

PRIVATE INVESTIGATORS LICENSING BOARD

MINUTES  
BOARD MEETING  
SEPTEMBER 12, 2012

MEMBERS PRESENT:

JIM NADEAU: BOARD MEMBER (ABSENT)

MARK ZANE: BOARD MEMBER (LAS VEGAS)

RICHARD PUTNAM: BOARD MEMBER

ROBERT UITHOVEN: BOARD MEMBER

BOARD CHAIRMAN DAVID SPENCER

OTHERS:

KEVIN INGRAM: EXECUTIVE DIRECTOR (CARSON CITY)

MECHELE RAY: EXECUTIVE DIRECTOR (CARSON CITY)

HARRY WARD: BOARD COUNSEL

TAMMY WHATLEY: INVESTIGATOR

KIMBERLY CHRISTENSEN: ADMINISTRATIVE ASSISTANT

SWEARING IN:

Board Counsel Ward swore in those present in Carson City and Las Vegas who were to testify or comment during the meeting.

Board Chairman Spencer opened the meeting. Executive Director Ingram performed the roll call. Board member Nadeau was absent.

Chairman Spencer welcomed and introduced the new Executive Director Kevin Ingram to the Private Investigators Licensing Board.

APPROVAL OF MINUTES:

Board member Putnam moved to approve the minutes for the March 7, 2012, the transcript for the March 8, 2012, and the minutes for the June 6, 2012, the transcript for the June 7, 2012 and the minutes for the June 26, 2012, July 30, 2012 meeting. The minutes for the August 15, 2012 were not available for review and approval. Board member Uithoven seconded the motion. Board member Zane

abstained from the June 6<sup>th</sup> and 7<sup>th</sup> meeting and transcript as he was absent for those days and had not been able to review them. The minutes and transcripts were approved by Board member Putnam, Board member Uithoven and Chairman Spencer.

#### FINANCIAL REPORT:

Executive Director Ray provided a copy of the financial report dated August 31, 2012. She told board members that there was approximately \$23,000.00 carried over from FY12 to FY13. She said that a work program would be done to have the monies carried over to FY13. Board members had no comment or questions.

#### SWEARING IN:

Board Counsel Ward swore in those present in Carson City and Las Vegas who were to testify or comment during the meeting.

Chairman Spencer thanked Mechele Ray for all of her work and accomplishments for the Board over the years and for assisting new Executive Director Ingram with his transition.

#### REPORT FROM STAFF:

Executive Director Ray reviewed for the board the 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, notice of violations, citations issued by staff and citations referred to collection through September 7, 2012.

#### PUBLIC COMMENT:

Peter Maheu welcomed Mr. Ingram and thanked Mechele for her professionalism and for wonderful job over the years. She had meant a lot to the industry.

#### **OLD BUSINESS**

TrendSource Investigative Services, Inc., applied for a corporate Private Investigator license. Dinnell La Barbara requested to place her individual Private Investigator license into abeyance so that she may become the qualifying agent for TrendSource Investigative Services, Inc. Corporate Officer to be approved was Rodney Moll. Executive Director Ray told the Board that TrendSource had withdrawn their Corporate Private Investigator license; however the qualifying agent was to appear to pursue her individual Private Investigator license. This matter had been on

the June agenda and they had been given one extension. She told the Board that this was to be the last time they would be on the agenda. Board member Putnam moved to deny Ms. Dinnell La Barbara her individual Private Investigator license for failure to make an appearance. Board member Uithoven seconded the motion. Board member Zane moved to move this item to later in the meeting. Motion was to hear the agenda item if Ms. La Barbara appeared if not the motion to deny would carry unanimously. Ms. La Barbara did not make an appearance during the meeting and the motion to deny her individual Private Investigator license carried unanimously.

Chairman Spencer asked board members how they felt about a blocked vote for the Corporate Officers. He stated they would vote on items 8-12. Board member Putnam requested item 10 to be pulled for consideration.

