

POLYGRAPH EXAMINERS ADVISORY BOARD

MINUTES OF MEETING

DECEMBER 2, 2004

The Polygraph Examiners Advisory Board met on Thursday, December 2, 2004, at the Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Richmond, Virginia. The following Board members were present:

Gary M. Jenkins, Chairman
Paul K. Minor, Vice Chairman
Barry M. Colvert
Bernard Levin
Denise Likens
A. W. Omohundro

Darryl DeBow was absent from the meeting.

Staff present for all or part of the meeting:

Louise Fontaine Ware, Director
Karen O'Neal, Deputy Director of Regulatory Programs
Eric L. Olson, Executive Director
Kevin Hoeft, Regulatory Boards Administrator
Sheila Watkins, Administrative Assistant

Chairman Jenkins called the meeting to order at 10:05 a.m.

Call to Order

Mr. Minor offered a motion to approve the agenda. Mr. Colvert seconded the motion, which was approved unanimously.

Approval of Agenda

Mr. Omohundro offered a motion to approve the Board's June 3, 2004, meeting minutes. Sgt. Likens seconded the motion, which was approved unanimously.

Approval of June 3, 2004, Meeting Minutes

No public comments were made and no members of the public were present.

Public Comment

Mr. Omohundro informed the Board that four applicants passed the December 1, 2004, licensure examinations. He commented that the applicants interviewed well, and their charts were done correctly.

Examination Results

Sharon Sweet, Director of the Office of Education and Examinations, updated the Board concerning the Board's Examination Development. Ms. Sweet provided the Board with a

Polygraph Examiner Test Development

memorandum outlining recommendations for exam development and administration. The Board's budget for this project is \$10,000.00. Following the update, and after answering Board members' questions, Ms. Sweet requested that the Board appoint one Board member to approve the final examination forms. Mr. Minor offered a motion that Chairman Jenkins be appointed for this purpose. Mr. Colvert seconded the motion, which was approved unanimously. Sgt. Likens offered a motion that the Board accept Ms. Sweet's recommendations. Mr. Omohundro seconded the motion, which was approved unanimously.

Update

Kevin Hoeft provided the Board with information indicating that the Texas Polygraph Examiners Board has changed its licensure policy so that the Texas Board now requires that out-of-state applicants, who are licensed polygraph examiners in good standing in their respective states, take and pass the Texas Academic Section of the Texas Polygraph Examiners Licensing Test to receive the Texas Polygraph Examiner license.

**Texas Polygraph
Examiner Board
Reciprocal
Agreement Change**

Mr. Omohundro informed the Board that it has come to his attention that a certain law enforcement agency previously allowed investigators, who are licensed polygraph examiners, to conduct a polygraph examination on the individuals who were the subjects of the polygraph examiner/investigator's investigation. The Board requested that research be done to determine whether the American Polygraph Association has taken a position regarding this issue. After discussion, and after conducting the appropriate research, the Board determined that it may want to include this type of action as a prohibited act in the Board's amended regulations.

**Polygraph
Examinations
Performed by
Investigators**

Chairman Jenkins called for a recess at 10:50 a.m.

Recess

Chairman Jenkins reconvened the meeting at 11:05 a.m.

Reconvene

The Board discussed briefly the examination form letter sent to test candidates. Mr. Colvert made the motion to amend the examination form letter to specify that the candidate bring three "completed criminal case files." Sgt. Likens seconded the motion, which was approved unanimously.

**Amend Board
Letter to Applicant**

The Board reviewed and made proposed amendments to the *Polygraph Examiners Advisory Board's Rules and Regulations* (The Regulations). The Board requested that staff compile the proposed amendments for the Board's consideration and adoption at its next meeting. Eric Olson explained the Regulatory Review process to the Board.

Regulatory Review

Assistant Attorney General Eric Gregory of the Office of the Attorney General conducted Conflict of Interest Training for all Board Members present.

Conflict of Interest Training

Vice Chairman Minor assumed the position of Chairman as Chairman Jenkins had to leave the meeting at 1:00 p.m. The Board elected new officers. Mr. Omohundro nominated Captain Jenkins to continue as Chairman. The nomination was seconded by Dr. Levin. Mr. Colvert nominated Darryl DeBow as Chairman. The nomination was seconded by Dr. Levin. Captain Jenkins received four votes, and Mr. DeBow received one vote.

Election of New Board Officers

Dr. Levin nominated Mr. Minor to serve as Vice Chairman. The nomination was seconded by Mr. Colvert. Mr. Minor was elected Vice Chairman by acclamation.

There was no Old Business.

Old Business

There was no New Business.

New Business

Travel vouchers and conflict of interest forms were completed by all the Board members present

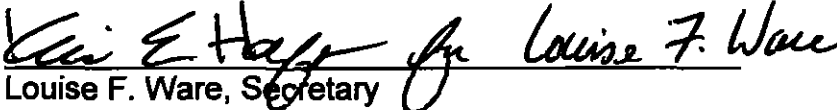
Completion of Paperwork

Dr. Levin made a motion to adjourn the meeting at 2:00 p.m. Sgt. Likens seconded the motion, which was approved unanimously.

Adjourn



Paul Minor, Vice Chairman



Louise F. Ware, Secretary

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Custodian of Records