



## Private Investigators Licensing Board

### Board Members

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Daniel Crate  
Lois Willis  
Richard Putnam  
Robert Uithoven

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### AGENDA PRIVATE INVESTIGATORS LICENSING BOARD

The Private Investigators Licensing Board of the State of Nevada is scheduled to hold its regularly scheduled meeting;

DATE: Wednesday, March 18, 2009

LOCATION:

Grant Sawyer State Office Building  
555 E. Washington Ave  
Attorney General Conference Room, Suite 4500  
Las Vegas, Nevada

VIDEO CONFERENCE LOCATION:

Office of The Attorney General  
100 North Carson Street  
Mock Court Room  
Carson City, Nevada 89701

TIME: 9:00 a.m.

Note: If an applicant, a licensee or a person from the public requests a Board member's abstention for possible conflicts of interest the objection must be stated on the record before discussion of the particular item.

Note: The Chairperson will request that anyone wishing to comment on an applicant's licensure do so before a motion is made to approve or deny that particular applicant.

Note: The Board will make every reasonable effort to accommodate applicants, Board members and staff should they need to be taken out of order on the agenda.

Note: We will make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. Should special arrangements for the meeting be necessary, please notify the Private Investigators Licensing Board in writing at 3476 Executive Pointe Way #14, Carson City, Nevada or call Mechele Ray (775) 687-3223, as soon as possible.

1. Roll call of Board members.
2. \*\*Review and approve December 10, 2008 meeting minutes.
3. Review the financial report.
4. \*\*All applicants and witnesses to be sworn in.
5. REPORT from staff on pending complaints, completed complaints, pending backgrounds, notice of violations, cease and desist letters sent, number of complaints received on licensees, number of general complaints, number of applications received, number of background investigations completed, authority granted to work in Nevada pursuant to NAC 648.280, and notice of violations and citations issued by staff.

### **CONSENT ITEMS**

6. \*\* L1 Identity Solutions, the parent corporation to Biometrica, License #1295, requests corporate officer approval for Robert Lapenta. This is subject to all statutory and regulatory requirements.
7. \*\* Dan Taylor & Associates LLC from Tulsa, Oklahoma is requesting a corporate Private Patrolman license. Dan Taylor, License #1067, is requesting qualifying agent status and if approved asks to have his individual license placed into abeyance. Corporate officer to be approved is Dan Taylor. This is subject to all statutory and regulatory requirements.
8. \*\* Professional Security Consultants, Inc., from Encino, California is requesting a corporate Private Patrolman license. Moshe Alon, License #686, is requesting qualifying agent status. Corporate officer to be approved is Moshe Alon. This is subject to all statutory and regulatory requirements.
9. \*\* Southwest Risk Investigators LLC, License #1062, and Michael Pfriender are requesting a corporate name change to MP Investigations, LLC. This request is being made due to a possible name conflict with a licensed Private Investigator firm in Arizona. MP Investigations, LLC would like to be the licensed corporation with Michael Pfriender as the qualifying agent and sole officer of the corporation. This is subject to all statutory and regulatory requirements.
10. \*\* Drase Adjusting Services, Inc., License #955, from Las Vegas, Nevada is requesting a corporate Private Investigator license. John Drase, License #955A, is requesting qualifying agent status. Corporate officer to be approved is John Drase. This is subject to all statutory and regulatory requirements