### **CORPORATE OFFICERS**

8. Examination Management Services Inc., License #751 requested corporate officer approval for Robert Brook, Mark Davis and Jon Gruenhagen. This is subject to all statutory and regulatory requirements.

9. Phoenix Investigations Inc., License #622 is requesting corporate officer approval for Robert Longseth. This is subject to all statutory and regulatory requirements.

### **CHANGE OF LICENSING STATUS**

11. Adrian Leon Mare, License #1498 requested a change in licensing status. International Counterintelligence Services of Nevada LLC, dba ICS of Nevada is applying for a corporate Private Investigator license. Adrian Mare is requesting his qualifying agent status be transferred from Expert Data Forensics to International Counterintelligence Services of Nevada LLC, dba ICS of Nevada. Corporate officer to be approved is Adrian Mare. This is subject to all statutory and regulatory requirements.

12. Gregory Wilde, License #1673 applied for a change in licensing status. Shaft Services Inc. is applying for a corporate Process Server license. Gregory Wilde is requesting that his individual license be placed into abeyance so that he may become the qualifying agent for Shaft Services, Inc. Corporate officer to be approved is Gregory Wilde. This is subject to all statutory and regulatory requirements.

Items 8, 9, 11, and 12 were approved by Board member Zane. Board member Putnam seconded the motion which passed.

10. Leon Gough, License #1043, requested a change in licensing status. Eon Industries, LLC applied for a corporate Private Patrolman license. Leon Gough requested qualifying agent status. Member to be approved is Leon Gough. Ms. Walden was there for Mr. Gough. Board member Putnam told the board that he had some concerns with the financial responsibility. Chairman Spencer felt that it would be better to have Mr. Gough present to answer questions instead of using his affidavit. Board member Zane moved that Leon Gough, license #1043 be approved to continue to work until the next regular scheduled meeting at which time Mr. Gough would be present to answer the boards' questions. Board member Putnam seconded the motion which passed unanimously.

#### **PRESENTLY LICENSED CORPORATIONS REQUESTING NEW QUALIFYING AGENT OR OTHER CHANGES IN LICENSE STATUS NOT ON CONSENT**

Sedgwick Factual Photo, Inc., License #1658 requested approval for Vincent Vossel to become qualifying agent. If approved Mr. Vossel requested that his individual Private Investigator license be placed into abeyance. Corporate officers to be approved are Timothy Barry and Stephen Kmiec. Mr. Vossal told the board he had fourteen years' experience in the industry. He had been with Factual Photo for twelve years. He had worked for insurance companies as a claims adjuster. He told the board that the current qualifying agent is retiring and that was the reason for him to become the qualifying agent. Board member Putnam moved to approve Sedgwick Factual Photo Inc. and Mr. Vincent Vossel qualifying agent status and his individual Private Investigator license be granted and placed into abeyance and corporate officer's approval for Timothy Barry and Stephen Kmiec. Board member Zane seconded the motion which passed unanimously.

Crown Stanley and Silverman, License #375 and 375a, requested approval for Michael Cleveland, License #1687 to become the qualifying agent in the category of Private Investigator and Private Patrolman. Board member Putnam moved to approve Michael Cleveland, License #1687 to become the qualifying agent and his license be placed into abeyance to become the qualifying agent for License #375 and 375A.

ISS Facility Services, Inc., dba ISS Facility Services, License #1287, requested approval for Gary Rosenfeld to become the qualifying agent. If approved Mr. Rosenfeld asked that his individual Private Patrolman license be placed into abeyance. Mr. Rosenfeld told the board that he had served for twenty five years with the New Jersey Department of Corrections. The last six years with the Department of Corrections he had been a Chief. He

had worked on multiple federal projects, provided security for a Forbes 500 family and had two and half years with ISS Facility. Board member Putnam moved to approve Gary Rosenfeld his individual Private Patrolman license to be placed into abeyance so that he can become the qualifying agent for ISS Facility Services Inc., dba ISS Facility Services. Board member Uithoven seconded the motion which passed unanimously.

