

**TENNESSEE PRIVATE INVESTIGATION AND POLYGRAPH COMMISSION  
COMMISSION MEETING MINUTES**

**Date:** Friday, July 22, 2016 9:30 A.M. (CDT)

**Place:** Davy Crockett Tower  
Conference Room 1-A  
500 James Robertson Parkway  
Nashville, TN 37243

**Present:** Commission Members:  
Minnie Ann Lane, Chair  
Paul David Brown  
Larry T. Flair  
Jerry Richards  
Dr. Paul Ritch (Teleconference)  
Alan G. Rousseau

**Absent:** David W. Horton  
William Rick Jones

**Present:** Staff Members:  
Cody Vest, Executive Director  
Beth Smith Bell, Administrative Assistant  
Ashley Thomas, Assistant General Counsel  
Regina Oldham, Paralegal  
Shauna Balaszi, Administrative Assistant

**Others:** Jenny Checuga, Court Reporter  
William Keck Gary Litton Michael Riggs Donavon Davis  
Steve Jarratt Richard Tinsley Eric Erger

**On September 16, 2016, the Tennessee Private Investigation and Polygraph Commission adopted the transcript of the meeting as the minutes of the July 22, 2016 Commission meeting. The meeting agenda is also a part of the minutes.**

  
Minnie Ann Lane, Chair

  
Paul David Brown, Jr.

  
Larry T. Flair, Sr.

*absent*  
William Rick Jones

Dr. Paul Ritch

  
Arthur G. (Jerry) Richards

Alan G. Rousseau

  
David W. Horton



State of Tennessee  
Department of Commerce and Insurance  
Private Investigation and Polygraph Commission  
500 James Robertson Parkway  
Davy Crockett Tower  
Nashville, Tennessee 37243-1167  
Telephone: 615.741.4827 Fax: 615.532.2965

Website: <http://www.tn.gov/commerce/section/private-investigation-polygraph>

## AGENDA

Private Investigation and Polygraph Commission  
NOTICE OF COMMISSION MEETING  
Davy Crockett Tower – Conference Room 1-A  
500 James Robertson Parkway  
Nashville, TN 37243

**Friday, July 22, 2016**

- 9:00 A.M. CDT** Education Committee Meeting
- 9:30 A.M. CDT** Call To Order – Commission Meeting  
Minnie Ann Lane, *Commission Chair*  
Roll Call - Cody Vest, *Executive Director*  
Agenda (Review/Adopt)  
Minutes 03/18/2016 Commission Meeting (Review/Approve)  
Election of Vice Chair
- Legal Report – Ashley Thomas, Assistant General Counsel  
[Ex A] Complaint Review
- Appearances – Appeal Application Denial  
[Ex B] Davis, Donavon A. F#8036  
[Ex C] Riggs, Michael Edward F#8078
- Administrative Matters – Cody Vest, Executive Director  
[Ex D] Regulatory Boards Disciplinary Action Reports  
[Ex E] Regulatory Boards Monthly Reports  
[Ex F] Budget Review  
[Ex G] Legislative Update – Public Chapter 1053  
[Ex H] Polygraph Laws/Rules Changes Suggested by TN Polygraph Assoc.
- Education Report - Beth Smith Bell, Administrative Assistant  
[Ex I] Education Review
- Unfinished Business  
New Business  
Continuing Education Participant Forum  
*Review questions submitted by participants during Commission Meeting*  
Adjournment

The listed order of Items and times on the agenda are subject to change, as the Commission reserves the right to move to the next agenda items due to cancelations or deferrals.

Commission meetings will be conducted by permitting participation of the Commission members by electronic or other means of communication if necessary. Any member participation by electronic means shall be audible to the public at the location specified above. The Department of Commerce and Insurance is committed to principles of equal access. If you need assistance with attending this meeting due to a disability please contact the Department's ADA Coordinator at 615.741.0481

**PRIVATE INVESTIGATION AND POLYGRAPH COMMISSION**

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**COMMISSION MEETING**

**July 22, 2016**

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PRIVATE INVESTIGATION AND POLYGRAPH COMMISSION  
COMMISSION MEETING  
July 22, 2016  
DAVY CROCKETT TOWER  
500 JAMES ROBERTSON PARKWAY, ROOM 15  
NASHVILLE, TN 37243

TRANSCRIPT OF COMMISSION MEETING  
Commencing at 9:30 a.m.

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A P P E A R A N C E S

COMMISSION MEMBERS  
Minnie Ann Lane, Chair  
Paul David Brown, Jr.  
Larry T. Flair, Sr.  
Jerry Richards  
DR. Paul A. Ritch - by telephone  
Alan G. Rousseau  
  
ALSO PRESENT  
Ashley Thomas, Staff Attorney  
Cody Vest, Executive Director  
Beth Smith Bell, Administrative Assistant  
Shauna Balaszi, Administrative Assistant

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CHAIRPERSON LANE: Good morning, fellow  
commission members, staff members, attorneys and  
guests. The date is Friday, July the 22nd, 2016, at  
approximately 9:30 a.m. I'm Minnie Ann Lane, your  
Commission Chairman, and I'll now call to order the  
meeting of the Tennessee Private Investigation and  
Polygraph Commission.

I'd like to request the Executive  
Director Cody Vest call the roll and verify a quorum,  
please.

MS. VEST: Thank you, Madam Chair.

David Brown?

MR. BROWN: Here.

MS. VEST: Larry Flair.

MR. FLAIR: Here, ma'am.

MS. VEST: David Horton?

Rick Jones?

Minnie Ann Lane?

CHAIRPERSON LANE: Here.

MS. VEST: Jerry Richards?

MR. RICHARDS: Here.

MS. VEST: Dr. Ritch?

DR. RITCH: Present in Chattanooga.

MS. VEST: Allen Rousseau?

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1 MR. ROUSSEAU: Here.  
 2 MS. VEST: Let the record show that David  
 3 Horton and Rick Jones are not present, but you do  
 4 have a quorum, Madam Chair, and Dr. Ritch is calling  
 5 in telephonically.  
 6 CHAIRPERSON LANE: Thank you, Executive  
 7 Director Vest.  
 8 I'll ask that each commission member if  
 9 you've received and had time to review the copy of  
 10 the agenda and if there's a motion to adopt the  
 11 agenda?  
 12 MR. ROUSSEAU: So moved.  
 13 MR. BROWN: Second.  
 14 CHAIRPERSON LANE: Motion by Commissioner  
 15 Rousseau, second by Commissioner Brown. Any  
 16 discussion? All in favor say "aye."  
 17 MS. VEST: Since we do have a commission  
 18 member doing it telephonically, we will have to have  
 19 a verbal roll-call.  
 20 CHAIRPERSON LANE: I'll request that you  
 21 do that, please.  
 22 MS. VEST: All right, thank you.  
 23 Dr. Ritch?  
 24 DR. RITCH: Aye.  
 25 MS. VEST: Jerry Richards?

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1 MR. RICHARDS: Aye.  
 2 MS. VEST: Larry Flair?  
 3 MR. FLAIR: Aye.  
 4 MS. VEST: Minnie Lane?  
 5 CHAIRPERSON LANE: Aye.  
 6 MS. VEST: Allen Rousseau?  
 7 MR. ROUSSEAU: Aye.  
 8 MS. VEST: David Brown?  
 9 MR. BROWN: Aye.  
 10 MS. VEST: Ayes have it, Madam Chair.  
 11 CHAIRPERSON LANE: Thank you. If each of  
 12 the commission members has reviewed the minutes of  
 13 the March 18, 2016, commission meeting, then I will  
 14 ask that there's a motion to approve these minutes as  
 15 they are presented.  
 16 MR. ROUSSEAU: So moved.  
 17 CHAIRPERSON LANE: Motion by Commissioner  
 18 Rousseau.  
 19 MR. RICHARDS: Second.  
 20 CHAIRPERSON LANE: Second by Commissioner  
 21 Richards.  
 22 Any discussion? I'll ask for a  
 23 roll-call.  
 24 MS. VEST: Dr. Ritch?  
 25 DR. RITCH: Aye.