## **PRESENTLY LICENSED CORPORATIONS REQUESTING NEW QUALIFYING AGENT**

11. \*\* Nevada Court Services, LLC, License #828, from Reno, Nevada is requesting qualifying agent status for Jennifer Chandler. If approved, Ms. Chandler asks the Board to grant her an individual Process Server license to be placed into abeyance. This is subject to all statutory and regulatory requirements.
12. \*\* Intellicorp Records, Inc., License #1376, from Copley, Ohio is requesting qualifying agent status for John Pressler. This is subject to all statutory and regulatory requirements.
13. \*\* Pinkerton Government Services, Inc. from Torrance, California is requesting qualifying agent status for Christopher Lether. If approved, Mr. Lether asks the Board to grant him an individual Private Patrolman license to be placed into abeyance. Corporate officer to be approved is Kevin Sandkuhler. This is subject to all statutory and regulatory requirements.
14. \*\* International Ram Associates LLC from Plano, Texas is requesting qualifying agent status for Ron Cunningham. If approved, Mr. Cunningham asks the Board to grant him an individual Private Patrolman license to be placed into abeyance. This is subject to all statutory and regulatory requirements.

## **PRIVATE INVESTIGATOR**

15. \*\* Global Risk Management & Investigative Solutions from Las Vegas, Nevada is applying for a corporate Private Investigator license. Kyle Edwards is requesting that the Board grant him an individual Private Investigator license to be placed into abeyance so that he may become the qualifying agent for Global Risk Management & Investigative Solutions. Corporate officers to be approved are Peter Maheu, Julie Hakman and Kyle Edwards. This is subject to all statutory and regulatory requirements.
16. \*\* Venti Investigations, Inc. from Mesa, Arizona is applying for a corporate Private Investigator license. David Venti is requesting that the Board grant him an individual Private Investigator license to be placed into abeyance so that he may become the qualifying agent for Venti Investigations. Corporate officer and director to be approved are David Venti and Robert Venti. This is subject to all statutory and regulatory requirements.
17. \*\* LP Innovatations, Inc. from Milford, Massachusetts is applying for a corporate Private Investigator license. John Fice is requesting that the Board grant him an individual Private Investigator license to be placed into abeyance so that he may become the qualifying agent for LP Innovations, Inc. Corporate officers and directors to be approved are Steven May, Michael O'Malley, David Vogel, John Fice and Elizabeth Wexelblatt. This is subject to all statutory and regulatory requirements.

## **PRIVATE PATROLMAN**

18. \*\* Platinum Protection Group LLC from Anaheim Hills, California is applying for a corporate Private Patrolman license. Mark Van Holt is requesting that the board grant him an individual Private Patrolman license to be placed into abeyance so that he may become the qualifying agent for Platinum Protection Group, LLC. Corporate Officer to be approved is Mark Van Holt. This is subject to all statutory and regulatory requirements.

19. \*\* American Executive Protection and Security Services, Inc. from Las Vegas, Nevada is applying for a corporate Private Patrolman license. Sterling Magann is requesting that the Board grant him an individual Private Patrolman license to be placed into abeyance so that he may become the qualifying agent for American Executive Protection and Security Services Inc. Corporate officer to be approved is Sterling Magann. This is subject to all statutory and regulatory requirements.

20. \*\* Ace Protection Services, Inc. from Las Vegas, Nevada is applying for a corporate Private Patrolman license. Alex Ketsoyan is requesting that the board grant him an individual Private Patrolman license to be placed into abeyance so that he may become the qualifying agent for Ace Protection Services, Inc. Corporate Officers to be approved are Arman Alajajyan and Alex Ketsoyan. This is subject to all statutory and regulatory requirements.

21. \*\* Chenega Security and Protection Services LLC from Anchorage, Alaska is requesting a corporate Private Patrolman license. Stewart Bentley Jr., is asking the board to grant him an individual Private Patrolman license to be placed into abeyance so that he may become the qualifying agent for Chenega Security and Protection Services, LLC. Corporate officers to be approved are Paul Raggio and Chenega Corporation.

Chenega Corporation, the parent corporation of Chenega Security and Protection Services, LLC is requesting corporate officer approval for Robb Milne, Jeffrey Hueners and Charles Totemoff. This is subject to all statutory and regulatory requirements.

22. \*\* Charles Long from Henderson, Nevada is applying for an individual Private Patrolman license. This is subject to all statutory and regulatory requirements.

