education Committee approved course with only 8.5 hours of continuing education.

**National Forensic Science Technology Center (NFSTC)**

**Digital Crime Scene Photography (Online)**

**Continued Education**

**Requested 6 Hours**

Education Committee approved course with 6 hours of continuing education.

**National Forensic Science Technology Center (NFSTC)**

**Intermediate Crime Scene Investigation (Online)**

**Continued Education**

**Requested 16 Hours**

Education Committee approved course with 16 hours of continuing education.

**National Forensic Science Technology Center (NFSTC)  
Introduction to Crime Scene Investigation (Online)  
Continued Education  
Requested 16 Hours**

Education Committee approved course with 16 hours of continuing education.

**TN Association of Criminal Defense Lawyers (TACDL)  
TACDL Forensics Seminar June 18-19-20  
Continued Education  
Requested 12 Hours**

Education Committee approved course with 12 hours of continuing education.

Motion was made by Commissioner Brown to approve the presented courses. Motion was seconded by Commissioner Shanks.

**MOTION CARRIED**

Motion was made by Commissioner Brown to approve the recommendations of the education committee. Motion was seconded by Commissioner Shanks.

**Roll Call:**

Walt Valentine – Aye

David Brown – Aye

Doug Shanks – Aye

Stuart Bayne - Aye

Alan Rousseau - Aye

Robin Johnston – Aye

Kendal Barham – Aye

Charles Bradley – Aye

**Motion Carried**

**New Business:** \_ – Cody Vest, Executive Director

Discussion to review exams from PSI because, they have not been reviewed since 2015. No motion needed for discussion; this will be brought back to the Commission at a later date.



Motion was made by Commissioner Brown to adjourn the May 19, 2020, meeting of the Tennessee Private Investigation and Polygraph Commission at 10:17 A.M. Motion was seconded by Commissioner Johnston.

**Roll Call:**

Walt Valentine – Aye

David Brown – Aye

Doug Shanks – Aye

Stuart Bayne - Aye

Alan Rousseau - Aye

Robin Johnston – Aye

Kendal Barham – Aye

Charles Bradley – Aye

**Motion Carried**

Minutes prepared by Shauna Balaszi-Williams, RBAA3