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1 MS. VEST: Jerry Richards?  
 2 MR. RICHARDS: Aye.  
 3 MS. VEST: Larry Flair?  
 4 MR. FLAIR: Aye.  
 5 MS. VEST: Minnie Lane?  
 6 CHAIRPERSON LANE: Aye.  
 7 MS. VEST: Allen Rousseau?  
 8 MR. ROUSSEAU: Aye.  
 9 MS. VEST: David Brown?  
 10 MR. BROWN: Aye.  
 11 MS. VEST: Ayes have it.  
 12 CHAIRPERSON LANE: At this point the next  
 13 item on our agenda will be the election of the  
 14 vice-chairman. I'll respectfully request someone  
 15 make a motion, if they would like, for us to delay  
 16 this until we have a full -- we have a quorum, but  
 17 when we have a full board here.  
 18 MR. FLAIR: I'll make that motion, Madam  
 19 Chairman. Larry Flair.  
 20 CHAIRPERSON LANE: Motion by Commissioner  
 21 Flair.  
 22 MR. BROWN: Second.  
 23 CHAIRPERSON LANE: Second by Mr. Brown.  
 24 MS. VEST: Dr. Ritch?  
 25 MR. RICHARDS: Aye.

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1 MS. VEST: Larry Richards?  
 2 DR. RITCH: Aye.  
 3 MS. VEST: Larry Flair?  
 4 MR. FLAIR: Aye.  
 5 MS. VEST: Minnie Lane.  
 6 CHAIRPERSON LANE: Aye.  
 7 MS. VEST: Allen Rousseau?  
 8 MR. ROUSSEAU: Aye.  
 9 MS. VEST: David Brown?  
 10 MR. BROWN: Aye.  
 11 MS. VEST: Ayes have it.  
 12 CHAIRPERSON LANE: Now we go to the legal  
 13 report under Exhibit A, and I am going to  
 14 respectfully request that our Assistant General  
 15 Counsel Ashley Thomas handle this legal report, which  
 16 will be Exhibits B and C, and then I think we have  
 17 some -- those are appearances?  
 18 MS. VEST: Yes. Yes, ma'am.  
 19 MS. THOMAS: Okay, I'll start with the  
 20 legal report.  
 21 The first case is 2016015891 and  
 22 2016015892. This is a consumer complaint alleging  
 23 that Respondent failed to provide a written report  
 24 and/or statement of charges related to the  
 25 investigation.

1 Complainant alleges that Respondent was  
2 hired as an investigator and paid \$2,500 through an  
3 escrow on November 19, 2014. Complainant states that  
4 Respondent failed to provide updates on the status of  
5 the investigation timely or provide a written report  
6 when requested. Complainant states that  
7 approximately one year after contracting, Respondent  
8 provided an audio recording, but still did not  
9 provide a written report. Complainant requests the  
10 complete file or a return of the money paid.

11 Respondent states that an investigation  
12 was conducted through October 2015 reviewing case  
13 notes and documents, conducted investigative  
14 research, interviewing witnesses and attempting to  
15 obtain additional documentation from the local police  
16 department. Respondent states that contact with the  
17 client was maintained via telephone, text messages  
18 and e-mail.

19 Respondent states that around August 2015  
20 he suffered two major medical events causing a delay  
21 in his work, as he is a small company. Respondent  
22 states that he last contacted the Complainant on  
23 October 30, 2015, and he cannot find evidence of a  
24 written report being provided. Respondent states  
25 that this was an erroneous oversight and it has never

1 happened in the more than 20 years he's been in the  
2 private investigation business. Respondent provided  
3 a copy of the invoice as part of this investigatory  
4 file.

5 My recommendation is to authorize a  
6 formal and send a consent order with a civil penalty  
7 in the amount of \$500 for violation of Tennessee  
8 Comprehensive Rules and Regulations 1175-04-.06(4)  
9 and Tennessee Comprehensive Rules and Regulations  
10 1175-04-.08.

11 CHAIRPERSON LANE: Is there a motion?

12 MR. ROUSSEAU: Madam Chair, I move that  
13 we accept the recommendation of Counsel.

14 CHAIRPERSON LANE: Motion by Commissioner  
15 Rousseau to accept recommendation of Counsel.

16 DR. RITCH: I second.

17 MR. RICHARDS: Second.

18 CHAIRPERSON LANE: Second by Commissioner  
19 Richards. Any discussion?

20 Roll-call, please.

21 MS. VEST: Dr. Ritch?

22 DR. RITCH: Aye.

23 MS. VEST: Jerry Richards?

24 MR. RICHARDS: Aye.

25 MS. VEST: Larry Flair?

1 MR. FLAIR: Aye.  
2 MS. VEST: Minnie Lane?  
3 CHAIRPERSON LANE: Aye.  
4 MS. VEST: Allen Rousseau?  
5 MR. ROUSSEAU: Aye.  
6 MS. VEST: David Brown?  
7 MR. BROWN: Aye.  
8 MS. VEST: Ayes have it, Madam Chair.  
9 MS. THOMAS: Complaint number two is  
10 2016025481. This is an anonymous complaint alleging  
11 unlicensed activity by Respondent. The complaint  
12 alleges that Respondent is providing investigatory  
13 work for a licensed Tennessee attorney without being  
14 properly licensed.

15 Respondent states that no investigative  
16 work has been done for an attorney or individual at  
17 any time. Respondent states that he has served civil  
18 process for the attorney named in the complaint, as  
19 well as other attorneys in the area. Respondent  
20 states that he has previously declined a request for  
21 investigative work due to his employment position.

22 Additionally, the attorney named in the  
23 complaint denies contracting with the Respondent for  
24 investigative work. The attorney states that  
25 Respondent has only done service of process for her

1 as an attorney.

2 My recommendation is to close this  
3 complaint as the allegations are not substantiated.

4 CHAIRPERSON LANE: Do we have a motion?

5 MR. FLAIR: I'll make a motion we accept  
6 Counsel's recommendation. Larry Flair.

7 CHAIRPERSON LANE: Motion to accept the  
8 attorney's recommendation by Commissioner Flair. Is  
9 there a second?

10 MR. BROWN: Second.

11 CHAIRPERSON LANE: Second by Commissioner  
12 Brown. Any discussion?

13 Roll-call, please.

14 MS. VEST: Dr. Ritch?

15 DR. RITCH: Aye.

16 MS. VEST: Jerry Richards?

17 MR. RICHARDS: Aye.

18 MS. VEST: Larry Flair?

19 MR. FLAIR: Aye.

20 MS. VEST: Minnie Lane?

21 CHAIRPERSON LANE: Aye.

22 MS. VEST: Allen Rousseau?

23 MR. ROUSSEAU: Aye.

24 MS. VEST: David Brown?

25 MR. BROWN: Aye.

1 MS. VEST: Ayes have it, Madam Chair.  
 2 CHAIRPERSON LANE: Thank you.  
 3 MS. THOMAS: And complaint number three  
 4 is 2016026841. This complaint opened alleging that  
 5 Respondent knowingly made a false report to a client  
 6 in relation to an investigation in violation of  
 7 Tennessee Code Annotated 62-26-221(3).  
 8 Complainant alleges that after applying  
 9 for employment, Respondent failed to contact all  
 10 previous employers in its background check, which  
 11 resulted in her not obtaining the position. Through  
 12 investigation, Respondent states that all references  
 13 listed on the employment application were contacted,  
 14 with the exception of Complainant's most recent  
 15 employer, which was noted in the results.  
 16 Respondent states that attempts made to  
 17 reach Complainant in conducting the background  
 18 screening were unsuccessful. Finally Respondent  
 19 states that Complainant was not offered employment  
 20 because she failed to supply additional information  
 21 and did not meet the other requirements of the job.  
 22 This information was corroborated by the potential  
 23 employer.  
 24 In this case I recommend closure as the  
 25 allegations were not substantiated.