## **PRIVATE INVESTIGATOR**

Paul Martino applied for an individual Private Investigator license. Mr. Martino told the board that he had been a police officer in Nevada for thirty years and retired in March 2011. He had worked in Lyon County and Carson City as a patrol officer and then Detective. He also worked for Nevada Division of Investigations and had transferred to Las Vegas. He had worked with FBI counter terrorism. Board member Zane disclosed that he had worked with Mr. Martino previously. Board member Putnam motioned that Paul Martino be approved for his individual Private Investigator license. Board member Uithoven seconded the motion which passed unanimously.

Joseph Jadowski applied for an individual Private Investigator license. Mr. Jadowski he had twenty three years with the fire department, nine of those years were with fire investigations and he currently was a fire investigator with Rimkus Consulting. Board member Uithoven motioned that Joseph Jadowski be approved for his individual Private Investigator license. Board member Putnam seconded the motion which passed unanimously.

Mark Ruben applied for an individual Private Investigator license. Told the board that he had twenty years in fire service, 18 of those as a fire investigator, he was National certified as an investigator. He would be retiring November 1, 2012. Mr. Ruben told the board he was licensed as a Private Investigator in California. Board member Uithoven motioned that Mark Ruben be approved for his individual Private Investigator license. Board member Putnam seconded the motion with the addition that his license would not be active until his retirement date of November 1, 2012, which passed unanimously.

Data Facts, Inc., applied for a corporate Private Investigator license. Kathy McGee requested that her individual Private Investigator license be placed into abeyance so that she may become the qualifying agent for Data Facts, Inc. Corporate Officers to be approved are Julie Wink and

Daphne Large. Ms. McGee told the board she had five years of employment with Data Facts, and her duties included being the lead investigator and she performed pre-employment backgrounds. Board member Putnam asked Ms. McGee if all of her financial obligations were current. She told the board that they were but she had been working on student loans and a home modification. Board member Zane asked her about the numerous accounts in collections. She told the board she had been paying them off and they were due to her divorce that had been final October 2011. Board member Zane moved to approve Data Facts Inc., for a corporate Private Investigators license and that Kathy McGee be granted her individual Private Investigator license and placed into abeyance, qualifying agent status for Kathy McGee, and corporate officers approved were Julie Wink and Daphne Large. Board member Uithoven seconded the motion which passed unanimously.

### **PRIVATE PATROLMAN**

H & P Protective Services, Inc. applied for a corporate Private Patrolman license. Frederick Hall requested that his individual Private Patrolman license be granted and placed into abeyance so that he may become the qualifying agent for H & P Protective Services Inc. Corporate officers to be approved are Frederick Hall. Mr. Hall told the board members that he graduated college in 1981 and his first job out of college was a security guard. He then work in computer program with his degree, he also went grad school for business. In 1995 he worked part time in security. In 2000 he worked in several different positions in the security field that included backgrounds, supervision and manger. He told the board he purchased the business in 2004 and that he was licensed in Michigan and Florida. Board member Uithoven moved to approve H & P Protective Services Inc., a corporate Private Patrolman license, qualifying agent status for Frederick Hall, and an individual Private Patrolman license for Mr. Hall to be place into abeyance and corporate officer approved was Fredrick Hall. Board member Putnam seconded the motion which passed unanimously.

Premier Protective Services, Inc., applied for a corporate Private Patrolman license. Patrick Maloney requested that his individual Private Patrolman license be placed into abeyance so that he may become the qualifying agent for Premier Protective Services., Inc. Corporate officer to be approved is Patrick Maloney. Mr. Maloney told the board that he was previously in Special Forces, worked security in the casino industry, performed protection detail in Iraq, was a Certified Firearms Instructor, and had received his degree in Business Management. Board member Uithoven moved to approve Premier Protective Services Inc., a corporate

Private Patrolman license, qualifying agent status for Patrick Maloney and his individual Private Patrolman license be placed into abeyance and Corporate officer approved was Patrick Maloney. Board member Putnam seconded the motion which passed unanimously.

