

POLYGRAPH EXAMINERS ADVISORY BOARD
Draft MINUTES OF MEETING
April 23, 2015

The Polygraph Examiners Advisory Board met on Thursday, **April 23, 2015**, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, 2nd Floor, Richmond, Virginia.

The following members of the Advisory Board were present:

John R. Patterson, Chairman
William (Vic) Ingram
George D Grant
Stephen T Oliver
John T Orr
Michael E Lovely

The following members of the Advisory Board were not present:

Karl Holzbach, Vice Chair
Brett Feinstein

Staff present for all or part of the meeting:

Jay DeBoer, Director
Eric L. Olson, Executive Director
Mark Courtney, Senior Director Regulatory and
Public Affairs
Christine M Andreoli, Section Chief - Attorney
General's Office
Mindy Spruill, Regulatory Boards Administrator
Sheila Watkins, Administrative Assistant
Rhonda Starr, Examination Coordinator
Deborah Ogram, Examination Specialist

Director DeBoer called the meeting to order at 11:04 a.m.

Call To Order

Mr. Lovely offered a motion to approve the agenda. **Mr. Ingram** seconded the motion, which was approved unanimously. Members voting “Yes” were: **Lovely, Ingram, Patterson, Oliver and Grant. Holzbach, Orr, and Feinstein** were absent.

Approval of the Agenda

After the minutes from the Board’s January 15, 2015 meeting were reviewed, **Mr. Lovely** offered a motion to approve the January 15, 2015 meeting minutes. **Mr. Ingram** seconded the motion, which was approved unanimously. Members voting “Yes” were: **Lovely, Ingram, Patterson, Oliver and Grant. Holzbach, Orr, and Feinstein** were absent.

Approval of January 15, 2015 Meeting Minutes

There was none.

Public Comment

Mr. Patterson chaired the meeting.

Chairing Meeting

Candidate Direction

Mindy Spruill, Regulatory Boards Administrator requested the Board’s advice as to whether or not they wanted all candidates to remain and be addressed by the Board or if they could leave after the completion of all exams. The Board requested they stay. No Board action needed on this matter.

Old Business

Licensee Examinations

Mindy Spruill shared that we have twelve candidates testing and she is waiting on notification from the examination proctors of applicant completion of their exams.

Chart Requirement for Examinations

Chairman Patterson tabled the discussion of chart requirements for examination until Captain Orr’s arrival.

Reciprocity Agreements

Mindy Spruill provided the Board with a list of all of the current reciprocity agreements that are in place. The Board reviewed the list. After discussion the Board decided to leave the list as is and does not want to make any changes at this time. This was agreed upon and no vote was needed.

Staff Member Introduction

Director DeBoer introduced Christine M Andreoli, Section Chief from the Attorney General's office to the Board members and others present at the meeting.

Captain Orr Arrives at 11:20 am

Chart Requirement for Examinations Discussion

Captain Orr led the discussion on Chart requirements. After discussion Mr. Patterson offered a motion that was seconded by Mr. Orr to change the language in the candidate information bulletin to say: three specific issue Polygraph examination charts would be required for the licensee examination. The motion was adopted with unanimous vote. Members voting "yes" were: **Lovely, Ingram, Patterson, Orr, Oliver and Grant. Holzbach and Feinstein were absent.**

Mindy Spruill will work with Rhonda Starr and Deborah Ogram to update the electronic CIB form on our website.

Number of Examination Questions

During the discussion it was determined that the Regulations say no more than 16 questions per chart. After discussion Board member Ingram suggested to table this discussion until the next meeting which is scheduled for October 22, 2015. All members present agreed and no Board action was needed.

Investigator/Detective Definition-Daryl DeBow

New Business

Mindy Spruill shared with the Board that each of them had a handout that outlined Mr. DeBow's concerns as he identified them to her concerning the definition of an Investigator and a Detective. Mr. DeBow addressed the Board and shared that he feels the Board's requirements are too stringent. He requested a definition of a detective and an investigator. He also wanted a definition of the regulations that states "field acceptable to the department that demonstrates the ability to practice polygraphpy." After discussion Director DeBoer shared that the terms detective and investigator are not defined in the regulations or the statues. When terms are not specifically defined, the standard dictionary definition is used. Director DeBoer determined that any sworn law enforcement occupation would be accepted as a field acceptable to the department that demonstrates the ability to practice polygraphy. There were no objections from the Board.

Board Member Training

Ms. Spruill conducted Board member training. Members ate their lunch during the training session.

Candidate Report Update

Ms. Spruill shared that Rhonda Starr and Debbie Ogram reported that eight candidates have passed the examination and four have failed. The candidates are moving to the next step in the examination process.

Recess and Reconvene

Board chair recessed the meeting for chart review at 1:13pm and reconvened the meeting at 3:26 pm. Director DeBoer left the meeting.

Candidates

Mr. Patterson and staff members congratulated the polygraph examiner candidates: Kimberly L. Darden, Gary M. Gleason, Clarence L. Hasty, Jr., Foster K. Lee, Robert D. Pruckner, and David B. Weir, Jr. on passing their examination and welcomed them to the profession. The Board members encouraged the candidates to participate in continuing education, keep pressing forward and enjoy their profession. Each new Regulant was allowed to share information about them self and they were given a copy of the Polygraph Regulations. The new Examinees were given permission to leave.

Two exam candidates did not pass the chart review portion of the examination. The Board members discussed holding the intern supervisor accountable for their intern's charts if they were concerned about possible competency issue. They made a recommendation to be taken to the Director to open an investigation on the supervisor of one of the charts submitted.

There will be a Polygraph Examination administered on **July 16, 2015** at 9:00 am. The next Board meeting is scheduled for Thursday, **October 22, 2015** at 11 am.

Travel vouchers and conflict of interest forms were completed by all the board members present and submitted to Sheila Watkins for processing.

Examination Candidates

Investigation

Next Board meeting

Completion of Paperwork

Mr. Grant motioned to adjourn the meeting at 4:06 pm. **Mr. Orr** seconded the motion. Members voting “Yes” were: **Lovely, Ingram, Orr, Patterson, Oliver and Grant. Holzbach and Feinstein were absent.**

Adjourn

John R Patterson, Chairman Date _____

Jay DeBoer, Director Date _____