1 CHAIRPERSON LANE: Do we have a motion?  
 2 MR. FLAIR: Madam Chair, I, Larry Flair,  
 3 make a motion to accept Counsel's recommendations.  
 4 CHAIRPERSON LANE: Motion by Commissioner  
 5 Flair.  
 6 MR. RICHARDS: I second.  
 7 CHAIRPERSON LANE: Second by Commissioner  
 8 Richards. Any discussion?  
 9 Roll-call, please.  
 10 MS. VEST: Dr. Ritch?  
 11 DR. RITCH: Aye.  
 12 MS. VEST: Jerry Richards?  
 13 MR. RICHARDS: Aye.  
 14 MS. VEST: Larry Flair?  
 15 MR. FLAIR: Aye.  
 16 MS. VEST: Minnie Lane.  
 17 CHAIRPERSON LANE: Aye.  
 18 MS. VEST: Allen Rousseau?  
 19 MR. ROUSSEAU: Aye.  
 20 MS. VEST: David Brown?  
 21 MR. BROWN: Aye.  
 22 MS. VEST: Ayes have it, Madam Chair.  
 23 CHAIRPERSON LANE: Thank you.  
 24 MS. THOMAS: Thank you so much. That  
 25 concludes the legal report.

1 CHAIRPERSON LANE: I guess next,  
 2 following the agenda, we will have the appearances.  
 3 MS. VEST: Yes, we are going to -- since  
 4 our appearances are here, we'd like to go ahead and  
 5 ask them to come up.  
 6 Mr. Davis, are you here? Okay, Mr. Davis  
 7 doesn't appear to be here yet.  
 8 How about Mr. Riggs.  
 9 MR. RIGGS: Here.  
 10 MS. VEST: Would you come up please, sir,  
 11 and have a seat? You can stand at the podium, if you  
 12 speak into the microphone.  
 13 MR. RIGGS: Okay.  
 14 MS. VEST: You might have to push the  
 15 speak button. Is it working? There you go.  
 16 This is Exhibit C. This is Michael  
 17 Edward Riggs. He's here because we have denied his  
 18 previous application for private investigator due to  
 19 a material misstatement. If you'll look at your  
 20 Exhibit C, he said no to the arrest questions on his  
 21 application. He has a 1986 bad check and a 1992 DUI.  
 22 He does have the written explanation, and we do have  
 23 court documents.  
 24 CHAIRPERSON LANE: Mr. Riggs, if you'll  
 25 give us just a second to look at these documents,

1 then I'll come to you and see what you want to tell  
 2 us.  
 3 MR. RIGGS: Okay.  
 4 (Commission viewing documents.)  
 5 CHAIRPERSON LANE: Mr. Riggs, would you  
 6 like to talk to us in the form of an explanation? I  
 7 know you have written something here, but if you  
 8 would tell the commission members.  
 9 MR. RIGGS: Well, on the bad check  
 10 charge, I had -- I was completely unaware of that  
 11 until I applied for the PI. And, of course, I went  
 12 and pulled, they ran copies of the summons, and it  
 13 showed it was dismissed. And the DUI, I had just --  
 14 I had forgotten about it. Clearly I would have  
 15 marked yes if I thought about it.  
 16 CHAIRPERSON LANE: It shows you were on  
 17 probation for a (inaudible) 29, so that would have  
 18 been '94 to '95?  
 19 MR. RIGGS: I'm not aware of that unless  
 20 it was -- unless it had something to do with the DUI.  
 21 CHAIRPERSON LANE: It was the DUI.  
 22 MR. RIGGS: Okay.  
 23 CHAIRPERSON LANE: Commission members, do  
 24 you all have any questions?  
 25 MS. VEST: Madam Chair, the reason that

1 Mr. Riggs is here, I'll try to refresh your memory,  
 2 he was denied due to a material misstatement on his  
 3 application, which means he has to wait six months to  
 4 reapply, unless he appeals before the Commission.  
 5 I know it might not be -- his record  
 6 might not be extensive, but that is a requirement  
 7 that he does appeal, that's why he is before you  
 8 today.  
 9 CHAIRPERSON LANE: Exactly.  
 10 MR. FLAIR: Mr. Riggs, I remember you  
 11 coming in here before, and your letter states, "to be  
 12 honest, I had forgotten about the DUI," and I am just  
 13 at a loss to understand how a man can forgot that  
 14 he's been arrested for a DUI. I don't care how long  
 15 ago it was.  
 16 MR. RIGGS: Well, that's true. And if I  
 17 had thought of it and clearly marked "no," that would  
 18 tell me I was asking for trouble. So I mean, yeah, I  
 19 just forgot about it.  
 20 MR. BROWN: Did you not get anything from  
 21 the sheriff or the Court stating you completed your  
 22 probation period, a year later?  
 23 MR. RIGGS: I may have. It's been so  
 24 long ago, I don't remember.  
 25 CHAIRPERSON LANE: Any comments or

1 questions for Mr. Riggs?  
 2 DR. RITCH: Madam Chair, Paul Ritch in  
 3 Chattanooga. I do find it unbelievable that you  
 4 wouldn't remember having received a DUI. Even if  
 5 it's been decades, seems like you would remember  
 6 that. It's just an observation. It causes me a  
 7 (inaudible) --  
 8 MS. VEST: Just a moment, Dr. Ritch. We  
 9 do have a court reporter with us today. I don't  
 10 think she was able to catch what you said.  
 11 DR. RITCH: I just said I have a problem  
 12 believing a person would not remember having been  
 13 arrested for a DUI, no matter how long a period of  
 14 time it was.  
 15 MS. VEST: Thank you.  
 16 MR. FLAIR: Madam Chair, I have a  
 17 question for the director, if I may. Correct me,  
 18 Ms. Cody, this gentleman -- the motion that's upheld  
 19 is a motion made that we uphold our past. Six months  
 20 from now Mr. Riggs has the opportunity to come back  
 21 and reapply; is that correct?  
 22 MS. VEST: If you accept his explanation  
 23 today and then grant him a license, he would get it  
 24 today. If you deny him, he must wait another six  
 25 months to make an application.

1 MR. FLAIR: Would that be six months from  
 2 today's date or would that be six months --  
 3 MS. VEST: Yeah, six months from when we  
 4 notified him. It's July the 7th.  
 5 MR. FLAIR: Thank you. I'd like to make  
 6 a motion that we uphold our previous judgement in  
 7 this case.  
 8 MR. ROUSSEAU: I second.  
 9 MS. VEST: You mean to deny the  
 10 application, if I'm understanding correctly?  
 11 MR. FLAIR: Correct.  
 12 MS. VEST: Deny the appeal?  
 13 MR. FLAIR: Correct.  
 14 CHAIRPERSON LANE: Motion by Commissioner  
 15 Flair to deny the appeal.  
 16 MR. ROUSSEAU: Second.  
 17 CHAIRPERSON LANE: Second by Commissioner  
 18 Rousseau. Any discussion?  
 19 Roll-call please.  
 20 MS. VEST: Dr. Ritch?  
 21 DR. RITCH: Aye to deny.  
 22 MS. VEST: Jerry Richards?  
 23 MR. RICHARDS: Aye to deny.  
 24 MS. VEST: Larry Flair?  
 25 MR. FLAIR: Aye to deny.