### **PROCESS SERVER**

Roy Evans applied for an individual Process Server license. Mr. Evans told the board that he had been before the board six months prior. He stated that there had been some misunderstanding with the company he had worked for five years doing process service. Mr. Evans told the board that he had been cited and had paid all the money. He was employed by a law office as an employee now and currently able to serve process. Board member Putnam motioned to approve Roy Evans an individual Process Server license. Board member Zane stated that in his last vote, he had advocated the number of hours versus the years of service. Board member Uithoven seconded the motion which passed unanimously.

### **POLYGRAPH EXAMINER**

Eye Agency Investigations LLC, License #1066, applied for a corporate Polygraph Examiner license. James Hannah requested an individual Polygraph Examiner license to be granted and placed into abeyance so that he may become the qualifying agent for Eye Agency Investigations Inc. Member to be approved is James Hannah. Mr. Hannah told the board he had thirty two years' experience in the investigation field; he had been licensed as a Private Investigator since 2001 in Nevada. In the 1980's he worked in loss prevention fields. Mr. Hannah told the board he had been a Boulder City police reservist for three years, received his Bachelor's degree in 2006 and had intern shipped for polygraph since 2007. Board member Putnam told Mr. Hannah and the board members that the school Mr. Hannah attended was one of the best polygraph schools in the country. He said that he had reviewed Mr. Hannah's log and was very happy with what is saw, especially since he had an inconclusive test which would be normal. Board member Putnam stated he felt the board would not have the authority to grant a corporate polygraph license; however he would grant an individual polygraph license. Board member Putnam motioned to approve Mr. James Hannah an individual Polygraph Examiner license, and that the Corporate Polygraph Examiner license for Eye Agency Investigations LLC be denied. Board member Zane stated that the application was an LLC. Discussion went on with regard to a Corporation, LLC and an individual license and the liability. Board member Putnam stated that an individual Polygraph Examiner would be responsible for his own work, required to maintain a

minimal amount of insurance, omissions and errors, which he would hold as the individual and licensee. Board member Uithoven seconded the motion which passed unanimously.

## **CANINE HANDLER**

G4S Secure Solutions (USA) Inc., License #1563 requested a corporate Canine Handler license. Sondra Mihovich requested an individual Canine Handler license to be granted and placed into abeyance so that she may become the qualifying agent for G4S Secure Solutions (USA) Inc. Ms. Mihovich told the board that she joined the Air Force in 2002 in Korea and in 2005 she was assigned to Maryland and had become a K-9 handler. She was a trainer for the canine unit. Ms. Mihovich had been deployed three times as a Canine Handler and had done patrol and detection. She completed active duty in September 2011. Ms. Mihovich told the board after active duty she went to work for G4S. Board member Uithoven motioned to approve G4S Secure Solutions (USA) Inc., a corporate Canine Handler license, Sondra Mihovich be approved for an individual Canine Handler license to be placed into abeyance, and qualifying agent status for Sondra Mihovich. Board member Putnam seconded the motion which passed unanimously.

Est-Alfa K-9 Security Service, LLC requested a corporate Canine Handler license. Vasili Platonov requested his individual Canine Handler license be placed into abeyance so that he may become the qualifying agent for Est-Alfa K-9 Security Service, LLC. Members to be approved are Vasili Platonov. Mr. Platonov told the board he had started in 1980 with Working Dog Club of Voluntary Society for Promotion of Army, Air Force and Navy. He worked in a Military Kennel, completed Canine Handler Special Course and received Certificate as Working Dogs Trainer/Instructor in 1985. He also told the board in 1985 with his own dog, he joined the USSR for Special Emergency Rescue Forces and continued in the profession with Mine Detection Dog Handler in Afghanistan. Moved to Las Vegas in 2001 and for the past twenty one years' Mr. Platonov has owned and operated Est-Alfa Kennel. Board member Zane motioned to approve Est-Alfa K-9 Security Service LLC a corporate Canine Handler license, Vasili Platonov be approved for an individual Canine Handler license, to be placed into abeyance and qualifying agent status be approved for Vasili Platonov and member to be approved was Vasili Platonov. Board member Zane requested quarterly reports for the first year with regard to compliance with State regulatory requirements, administrative and employment requirements. Board member Putnam seconded the motion which passed unanimously.