## **REPOSSESSORS**

23. \*\* Bay Cities Recovery, Inc. dba DigitalDog Auto Recovery from El Dorado Hills, California is applying for a corporate Repossessor license, Michael Eusebio is requesting that the board grant him an individual reposessor license to be placed into abeyance so that he may become the qualifying agent for Bay Cities Recovery, Inc., dba DigitalDog Auto Recovery. Corporate Officers to be approved are Michael Eusebio and Esperanza Eusebio. This is subject to all statutory and regulatory requirements.

## ADMINISTRATIVE BUSINESS

24. \*\* Mr. Jim Smith, Esq., representing Orion Security Services, Inc., would like to discuss the unlicensed activity citation issued to Orion Security Services, Inc. on February 1, 2008.
25. \*\* William Callahan, qualifying agent for Century Security, License #1315 is asking the Board to grant an exemption as outlined in NAC 648.338 to utilize out-of-state law enforcement officers for the JCK Show to be held in Las Vegas from May 24 through June 3, 2009
26. \*\* William J. Durr III, qualifying agent for Diplomatic Protective Services, is asking the Board to grant an exemption as outlined in NAC 648.338 to utilize local reserve deputies to be allowed employment with their company.
27. \*\* Discussion and possible action regarding the American Bar Association's Resolution 301 that asks regulatory agencies to refrain from requiring private investigator licenses for persons engaged in computer or digital forensic services, etc.
28. \*\* Review, discussion and possible action on a proposed security training program presented by Martin Ross and Associates.
29. \*\* Review, discussion and possible board approval of a form to be completed by attorneys, not licensed in Nevada, who seek to claim the exemption from licensing under NRS Chapter 648 that is provided in NRS 648.018(8).
30. \*\* Discussion and approval to dismiss citation #C-023-07 that was issued to Jonathan Beecham, dba Captains of the Guard. Staff has requested Mr. Beecham to pay the balance owed on the background investigation that was completed prior to him withdrawing his application.
31. \*\* Request from David Groover, of David Groover and Associates, License #419 to seek support from the Board in requesting an amendment to NRS 648.157.

*NRS 648.157 Suspension of license of private investigator who obtains or seeks access to certain information from Department of Motor Vehicles for improper purpose; additional disciplinary action authorized.*

*1. A private investigator licensed pursuant to this chapter shall not obtain or seek access to information from the Department of Motor Vehicles pursuant to subsection 3 of [NRS 481.063](#) for any purpose other than a purpose that is directly related to his investigation of an insurance claim.*

*2. If the Board finds that a violation of this section has occurred, the Board shall, in addition to any other disciplinary action it deems appropriate, suspend the license of the private investigator.*

*(Added to NRS by [1999, 1935](#); A [2001, 2634](#))*

32. \*\* Request from Richard Putnam, License #353 to seek support from the Board for proposed polygraph changes to NRS 648.
33. Update on status of new private investigator exam.
34. \*\* Board Comment...
35. \*\* Future Agenda Items...
36. Public comment and discussion only.

\*\* "Indicates that action may be taken on these items."

#### NOTICE PROVISION FOR CLOSING OF MEETING LAW NRS 241.030

At the meeting the Board will consider the above-named applicants for licensure. Under the authority of NRS 241.030, the Board, upon motion, may close the meeting to the public for the purpose of considering an applicant's character, alleged misconduct, professional competence or physical or mental health.

The Agenda was posted at the following places:

Department of Motor Vehicles & Public Safety, 2701 E. Sahara Ave, Las Vegas, NV  
Private Investigators Board, 3476 Executive Pointe Way, Suite 14, Carson City, NV  
Grant Sawyer Building, 555 E. Washington Avenue, Las Vegas, NV  
Office of the Attorney General, 100 N. Carson Street, Carson City, NV  
Nevada State Capitol, Capitol Complex, Carson City, NV  
Regional Transportation Commission, 2050 Villanova Ave., Reno, NV

NOTE: A request for notice lapses 6 months after it is made: [NRS 241.020.3(B)]. Mailing a copy of the Nevada State Private Investigators Licensing Board meeting Agendas will not be continued unless a request for reinstatement on the mailing list is submitted in writing every 6 months.

