

POLYGRAPH EXAMINERS ADVISORY BOARD
MINUTES OF MEETING
OCTOBER 26, 2006

The Polygraph Examiners Advisory Board met on Thursday, October 26, 2006, at the Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Richmond, Virginia. The following Board members were present:

Paul Minor, Chairman
Denise Likens, Vice Chairman
Sandra Baum
Barry Colvert
Bernard Levin
John E. McDowell
A. W. Omohundro

Elizabeth Wildhack was absent from the meeting.

Staff present for all or part of the meeting:

Jay W DeBoer, Director
David Ashe, Chief Deputy Director
Eric L Olson, Executive Director
Kevin Hoeft, Regulatory Boards Administrator
Karen Kenney, Administrative Assistant

Chairman Minor called the meeting to order at 11:05 a.m

Call to Order

Dr Levin offered a motion to approve the agenda. Sgt. Likens seconded the motion, which was approved unanimously.

Approval of Agenda

Mr Colvert offered a motion to approve the Board's March 9, 2006, meeting minutes. Sgt. Likens seconded the motion, which was approved unanimously

Approval of March 9, 2006, Meeting Minutes

There was no public comment.

Public Comment

Chairman Minor introduced two new Board Members 1) Sandra K Baum, of Franklin Security Systems, appointed by Director DeBoer on July 1, 2006, as a Private Sector Polygraph Examiner, and 2) First Sergeant John E. McDowell, of the Virginia State Police, appointed by Director DeBoer on July 1, 2006, as a Law Enforcement Polygraph Examiner.

Introduction of New Board Members

Chairman Minor informed the Board that five applicants are sitting for the licensure examination. The five license candidates are: Wayne Handley, Thomas Thompson, Catherine Merry, Gary Klein,

Examination of License Candidates

and James Vaughan.

The Director and Board reviewed for final approval the proposed general amendments to the Board's current regulations. The Director approved these regulations as final with amendments

Regulatory Review Update

Two licensing questions were brought before the Board. First, an individual who is seeking a Virginia Polygraph Examiner's License retired from a federal agency in 2005. During his 25-year career with the federal government, this individual was trained by the federal government as a polygraph examiner and conducted over 2000 examinations during a five-year period. This individual has not conducted any polygraph examinations in the past 15 years.

Application Questions

According to 18 VAC 120-30-90, the Board determined that this individual is exempt from the internship requirement. The Board also noted that this individual must provide the Board with three criminal polygraph charts as part of the license examination requirement

Second, a Virginia polygraph examiner's license expired on December 31, 2005. He was initially licensed in 1989. He has now reapplied for a new polygraph examiner's license

According to 18 VAC 120-30-170.B, the Board determined that this individual must pass the Board's license examination since the Board implemented a new license examination in 2005

The Board discussed the limits on sexual activities questions that may be asked by polygraph examiners during Pretest Interview and Test Questions. After discussion, and a motion by Dr. Levin, seconded by Sgt. Likens, the Board voted unanimously to table this item.

Limits on Sexual Activities Questions Asked by Polygraph Examiners

Board Administrator Kevin Hoeft advised the Board of its eight current reciprocal licensing agreements with other states. No action was taken on this matter.

Reciprocity Update

Board Administrator Kevin Hoeft informed the Board that he would provide the Board Members with a list of prospective 2007 Board meeting dates via e-mail for their approval. The next Board meeting is scheduled for December 7, 2006.

2007 Board Meeting Schedule

The following Old Business was addressed.

Old Business

Board Administrator Kevin Hoeft advised the Board of the following states continuing education requirements for polygraph examiner

Continuing Education

license renewal: Kentucky – 20 hours per year; Mississippi – 16 hours every two years; North Carolina, South Carolina, Vermont and West Virginia – no requirement. Mr. Colvert informed the Board that New Mexico requires 20 hours per year. Kevin Hoeft informed the Board that he would poll other states and e-mail these findings to the Board members

Requirements in Other States

The following New Business was addressed.