## **REQUEST FOR ADDITIONAL TIME FOR APPROVAL OF QUALIFYING AGENT**

Century Security Inc., and Michael Callahan, License #1315 requested an extension to continue to operate their Private Patrolman license until the next regularly scheduled meeting in order for a qualifying agent to be approved by the Board. Executive Director Ray explained to the board that the agenda item would be withdrawn. There had been a misunderstanding on the application. No action would be required at this time.

Case Forensic Corporation, License #1627 requested an extension to continue to operate their Private Investigator license until the next regularly scheduled meeting in order for a qualifying agent to be approved by the Board. Executive Director Ray told the board that the qualifying agent had left the company and that they were in the process of applying, but had named an acting qualifying agent and that this was a way of preventing this from falling through the cracks and the company was on the clock for the 120 days to complete the process. Board member Zane moved to approve the extension to Case Forensic Corporation. Board member Putnam seconded the motion which passed unanimously.

Pinkerton Government Service, License #1297 requested an extension to continue to operate their Private Patrolman license until the next regularly scheduled meeting in order for a qualifying agent to be approved by the Board. Board member Putnam motioned to approve Pinkerton Government Service the extension. Board member Uithoven seconded the motion which passed unanimously.

## **LEGISLATIVE SESSION/DISCUSSION**

Kathleen Kelly, Executive Director from the Nevada State Dental Board would like to address the Board to discuss the credentialing services utilized by their agency to license their applicants. The Board may need to affirm or rescind staffs determination of the need for licensing of such companies providing services in Nevada. This agenda item was taken out of order. Ms. Kelly explained to the board that the Dental Board utilizes two companies out of Arizona that provided a primary source documents gathering for the applicants exams, verified license, and obtained court documents, education and graduation schools, residence location,

citizenship, mal practice judgments. She stated that the applicants applied to these companies and paid the companies directly to perform the services. Ms. Kelly told the board that the companies do not obtain criminal history or any sort of law enforcement information for the Dental Board. The Dental Board handled their fingerprinting for licensure and the FBI would send the return directly to the Dental Board. She stated that since it had been brought to the Dental Board's attention with regard to issues of these two companies who provided the document gathering, the Dental Board's own investigator was doing the backgrounds, primary source document gathering for the Nevada applicants. Ms. Kelly asked the board for clarification if the companies were violating state law here. Chairman Spencer told Ms. Kelly that everything she had outlined would require a private investigator license in Nevada and that there were licensed private investigators in Nevada who could perform that type of work. She stated that the applicants could not provide the documents the dental board required and that was the reason for the primary source gathering done by these two companies. Investigator Yarborough stated that that was the type of work the PILB investigators performed and then the applicants were billed for the time. Board member Zane explained that any entity conducting investigations in Nevada then it would be very clear that a license would be needed; however these companies supplied and confirmed the information that had been provided by the applicant more like confirming what the applicant had already provided. He felt it was not very clear. Peter Maheu stated that if the applicant applied for a license by a Nevada board and hired an out of state investigator to conduct an investigation, then they must be licensed by Nevada statute. He told the board that this was no different than any other investigation his company had done. He felt that if the information obtained for use in the State of Nevada, then they needed to be investigated or at least have an AG opinion. Ms. Kelly explained to the board that the Dental Board had discussed this with their legal counsel and the Dental Board was not asking for an investigation on the applicants, the Dental Board asked for confirmation on the information on the applications. Mr. Maheu asked if the companies were licensed in any other state. She does not believe the companies are licensed in any other state that they provided information to. Chairman Spencer felt the companies needed to be licensed in Nevada. Board members Putnam and Uithoven concurred. Board member Zane had no comment. Ms. Kelly told the board that local investigators are not interested in providing the type of service for the amount of money of \$200-\$400 per applicant the other two companies worked for and the Dental Board was currently without an investigator. Chairman Spencer asked approximately how many applicants a year. Ms. Kelly replied forty to forty-five. Mr. Maheu told Ms. Kelly that his company was one of three that was authorized in