1 MS. VEST: Minnie Lane?  
 2 CHAIRPERSON LANE: Abstain.  
 3 MS. VEST: Allen Rousseau?  
 4 MR. ROUSSEAU: Aye.  
 5 MS. VEST: David Brown?  
 6 MR. BROWN: Aye.  
 7 MS. VEST: The ayes have it, Madam Chair.  
 8 CHAIRPERSON LANE: Thank-you. Your  
 9 application is denied. And, of course, as Executive  
 10 Director Cody pointed out, you can apply again in six  
 11 months from -- July the 7th, you said?  
 12 MS. VEST: I believe it's July the 7th.  
 13 MR. RIGGS: Okay, thank you.  
 14 CHAIRPERSON LANE: Good luck to you.  
 15 Moving onto the next one, I am going to ask again if  
 16 Mr. Davis is here.  
 17 MR. RIGGS: I just remembered, he asked  
 18 me -- he remembered me being here before, but I have  
 19 never been here.  
 20 CHAIRPERSON LANE: He's probably talking  
 21 about the case. We don't have names when they first  
 22 come before us.  
 23 MR. RIGGS: I thought he meant I appeared  
 24 before.  
 25 MR. RICHARDS: No, I remember this case

1 before.  
 2 MS. VEST: Yes, your application is what  
 3 he's speaking of, not of you personally being here.  
 4 MR. RIGGS: Okay. I'm sorry. I'm sorry.  
 5 MS. VEST: That's okay. We will be  
 6 sending you some correspondence with the explanation  
 7 as well.  
 8 MR. RIGGS: Okay.  
 9 MS. VEST: Thank you.  
 10 CHAIRPERSON LANE: Did the other  
 11 appearance appear?  
 12 MS. VEST: It appears like he is not  
 13 here. If he does show up --  
 14 CHAIRPERSON LANE: We can put it in  
 15 there.  
 16 MS. VEST: We'll just put him in there,  
 17 if you'd like.  
 18 CHAIRPERSON LANE: I show next on the  
 19 agenda with the administrative matters. I'd like to  
 20 turn that over to you, Executive Director Vest.  
 21 MS. VEST: All right. If you would, we  
 22 are going to start with Exhibit D.  
 23 Dr. Ritch, we are going to go to  
 24 Exhibit D.  
 25 DR. RITCH: Yes, ma'am, thank you.

1 MS. VEST: It is a disciplinary report.  
 2 This is something that I show to you every month, but  
 3 it is in a different format, that's why it's going to  
 4 look a little different to you.  
 5 In the month of March, you had one  
 6 revocation on the activity we had in March. We  
 7 didn't have any activity in April, May or June. Is  
 8 everybody following? Okay.  
 9 So you can just take a look. This has  
 10 all our programs, of course, on there, but we are  
 11 only concerned with yours. We did have the one  
 12 consent order that we signed for the revocation,  
 13 wasn't any other activity on your program. If  
 14 there's no questions on that, we'll just move forward  
 15 to the next one. That would be Exhibit E, which is  
 16 the monthly reports.  
 17 Dr. Ritch, this is Exhibit E.  
 18 DR. RITCH: I'm looking at it, thank you,  
 19 ma'am.  
 20 MS. VEST: I have March, April, May and  
 21 June in this packet. I'll go ahead and do March, but  
 22 all of them are the same. You have commission member  
 23 vacancy, one commissioner member vacancy, which is a  
 24 public member, Allen Rousseau, term expired on  
 25 September the 30rd, 2014. Mr. Rousseau is not

1 eligible to be reappointed, but continues to serve  
 2 until appointment is made by the governor's office.  
 3 I will also tell you, if you look at your  
 4 expiration dates, I believe five members are going to  
 5 expire this September. We do, of course, wish for  
 6 them to continue serving until the governor appoints  
 7 a new position -- somebody else in that position,  
 8 excuse me.  
 9 If you will turn over to the monthly  
 10 report for April, it's a little different there. It  
 11 says two commission member vacancies. Of course, we  
 12 do have Allen Rousseau's vacancy from September 30,  
 13 2014, but we also had Commissioner Walt Valentine  
 14 resign, and his position has not been filled on the  
 15 Commission. If there's not any more -- excuse me, if  
 16 there's not any questions about this one, we will  
 17 just continue on. It's a repeat of what we have done  
 18 from month to month when we turn this in.  
 19 In the June monthly report on our monthly  
 20 research, I have been invited, along with  
 21 Administrative Assistant Beth Bell, to attend the  
 22 Tennessee Electric Security -- Electronic Security  
 23 Association's annual trade show. They'd like for us  
 24 to have a booth be available to answer any questions  
 25 to their members, and we do have like a two-hour slot

1 to speak. And that is in September.  
 2 CHAIRPERSON LANE: Is that in Gatlinburg.  
 3 MS. VEST: It's in Pigeon Forge. I have  
 4 not received the approval on it yet, but we have  
 5 submitted it. If you don't have any questions on  
 6 Exhibit E, we'll go to F.  
 7 Dr. Ritch, this is Exhibit F. Do you  
 8 have that?  
 9 DR. RITCH: Yes, ma'am. Thank you.  
 10 MS. VEST: I am going to streamline this  
 11 a little bit for you and give you the totals. I do  
 12 not have your budget for the end of the year, which  
 13 ended in June, end of June. Every July 1st we start  
 14 your program off with a zero balance. We must  
 15 generate enough income to keep the program running.  
 16 Now I don't know if it's kind of hard to read this,  
 17 but that's why I have condensed down.  
 18 Your revenue -- this is just as of May.  
 19 Your revenue is \$180,205.64. Your expenditures are  
 20 \$105,627.75. That left you a total of \$74,577.89.  
 21 Well, we have to put cost backs in there. And that  
 22 is something that's new in your package, you can see  
 23 that they have given me the breakdown for your cost  
 24 backs, except for one item.  
 25 Your cost backs from that total of 74 --

1 now this is depending my math is correct -- leaves  
2 you a total of \$30,917.86. Out of that must come  
3 that \$10 fee that we paid for license. So you have  
4 right now 536 private investigators, you have 258  
5 companies, for a total of 794 actual licenses for  
6 your program.

7 We are seeing just as many new come in as  
8 those that are falling off or not renewing. You are  
9 not really gaining anything here. Mostly what I am  
10 seeing with your programs is all computer based. We  
11 still have the normal divorce cases, whatever you  
12 call it, domestics that you do, whatever, but a lot  
13 of your profession now is strictly going to computer  
14 based. We are getting more and more questions on  
15 that. And the companies that are coming in are also  
16 the computer based companies.