New Business

Sgt. Likens informed the Board that the Board's testing vendor, Professional Credential Services, sent her and other subject matter experts some test questions for review. Sgt. Likens will forward these questions to staff. Staff will review the questions and report its findings to the Board at its next meeting.

Test Questions Review

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

Completion of Paperwork

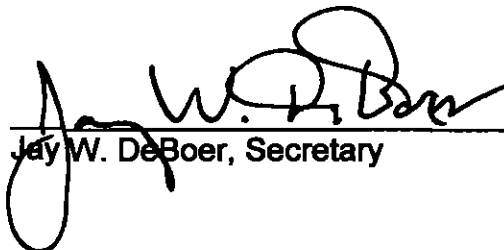
Sgt. Likens made a motion to adjourn the meeting at 12.20 p.m. Dr. Levin seconded the motion, which was approved unanimously.

Adjourn



Paul K. Minor, Chairman

11/11/07
Date



Jay W. DeBoer, Secretary

11/11/07
Date

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

1. Name: Sandra K. Baum
2. Title: Member – Polygraph Board
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: **POLYGRAPH BOARD MEETING**
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

Franklin Security Systems
7909 Brookfield Rd., Norfolk, VA

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Sandra K. Baum
Signature

October 26, 2006
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTEREST ACT**

- 1. Name: Barry Colvert
- 2. Title: Member – Polygraph Board
- 3. Agency: Department of Professional & Occupational Regulation
- 4. Transaction: **POLYGRAPH BOARD MEETING**
- 5. Nature of Personal Interest Affected by Transaction:

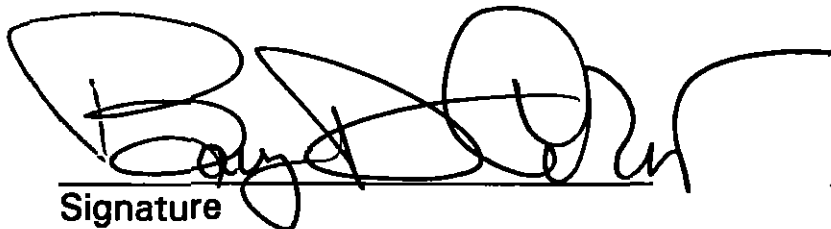
None

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

None

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.


Signature

October 26, 2006
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTEREST ACT**

- 1. Name: **Bernard Levin**
- 2. Title: **Member – Polygraph Board**
- 3. Agency: **Department of Professional & Occupational Regulation**
- 4. Transaction: **POLYGRAPH BOARD MEETING**
- 5. Nature of Personal Interest Affected by Transaction:

n/a

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

n/a

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.



Signature

October 26, 2006
Date

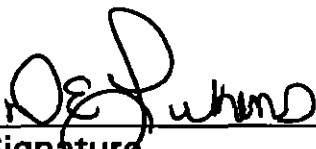
**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTEREST ACT**

1. Name: Denise Likens
2. Title: Member – Polygraph Board
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: POLYGRAPH BOARD MEETING
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.



Signature

October 26, 2006
Date

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

- 1. Name: John E. McDowell
- 2. Title: Member – Polygraph Board
- 3. Agency: Department of Professional & Occupational Regulation
- 4. Transaction: POLYGRAPH BOARD MEETING
- 5. Nature of Personal Interest Affected by Transaction:

NONE

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

NONE

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.


Signature

October 26, 2006
Date

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

1. Name: Paul Minor
2. Title: Member – Polygraph Board
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: **POLYGRAPH BOARD MEETING**
5. Nature of Personal Interest Affected by Transaction:

NONE

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

Paul K. Minor

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Paul K. Minor

Signature

October 26, 2006

Date

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

1. Name: Alvin Omohundro, Jr.
2. Title: Member – Polygraph Board
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: POLYGRAPH BOARD MEETING
5. Nature of Personal Interest Affected by Transaction:

NONE

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

NONE

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Alvin Omohundro, Jr.
Signature

October 26, 2006
Date