# PROPOSED CHANGES, NRS 648

Re: Polygraph

(added)    ~~deleted~~

**NRS 648.0103** “Polygraph” *(and instrument)* defined. “Polygraph” *(or “instrument”)* means ~~an instrument (a device) or mechanical or electronic device~~ *(, whether electronic or mechanical,)* which records *(or is purported to record)* ~~or measures (indices)~~ of physiological effects of psychological stimuli to permit the examiner or intern to form an opinion as to the veracity of the statements made by the person examined.

**NRS 648.0106** “Polygraphic examination” *(and “examination”)* defined. “Polygraphic examination” *(or “examination”)* means the *(entire)* procedure by which an examiner or intern renders his/*her*) ~~expert~~ opinion as to the veracity of the statements made by the person examined *(, including the interview phases prior to and subsequent to the testing phase.)*

**NRS 648.0109** “Polygraph Examiner” and “examiner” defined. “Polygraph examiner” or “examiner” means a person who by virtue of his/*her*) education, training, and experience ~~is capable~~ *(possesses the qualifications)* ~~of~~ *(to)* conducting a valid and reliable polygraphic examination.

*(NRS 648.0110 “Polygraphic technique and technique defined. “Polygraphic technique” or “technique” means the types of questions used and the sequencing of those questions during the testing phase of an examination, as well as the procedures used in evaluating data recorded.)*

## **NRS 648.060**

*(4. A person licensed as a polygraphic examiner or intern may not employ a non-licensed person to perform any portion or phase of an examination.)*

## **NRS 648.110**

*2. (h) Effective June 2010, An applicant for renewal of a license as a polygraphic examiner, or for reinstatement of a license held in abeyance as a polygraphic examiner, must have completed not less than 40 classroom hours of advanced polygraphic instruction satisfactory to the board during the 2 years immediately prior to his/her application.)*

NRS 648.185 Approval of a polygraph (*instrument*) required. Conditional Approval.

1. ~~Each Instrument~~ (*Any electronic or mechanical device, instrument, data acquisition system or sub-system and software*) used to conduct a polygraphic (*an*) examination must be of a type approved by the Board. The Board shall (only) approve ~~instruments~~ (*devices*) which:

- a. Are of commercial manufacture (*and design*);
- b. Visually, ~~permanently~~ and simultaneously record (*digitally or*) on a moving graph, (*indices*) of physiological effects, including respiratory activity, cardio vascular activity, ~~and skin conductance activity~~ (*electro-dermal activity, and physical movement on the part of the person examined,*) as well as any other activity which the Board deems relevant to the purposes of a polygraphic examination; and
- c. Meet minimum standards of accuracy and reliability adopted by the Board.

NRS.640.195 Opinion of an examiner.

1. An examiner or intern shall not render an oral or written opinion (*concerning the veracity of the person examined*) based upon his(/her) analysis of ~~polygraphic charts~~ (*the indices of physiological effects recorded during the examination*) ~~without administering two or more charts with the same questions on at least two of the charts~~ (unless:)

- (a. *The analysis covers two or more repetitions of the same questions used for comparison.*
- b. *A sound and/or video recording was made of the entire examination process.*
- c. *A minimum of one hour and 30 minutes was devoted to the examination process.*
- d. *The examiner or intern has not conducted or attempted more than four examinations in the 24 hour period immediately preceding the examination.*
- e. *The examination was conducted in a manner which complies with the minimum standards, procedures, and requirements of ASTM International (formerly the American Society for Testing and Materials) for forensic psycho physiological detection of deception examinations.)*

Sub paragraphs 2, 3, and 4 remain as written.