17 I am supposed to be getting the June  
18 totals any time, but we don't meet again until  
19 September the 16th, and at that time I will give you  
20 your ending total. I will go ahead and send out to  
21 each commission member the totals for June, whenever  
22 I get the completed budget. I'll get like three or  
23 four different runs on it, so I am going to wait  
24 until I get the actual yearend totals. But from what  
25 I can see right here with your balance, we are not in

1 As soon as I have more information, I will be able to  
2 give that to the Commission.

3 CHAIRPERSON LANE: Thank you.

4 MS. VEST: This Right to Work Act is for  
5 all the programs. So Attorney Thomas and I will be  
6 sitting down and going over probably line by line  
7 laws and your rules line by line. If we see that we  
8 are going to have to request any corrections or  
9 adjustments or any laws or rules we have to explain  
10 on the Hill, we may ask the Chair to come or either  
11 the Commission to appear, if we have to appear on the  
12 Hill. Letting you know ahead of time.

13 CHAIRPERSON LANE: Thank you.

14 MS. VEST: All right. Let's go to the  
15 next one, and that is going to be Exhibit H. Now  
16 this is just for your information.

17 Dr. Ritch, you have Exhibit H?

18 DR. RITCH: I do.

19 MS. VEST: All right. Thank you. Okay,  
20 we have a copies for the commission members to take  
21 home, this is just for your information. The  
22 Polygraph Laws and Rules suggested changes that the  
23 association may make for the polygraphs.

24 62-27-107(a)(8), make it acceptable to  
25 allow federally certified polygraph examiners

1 any fear of not having any income. One time we did  
2 talk about we were so close we were talking about  
3 raising fees, I don't see there's a need to raise  
4 fees here. If there's any questions, I'll be glad to  
5 answer them.

6 Dr. Ritch, did you have any questions?

7 DR. RITCH: I have none, madam.

8 MS. VEST: All right. Thank you. Let's  
9 go ahead and do G. Exhibit G.

10 Dr. Ritch, you got Exhibit G?

11 DR. RITCH: Yes, ma'am. Legislative  
12 update.

13 MS. VEST: Yes.

14 DR. RITCH: Yes, I have that.

15 MS. VEST: Hold on just a moment,  
16 Dr. Ritch. I am going to ask the Attorney Thomas to  
17 talk about this one.

18 MS. THOMAS: The legislative update,  
19 there was a notifier that went out July 1st to notify  
20 licensees of the Right to Earn a Living Act. That  
21 rule required each state licensing authority to  
22 review its laws and rules to make sure in essence  
23 that it's not too restrictive.

24 As of now, legal is still looking at it  
25 to determine exactly how we are going to handle that.

1 automatically eligible for Tennessee Polygraph  
2 License. All federally certified examiners have, by  
3 their certification, exceeded all of the requirements  
4 of the rules and laws of Tennessee polygraph to  
5 become an examiner.

6 We do not have an opinion on this at all,  
7 this is just information.

8 62-27-111(a)(1), make a provision for the  
9 Tennessee PI and Polygraph administrative personnel  
10 to be given the authority to approve Intern Polygraph  
11 Permit based on the applicant meeting all the  
12 requirements of the laws and the rules. No need to  
13 wait for the Commission to meet, this can make the  
14 intern stagnant if there is no meeting scheduled.

15 That's just giving our staff the  
16 authority to go ahead and approve the interns.

17 62-27-123(d)(G), polygraph examinations  
18 for preemployment. Do we want to -- do we not want  
19 to know if a person being considered for employment  
20 with any city, county or state police agency has been  
21 involved in a crime that is over five years old? It  
22 was suggested we eliminate this section totally. We  
23 may need to add a section related to pre-employment  
24 testing to eliminate the confusion. Providing the  
25 examinee with a copy of the questions should be

1 eliminated. With digital polygraph equipment this is  
 2 unnecessary printing.  
 3 62-27-125(1), providing a copy to the  
 4 examinee seems another waste of printing. We have  
 5 the ability for them to sign digitally and eliminate  
 6 the use of paper.  
 7 Like I said, we do have -- and there's  
 8 others, I just read that one page for you there.  
 9 There are others. That's why we said we have given  
 10 it to you.  
 11 And Dr. Ritch, we'll make sure you get a  
 12 full copy, unless you already have a copy.  
 13 DR. RITCH: Well, please, ma'am, e-mail  
 14 it to me because I committed to Beth that after this  
 15 meeting I'll destroy all these things in my  
 16 possession.  
 17 MS. VEST: Yes, sir, we'll make sure you  
 18 get a copy.  
 19 DR. RITCH: I appreciate that because I  
 20 intend to destroy all these as soon as the meeting is  
 21 completed.  
 22 MS. VEST: That will be fine, thank you.  
 23 Madam Chair, I'd like to call for a --  
 24 before -- I think our next exhibit -- next appearance  
 25 is here, but I'd like to call for a five-minute

1 break.  
 2 CHAIRPERSON LANE: That will be fine.  
 3 Five-minute break.  
 4 (Short break.)  
 5 CHAIRPERSON LANE: I'll call the meeting  
 6 back to order, and since we have the other  
 7 appearance, we'll go ahead and handle that, if that's  
 8 all right.  
 9 MS. VEST: Yes, ma'am. But let me  
 10 interject just a moment, I'm sorry, I forgot,  
 11 especially Dr. Ritch, to explain that we do have a  
 12 court reporter and we will be having a court reporter  
 13 for all our meetings and she will be doing our  
 14 minutes as well for us. I will be bringing them back  
 15 in September for you to vote for them to be the  
 16 official minutes so we will not have to do a separate  
 17 set of minutes.  
 18 You will notice the camera in the back of  
 19 the room because we are streaming live. This is  
 20 something new that has started. We have been trying  
 21 to do this for a long time so the general public will  
 22 be able to enjoy our commission meetings as much as  
 23 we do on a live basis. You will be getting  
 24 correspondence along with the public as to how you  
 25 can view those through the -- I don't know whether

1 it's on Facebook or they are going to have a link  
 2 right on our page that you can just pull a lot  
 3 quicker, click on it and be watching the commission  
 4 meeting. Of course, I wish to thank all of you for  
 5 speaking into the microphones, trying to speak slowly  
 6 so that -- for myself, as well for the court  
 7 reporter.  
 8 And I was remiss by not explaining to you  
 9 who is sitting to my left. I forgot. I'm sorry,  
 10 Shauna has been with us a while now. You probably  
 11 had Phyllis last time, but Shauna will be assisting  
 12 Beth from now on for both the PI and the Alarm  
 13 meetings.  
 14 And Shauna, I'll let you introduce  
 15 yourself.  
 16 MS. BALASZI: I'm Shauna Balaszi, and I  
 17 have been working with PPS for almost about four  
 18 months now.  
 19 CHAIRPERSON LANE: Welcome.  
 20 MS. VEST: We feel like Beth needs to  
 21 have some assistance, some help. She's done a great  
 22 job in everything that she does and will continue to  
 23 do. This is not a replacement, this is just  
 24 assistance to help make sure everything runs as  
 25 smooth as it always has.

1 We can move on now, thank you for that.  
 2 We can move onto our appearance.  
 3 MR. RICHARDS: May I ask her one question  
 4 first?  
 5 MS. VEST: Yes.  
 6 MR. RICHARDS: With regard to the  
 7 proposed polygraph changes, what happens to this now?  
 8 MS. VEST: That's up to the association.  
 9 All I did was bring it to the Commission -- since we  
 10 are a polygraph and you are the polygraph individual,  
 11 I am just bringing it to you to let you know this is  
 12 what the association is talking about doing as far as  
 13 legislation is concerned.  
 14 MR. RICHARDS: So they bring it before  
 15 the Board?  
 16 MS. VEST: No, they are not bringing it  
 17 before the Board. This is their proposed legislation  
 18 for the Hill, the rule changes. And once it does  
 19 that, that will come back. If it does get passed, it  
 20 does come back to us and, of course, it will come  
 21 back to you, we will have a rulemaking hearing if  
 22 need be. But this is just information.  
 23 MR. RICHARDS: Okay.  
 24 MS. VEST: If you have any questions, you  
 25 should contact the association.