Nevada to provide the service she needed and he had not received an RFP. She told the board she would speak to the general counsel on a remedy.

### **PETITION FOR DECLARATORY ORDER**

Ed Eakins, dba Event Concepts requested a formal decision from the Board with regard to licensees utilizing volunteers for special event security and asked the board for an exemption in order to use volunteers at selected events. Mr. Eakins told the board that he used volunteers for special events and they did not receive direct compensation, it would go to the origination of their chose. Most of the volunteers were military personnel. They do not have arrest powers, do not carry handcuffs or pepper spray. Executive Director Ray told the board that it had been the staff decision that they need a work card and backgrounds conducted to work security. There was compensation just not paid directly to the volunteer. She told the board there was a packet from over the years and that Mr. Eakins has also provided a packet. Mr. Eakins told the board there had not been a formal decision made and he had used volunteers since 1999. Board member Putnam asked if the people were volunteers of the origination or volunteers he provided. Mr. Eakins stated they were volunteers provided by the origination. Mr. Kirkman told the board that his association strongly objected to the use of volunteers without a background and have a work card. Chairman Spencer agreed. Board member Zane stated that if they provided some sort of security service then they would need to be registered. If they were outside the definition they do not. The issue he felt would be what was the activities provided by the volunteer? Board member Zane said that a ticket taker at the front gate that would not be utilized anywhere else for the event would not be required to be registered; however someone who prevented access to an area would need to be registered. Chairman Spencer told Mr. Eakins that if a situation was to arise with a volunteer and there had been something in the background that was not done, it could create problems for Mr. Eakins. Board member Zane moved that the petition for declaratory order should be the order of the board that in the event a volunteer or a paid individual conducts themselves under the defined activity of a private patrolman the individual must be registered by the board to the extent of the regulation and any use of volunteers that would fall outside the scope of defined regulation a determination would need to be made and the results of that determination made to the licensee. Board member Putnam seconded the motion which passed unanimously.

## LEGISLATIVE SESSION/DISCUSSION

Review, discussion and possible action with regard to proposed amendments to NRS 648 discussed at previous meetings. Executive Director Ray told the board that there had been several conversations and suggestions on amendments by Board member Zane. She said there had been some recommend citation of NRS that might be applicable. She suggested the Board member Zane and Executive Director Ingram get together and see what could be amended in 648 that would capture Board member Zane's intent and then the other suggested changes could be incorporated into a document for a future meeting. Executive Director Ray told the board that the Association had the Boards support with some of the language changed. She was not sure if the board and the Association would move forward with one document and the Board would support the Association. Mr. Maheu told the board that they had sponsors and support for their portion of the bill; however they would work the board to make it all come together. Board member Zane told the board that he would be available to work with Executive Director Ingram on the amendments and that one concern might be the Rules of Practice with NAC 706. Executive Director Ray agreed. Mr. Michael Yepko told the board that there had been previous workshops done and a draft was completed on the definition of Private Investigator. Mr. Yepko told the board he would like to see something added that would state a PO Box, Virtual office, PO drop box; he felt that a physical person should be at the physical location for services and not just somewhere that the license would be hung.

Review, discussion and possible action with regard to proposed regulatory language changes received from LCB.