1 All right, do we have Mr. Davis?  
 2 MR. DAVIS: Yes.  
 3 MS. VEST: Would you please come up, sir?  
 4 If you haven't signed in, would you sign in?  
 5 If you go back into your package, you  
 6 will see that this is going to be Exhibit B.  
 7 Dr. Ritch, do you have Exhibit B?  
 8 DR. RITCH: I do.  
 9 MS. VEST: Mr. Davis is here because --  
 10 to appeal his denial. He, of course, just like the  
 11 other gentleman, must wait six months, unless he asks  
 12 to appear before the Commission. He said "no" on his  
 13 application to arrest questions and in 2001 was  
 14 driving on revoked license, manufacturing, sale,  
 15 possession of a dangerous weapon in 2009.  
 16 You do have his written explanation, and  
 17 of course he is here today to answer any questions  
 18 that you might have.  
 19 CHAIRPERSON LANE: Give us just a minute  
 20 to review this and then I will come to you.  
 21 MR. DAVIS: Certainly.  
 22 (Board viewing documents.)  
 23 CHAIRPERSON LANE: As I understand it,  
 24 you have provided us a letter here from a hearing  
 25 officer saying that there was no criminal complaint

1 filed on the incident at the airport?  
 2 MR. DAVIS: Yes, ma'am.  
 3 CHAIRPERSON LANE: All right. You want  
 4 to explain to the commissioners anything you have to  
 5 say about this?  
 6 MR. DAVIS: I believe what you reviewed  
 7 was my appeal letter, correct?  
 8 CHAIRPERSON LANE: Yes, we have that and  
 9 we have reviewed it. That's what took us so long.  
 10 MR. DAVIS: Yeah. I mean I was pretty  
 11 poignant in the appeal letter. I mean that pretty  
 12 much explains the circumstances. I'll be happy to  
 13 answer any questions.  
 14 CHAIRPERSON LANE: The driving under the  
 15 revoked in Nashville, is what you are referring to?  
 16 MR. DAVIS: For either one. There were  
 17 two points that came up. One was the arrest in  
 18 California in 2009, and the other one was for the  
 19 driving on suspended, 2001, I believe.  
 20 CHAIRPERSON LANE: Okay. Any of the  
 21 Commission members have questions?  
 22 MR. BROWN: Why was your license revoked?  
 23 MR. DAVIS: Sorry?  
 24 MR. BROWN: What was the reason your  
 25 license was revoked?

1 MR. DAVIS: I believe at the time it was  
 2 a Kentucky license. I was living in Nashville. It  
 3 was administrative, I believe. I don't remember the  
 4 details. It wasn't -- you know -- honestly, it was  
 5 15 years ago, I really do not recall what the reasons  
 6 were, but I mean it wasn't for anything as far as  
 7 like a DUI or something like that. I believe it was  
 8 insurance related. I didn't have insurance or  
 9 something. That's a guess. I know at that time that  
 10 was something I was dealing with as well, but --  
 11 MR. FLAIR: Why didn't you mark "yes" on  
 12 your application and then provide an explanation?  
 13 MR. DAVIS: I'm sorry, say it again?  
 14 MR. FLAIR: Why did you not mark "yes" on  
 15 the application and then provide an explanation?  
 16 MR. DAVIS: As it was explained to me by  
 17 my attorney in California, it was explained to me  
 18 that the arrest was expunged. Because that was a  
 19 specific -- I went through quite a bit, as far as  
 20 retaining counsel for this. It was relatively minor,  
 21 but it was something that I didn't want to come up in  
 22 future background checks, what have you. So I wanted  
 23 to make sure that I did everything I could to satisfy  
 24 that. He told me that it was something that was  
 25 expunged, would be expunged from my record

1 completely, and that I did not have to put that  
 2 forward as far as being an arrest going forward  
 3 because of that reason.  
 4 I have since talked to him regarding this  
 5 because it has come up with this and a couple other  
 6 things before. He said -- the explanation again that  
 7 I had was California -- one hand not talking to the  
 8 other, as far as it's something that's not supposed  
 9 to be in the records anyway because of the way it was  
 10 dismissed.  
 11 MR. BROWN: Was there an expungement  
 12 order entered?  
 13 MR. DAVIS: I believe so.  
 14 MR. BROWN: Do you have a copy? Does  
 15 your attorney have a copy? He would have been the  
 16 one to initiate it. Does he have a copy of it?  
 17 MR. DAVIS: I can reach out specifically  
 18 on that. But I mean this is something that was, you  
 19 know, dismissed for cause. It should not have been  
 20 an arrest in the first place, and that was the  
 21 finding of the hearing.  
 22 MR. FLAIR: What about the driving on  
 23 revoked?  
 24 MR. DAVIS: On that I was not aware that  
 25 that was a criminal charge, I thought that was a

1 vehicle issue. Again, something I have never had  
 2 come up before as far as being a negative on a  
 3 background check, of which I have had plenty.  
 4 CHAIRPERSON LANE: The question is have  
 5 criminal charges ever been placed against you in  
 6 Tennessee or any other state.  
 7 MR. DAVIS: Yes, ma'am.  
 8 CHAIRPERSON LANE: And you answered "no."  
 9 MR. DAVIS: Yes, ma'am. I did not  
 10 believe that that constituted criminal. I thought  
 11 that was like a speeding ticket. It wasn't -- it was  
 12 not my intent to mislead, certainly.  
 13 DR. RITCH: Madam Chair, may I ask a  
 14 question? Dr. Ritch here.  
 15 CHAIRPERSON LANE: Go ahead, Dr. Ritch.  
 16 DR. RITCH: Applicant, when you were  
 17 caught in Nashville driving on a suspended license,  
 18 did I understand you were at that time licensed in  
 19 Kentucky.  
 20 MR. DAVIS: I believe so.  
 21 DR. RITCH: Okay. In what state were you  
 22 a resident at that time.  
 23 MR. DAVIS: At that time -- around that  
 24 time I had just moved to Nashville.  
 25 DR. RITCH: Were you not aware that you

1 are supposed to transfer your driver's license from  
 2 one state to another pretty rapidly.  
 3 MR. DAVIS: I believe I was. Again, I am  
 4 not a hundred percent sure on the timeframe. I may  
 5 have misspoken, as far as stating that I had a  
 6 Kentucky license at the time. I'm really not sure.  
 7 DR. RITCH: You were a resident of  
 8 Kentucky at that time and had just recently moved to  
 9 Nashville.  
 10 MR. DAVIS: Yes, sir. I moved to  
 11 Lexington prior to that and had just relocated to  
 12 Nashville right in that time period. I don't know if  
 13 it was in a 30-day span, whatever. I do know that I  
 14 had a Tennessee driver's license around that time  
 15 period. I just don't know if it was at the time of  
 16 this incident or not.  
 17 DR. RITCH: One more quick question.  
 18 When this happened at LAX, what state were you legal  
 19 resident at that time.  
 20 MR. DAVIS: 2009? Louisville.  
 21 DR. RITCH: You were a resident of  
 22 Louisville, Kentucky when this happened at LAX.  
 23 MR. DAVIS: Yes, sir. I was working an  
 24 extended contract in California at the time as a  
 25 ten-month contract. I was back and forth frequently.