- a. R-067-12
- b. R-047-12

Executive Director Ray told the board she had provided documents with the language from LCB. One of the proposed regulations was with the Certified Firearms Instructors and the other had been a result of all the meetings, reviews, appealing out of date on NAC 648. She told the board a hearing had been scheduled for October 31, 2012 to adopt the proposed language. She asked the board to review the R-067-12 and R-047-12 prior to the October 31, 2012 meeting. Board member Zane spoke on NAC 648.3385 section 4 with regard to the licensee not employing a provisional or registered employee and he felt it needed further

declaration. Board member Zane stated that a previous licensee had an audit and the results with regard to employees such as runners, pickup delivers, versus process servers so runners/pickup and delivered did not fall under the registration process and the duties had to be split out which required more time during the audit. He wanted to avoid as many problems as possible in the future. Executive Director Ray and Chairman Spencer agreed. She told the board that there were issues that should be discussed further and the auditing process could be difficult with the different types of employee classifications and positions. Discussion continued that certain employees such as the cleaning personal should not be required to be registered. All the board members agreed. Board member Zane asked if that would be resolved for the regulatory changes. Executive Director Ray told Board member Zane that staff could not have that ready as part of the adopted language for the 31<sup>st</sup> however it could be submitted at a later date and that this change would be on the December agenda.

Update, Discussion and possible action or direction on matters listed below. \*\* Indicates items continued from previous meeting.

a. \*\* Criteria for denial of registration made available on website and to applicants and licensees. Executive Director Ray asked Board member Zane for his input. She hoped to get this finalized and that it would be a helpful tool for registered employees and licensees. Board member Zane stated that there was an issue with the misdemeanor conviction and the robbery and arson being listed in that category. Robbery and arson would be felonies therefore not eligible to obtain a work card. He felt a problem would be attorney's interpretation of old arrests that would need to be disclosed. He stated that attorney's usually told their clients anything over ten years would not need to be disclosed; however our application required disclosure. Executive Director Ray verified that robbery and arson should be removed and added instruction that the ten year rule would not apply. Mr. Maheu told the board that there was limitation on how long you could report a criminal conviction on an employment application. Discussion continued on how long criminal history could be used on an employment application. Deputy Attorney General Menicucci cautioned the board not to exceed the statute authority on the qualifications. He felt that might happen with regard to disqualifications on crimes that dealt with a felony, moral turpitude, illegal use of a dangerous weapons, there may be crimes that would not fall under those disqualifications that may be used to seek disqualification and that could open the board to have exceeded the statutory authority. Deputy Attorney General Menicucci pointed out that drug possession or use may be argued. He told the board that there was a great deal of latitude in the moral turpitude and that it would be better to add "May"

disqualify you with the drug possession or use section of the draft. Executive Director Ray suggested that the Board come to an agreement on the draft and it reviewed legal counsel before it was posted to the website. Executive Director Ray told the board that she had used the Arizona Licensing website and that would help the board members with the process. Board member Zane asked if this could be carried over to the next day agenda so that he may review more.

b. Complaint/Citation information available on the public website. Executive Director Ray told the board that GISuite was working on this and it would be accessible on the website if it were public information such as an order or a complaint and notice. It was not yet complete.

c. Review of revised Private Investigator exams. Executive Director Ray told the board that investigators Ferrara and Yarborough had done an excellent job in the development of two additional Private Investigator exams as one had been compromised. Investigator Yarborough told the board the study material for the prior exam was difficult to find, very outdated and expensive. He explained to the board that they had found a Readers Digest type version of the original Dempsey book. The Readers Digest version was \$35.00 versus the Dempsey book for \$350.00. They focused on the book, the NRS and NAC and prepared the two new tests. Investigator Ferrara and Investigator Yarborough were ready to administer the new exam for the October testing. Board member Zane requested a postponement until the next day so that the board could review the exam. Chairman Spencer agreed.

*Mohammed Siddique would like to address the Board concerning a complaint he filed. Mr. Siddique was not present.*

Board comment and future agenda items. There was no further board comment.

Public comment and discussion only. Mr. Maheu thanks Mechele Ray again for all the years, help and assistance.

Meeting adjourned.