1 DR. RITCH: Okay. That's all, Madam  
 2 Chair.  
 3 CHAIRPERSON LANE: Thank you.  
 4 MR. FLAIR: One quick question, Madam  
 5 Chairman.  
 6 CHAIRPERSON LANE: Mr. Flair?  
 7 MR. FLAIR: I'm Larry Flair. Sir, in  
 8 Tennessee on the DL violation, did they cuff you and  
 9 put you in the car and carry you down? Did they  
 10 require you to come down in the booking and require  
 11 the citation fulfillment, as they call it, a  
 12 citation, or did they hand you paperwork there and  
 13 let you go about your business? Do you remember,  
 14 sir?  
 15 MR. DAVIS: I do believe I had to go  
 16 through --  
 17 MR. FLAIR: To the commissioner?  
 18 MR. DAVIS: I'm sorry?  
 19 MR. FLAIR: The night commissioner, they  
 20 call it, or the day commissioner, in front of him or  
 21 her, and they said if you were on a revoked license  
 22 and then you had to post some sort of a little bond  
 23 and then come back? Is that the procedure that you  
 24 recall?  
 25 MR. DAVIS: I do not recall. But I do

1 believe -- there was a -- I don't remember what  
 2 happened as far as -- I did go through a booking  
 3 process, I believe, as you referred to it, but I  
 4 don't remember specifically, you know -- I'm sorry,  
 5 I'm not clear, it was quite a while ago.  
 6 MR. FLAIR: Thank you.  
 7 CHAIRPERSON LANE: Any other questions?  
 8 Do we have a motion?  
 9 MR. RICHARDS: I make a motion this  
 10 application be denied.  
 11 MR. FLAIR: I'll second that, Madam  
 12 Chairman.  
 13 CHAIRPERSON LANE: Motion by Commissioner  
 14 Richards to deny this application or appeal of the  
 15 application. Second by Commissioner Flair. Any  
 16 further discussion?  
 17 Roll-call, please.  
 18 MR. DAVIS: May I ask for what reason?  
 19 CHAIRPERSON LANE: Yes, sir.  
 20 MS. VEST: He wants to know why he's  
 21 being denied.  
 22 CHAIRPERSON LANE: It was upheld. It was  
 23 denied previously and he made the motion to uphold  
 24 the previous denial.  
 25 MR. DAVIS: I'm sorry --

1 CHAIRPERSON LANE: Am I correct?  
 2 MR. DAVIS: -- I am just trying to get  
 3 some clarity. For what reason?  
 4 CHAIRPERSON LANE: Misstatements.  
 5 MS. VEST: We need to finish our vote, I  
 6 believe, first. We have a motion on the floor.  
 7 Dr. Ritch?  
 8 DR. RITCH: Aye to deny.  
 9 MS. VEST: Jerry Richards?  
 10 MR. RICHARDS: Aye to deny.  
 11 MS. VEST: Larry Flair?  
 12 MR. FLAIR: Aye to deny.  
 13 MS. VEST: Minnie Lane?  
 14 CHAIRPERSON LANE: Abstain.  
 15 MS. VEST: Allen Rousseau?  
 16 MS. ROUSSEAU: Aye.  
 17 MS. VEST: David Brown?  
 18 MR. BROWN: Aye.  
 19 MS. VEST: Ayes have it, Madam Chair.  
 20 The gentleman is asking the Commission  
 21 why he is being denied. If I am not mistaken, he's  
 22 being denied because he made a material misstatement  
 23 on his application.  
 24 CHAIRPERSON LANE: That's exactly why.  
 25 That was sent in the letter to you why it was denied,

1 you are appealing it now, and the Commission is  
 2 upholding the previous --  
 3 MR. DAVIS: So my explanation does not  
 4 meet criteria for the appeal?  
 5 CHAIRPERSON LANE: We are not here to  
 6 determine guilt or not as far as the incident, we are  
 7 here to determine if you made a misstatement on the  
 8 application. That was why you were denied to begin  
 9 with. Had you answered yes and put an explanation,  
 10 as Commissioner Richards said, you wouldn't be here  
 11 today.  
 12 MS. VEST: I believe Dr. Ritch wants to  
 13 make a statement.  
 14 DR. RITCH: Madam Chair, does the  
 15 applicant understand he can reapply in six months.  
 16 MR. DAVIS: Yes, I do.  
 17 DR. RITCH: And I -- you know, I'd get  
 18 all my documentations straightened if you reapply or  
 19 you'll be facing the same consequence. It's pretty  
 20 simple to me.  
 21 MR. DAVIS: I understand.  
 22 DR. RITCH: It's not a criticism, I mean  
 23 I would suggest when you reapply, you give complete  
 24 documentation, or you'll only have another hearing.  
 25 MR. DAVIS: Certainly, and I do understand

1 that. I was actually just hoping that I had  
 2 satisfied that at this point without having to go  
 3 through the whole process again.  
 4 Again, this was a misstatement, not  
 5 something to mislead or construe. I believe I have  
 6 satisfied the requirements of the original  
 7 application with the documentation that I have  
 8 provided now. Why do I need to go through this  
 9 process again, if that's the case? That's what I  
 10 don't understand, I'm sorry.  
 11 CHAIRPERSON LANE: Well, the Commission  
 12 here has upheld the previous ruling and that's the  
 13 reason you have to go back through it.  
 14 MS. VEST: Yes, sir, you'll be getting  
 15 correspondence from us, but you will need to wait six  
 16 months to reapply.  
 17 MR. DAVIS: Good enough, thank you.  
 18 MS. VEST: Let me go back to our other  
 19 appearance, if I may for just a moment, Madam Chair.  
 20 I believe that would be Mr. Davis. I want to make it  
 21 clear, you have not seen -- you did not see the  
 22 application, there's not been -- I'm sorry, excuse  
 23 me, Michael Riggs. We went out of order.  
 24 You had not seen his application, nor  
 25 have you seen the gentleman before. The office

1 denied his application because he made a material  
 2 misstatement, did not list down his charges or  
 3 convictions, whatever they might have been. We  
 4 denied it for material misstatement. He had a right  
 5 to appeal and appear before you today, and that's  
 6 what he was doing.  
 7 I didn't want Commissioner Richards to  
 8 think he had seen him before or looked at his  
 9 application. He had not. No commission member had.  
 10 The office denied the application just like we did  
 11 with the second one. Hope that clears up any  
 12 misconceptions.  
 13 CHAIRPERSON LANE: That's good, it's on  
 14 the record like that. I guess are we ready to move  
 15 on the agenda. Next on our agenda we have listed the  
 16 education report, and I am requesting our  
 17 Administrative Assistant Beth Smith Bell to handle  
 18 this item.  
 19 Now I want to show that it is reflected  
 20 that the education committee met here publicly at  
 21 9:00 o'clock before the public to go over these. And  
 22 this will be Exhibit G and I.  
 23 MS. BELL: It's Exhibit I. And as  
 24 Ms. Lane stated, Chairman Lane, the education  
 25 committee meets at 9:00 o'clock before we start the

1 commission meetings to deliberate in public if there  
2 are any questions about any of the continuing  
3 education that is submitted. The committee members  
4 that were present this morning are Allen Rousseau and  
5 Minnie Lane. Also on that committee are Dr. Ritch  
6 and David Horton, who is not in attendance today.

7 DR. RITCH: Let the record show, madam  
8 Chairman, I read all the materials associated with  
9 these applications.

10 MS. BELL: Did you have any questions,  
11 Dr. Ritch, about any of the courses that were  
12 submitted?

13 DR. RITCH: I did not.

14 MS. BELL: So the courses that were  
15 submitted and the recommendation this morning was to  
16 approve these courses. I am going to read them into  
17 the record.

18 Randall K. Henshaw has submitted an  
19 eight-hour course he took in Alabama to meet his  
20 continuing education for his Alabama license. That  
21 recommendation was to approve acceptance of that.

22 Frank Lax has submitted a 16-hour  
23 certificate of instruction that he received from the  
24 Tennessee Constable Association. Recommendation was  
25 to approve that.

1 Jimmie Leach and Dennis Mays were both  
2 presenters at an interview and interrogation  
3 techniques presentation that was offered by the  
4 University of Tennessee at Martin and given at the  
5 Memphis Police Department Training Academy. They  
6 have requested 16 hours of continuing ed for their  
7 presentation.

8 There is another seminar, it's an  
9 eight-hour seminar called Advanced Interviewing  
10 Concepts. It was offered and sponsored by the  
11 Gatlinburg Police Department, and it was also offered  
12 in Memphis sponsored by the Memphis Police  
13 Department. It's an eight-hour continuing ed course.  
14 Recommendation was to approve that.

15 Leading Edge Legal Ed is an online  
16 provider of continuing ed for attorneys and  
17 investigators. They have submitted three courses for  
18 review. Ethics for Legal Professionals Truth and  
19 Consequences, which is one hour. Homeland Security,  
20 Enemies Domestic, which is two hours. Homeland  
21 Security, Enemies Foreign, which is two hours.  
22 Recommendation was to approve those.

23 The National Investigative Training  
24 Academy is also an online provider of continuing  
25 education. They have submitted four courses. Report

1 Writing for the Investigator, which is a four-hour  
2 course. Social Media for the Investigator, which is  
3 a six-hour course. Successful Interviewing for the  
4 Investigator, which is a four-hour course. And  
5 Successful Investigator Traits, which is a four-hour  
6 course. Recommendation was for approval of those.

7 We had one other item that we added,  
8 Keith Jeffers had submitted several different  
9 seminars that he's attended and we reviewed that this  
10 morning and the recommendation was to accept that to  
11 meet his 12 hours of continuing ed for his private  
12 investigator license.

13 That is all of the education we have for  
14 this meeting. I would request that commission  
15 members please make a motion that we approve these as  
16 read into the record.

17 MR. FLAIR: I'll make that motion, Madam  
18 Chairman. Larry Flair.

19 CHAIRPERSON LANE: Motion by Commissioner  
20 Flair. Is there a second?

21 MR. BROWN: Second.

22 CHAIRPERSON LANE: Second by Commissioner  
23 Brown. Any discussion?

24 Roll-call, please.

25 MS. VEST: Dr. Ritch?

1 DR. RITCH: Aye.  
2 MS. VEST: Jerry Richards?  
3 MR. RICHARDS: Aye.  
4 MS. VEST: Larry Flair?  
5 MR. FLAIR: Aye.  
6 MS. VEST: Minnie Lane?  
7 CHAIRPERSON LANE: Aye.  
8 MS. VEST: Allen Rousseau?  
9 MR. ROUSSEAU: Aye.  
10 MS. VEST: David Brown?  
11 MR. BROWN: Aye.  
12 MS. VEST: Ayes have it, Madam Chair.  
13 CHAIRPERSON LANE: Thank you.  
14 MS. BELL: There's one other education  
15 item. Previous member Walt Valentine was a member of  
16 the committee, and when he resigned from the  
17 Commission, has left us with only a four member  
18 committee. Chairman Lane asked for volunteers this  
19 morning, and David Brown volunteered to join the  
20 education committee. We just wanted to note that on  
21 the record.

22 CHAIRPERSON LANE: You accept, I believe.

23 MR. BROWN: Yes, ma'am, thank you.

24 CHAIRPERSON LANE: Thank you.

25 MS. VEST: Thank you for your service as

1 well. We appreciate you for agreeing to be on that  
 2 committee, as we do all of the committee members.  
 3 CHAIRPERSON LANE: We appreciate that.  
 4 Next we have unfinished business, and  
 5 I'll ask if there's anybody that has any unfinished  
 6 business? Okay. If not, we have new business. Is  
 7 there any new business?  
 8 MS. VEST: Yes. I would like to tell the  
 9 Commission that the Nevada Private Investigators  
 10 Licensing Board will host a 2016 conference of the  
 11 International Association of Security and  
 12 Investigative Regulators October the 26th through  
 13 28th in Las Vegas.  
 14 There is a board meeting on October the  
 15 25th which occurs, but we, myself and the attorney,  
 16 are not on any committees at this time. We have  
 17 submitted myself along with Attorney Thomas to attend  
 18 the conference. This conference covers all of our  
 19 security, the Alarm Board, the Lock Smith Board --  
 20 program, excuse me, of course your program and  
 21 Private Protective Services. And the State of  
 22 Tennessee is one of the founding states for this  
 23 association.  
 24 Any member is eligible to go. I gave  
 25 this out to you, there are certain restrictions to

1 it, regulations that you have to adhere to. So if  
 2 any of you are interested, just get with me or Beth  
 3 and we'll be glad to submit your names or tell you  
 4 how to go about signing up for the conference. But I  
 5 believe that's all I have, Madam Chair.  
 6 CHAIRPERSON LANE: Okay. Is there anyone  
 7 signed up on a continuing education forum?  
 8 MS. BELL: I haven't seen any.  
 9 CHAIRPERSON LANE: Okay, that's a no.  
 10 There being no further business, I'll ask for a  
 11 motion to adjourn the July 22nd meeting of the  
 12 Tennessee Private Investigation & Polygraph.  
 13 DR. RITCH: Madam Chair, may I speak  
 14 please?  
 15 MS. VEST: Dr. Ritch has asked to speak.  
 16 CHAIRPERSON LANE: Go ahead, Commissioner  
 17 Ritch.  
 18 DR. RITCH: I want to express my deep  
 19 appreciation to Beth and the commissioners for  
 20 allowing me to participate in this forum by telephone  
 21 and it's been a joy to participate in this manner and  
 22 I want to thank you.  
 23 CHAIRPERSON LANE: We thank you. Okay.  
 24 Do I have a motion?  
 25 MR. FLAIR: Madam Chairman, Larry Flair

1 makes a motion to terminate the meeting.  
 2 MR. BROWN: Second.  
 3 CHAIRPERSON LANE: Motion by Commissioner  
 4 Flair, second by Commissioner Rousseau (sic). Any  
 5 discussion?  
 6 Roll-call.  
 7 MS. VEST: Dr. Ritch?  
 8 DR. RITCH: Aye.  
 9 MS. VEST: Jerry Richards?  
 10 MR. RICHARDS: No. I mean aye.  
 11 MS. VEST: Larry Flair?  
 12 MR. FLAIR: Aye.  
 13 MS. VEST: Minnie Lane?  
 14 CHAIRPERSON LANE: Aye.  
 15 MS. VEST: Allen Rousseau?  
 16 MR. ROUSSEAU: Aye.  
 17 MS. VEST: David Brown?  
 18 MR. BROWN: Aye.  
 19 MS. VEST: Ayes have it.  
 20 CHAIRPERSON LANE: The meeting of the  
 21 Tennessee Private Investigation & Polygraph  
 22 Commission held on July 22, 2016, is adjourned at  
 23 approximately 11:50.  
 24 (WHEREUPON, the meeting was adjourned at  
 25 11:50 a.m.)

1 REPORTER'S CERTIFICATE  
 2  
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 6 with offices in Nashville, Tennessee, and Registered  
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 8 the foregoing board meeting by machine shorthand to  
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 11 I further certify that I am not related to  
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