

Meeting Minutes
Polygraph Licensing Advisory Committee
May 13, 2009

Attendees:

Members: Sally Jo Donahue – Linn County Sheriff's Office
Bear Bryant – Oregon State Police
Susan Coats – Salem Police Department
Derry York – Private Examiner
Robert Mosher – Private Examiner
Dick Cowan – Defense Attorney

Staff: Rebecca Hannon
Marilyn Lorance
Debbie Graves
Bonnie Narvaez

Meeting Called to Order at 9:19 a.m.

I. Meeting Minutes:

A. Review of January 28, 2009 meeting minutes. No comments received.

Motion: Dick Cowan moved to approved the January 28, 2009 meeting minutes. Robert Mosher seconded. Motion passed unanimously.

II. Welcome of New PLAC Member:

A. Susan Coats from the Salem Police Department was welcomed as a new appointee to the committee.

III. Old Business:

- A. Recognition of Former PLAC Members: Sally Jo Donahue briefly discussed the committee's desire to recognize former committee members Ken Simmons, Glenda Leutwyler and Jim Wygant for their years of service on the committee. Sally Jo spoke with the Northwest Polygraph Examiner's Association (NPEA) who has agreed to pay up to \$150.00 towards the purchase of plaques or other means of recognition. Their only stipulation is that the recognition must be presented by the NPEA at their annual dinner. Sally Jo will take the lead in making those arrangements.

IV. New Business:

- A. Paul Tesi – General Polygraph Exam

On April 29, 2009 Paul Tesi took the Polygraph General Examiner's License test and failed to achieve a passing score. Because this was Tesi's third and final opportunity to take the test, DPSST is required to suspend Tesi's trainee license in accordance with OAR 259-020-0030(2).

On or about May 6, 2009, DPSST received letters from Tesi and Sheriff Tom Bergin of Clatsop County Sheriff's Office. The letters requested a waiver of OAR 259-020-0015(1)(h) which requires the successful completion of an examination to determine the competency of an individual to act as a polygraph examiner. Tesi's letter cited OAR 259-020-0030(5)(a) as the basis of his request. The rule states in part:

"Waivers of the standards will not be allowed unless the trainee or examiner can present evidence that the circumstances are so extraordinary that the rule should not apply to them....."

On May 13, 2009, Sheriff Bergin appeared before the committee to discuss his written request for a waiver and voice his confidence in Tesi's ability to perform polygraph examinations.

Committee members reviewed Tesi's background, experience, contacts with committee members and test questions missed. The members were unable to identify any extraordinary circumstances that would prevent Tesi from passing the General Polygraph License examination. The committee voted to deny Tesi's request for a waiver of the written test requirement.

Motion: Moved to deny Tesi's request for a waiver of the rule. Seconded. Motion passed unanimously.

Action Item 1: Bonnie Narvaez will prepare and mail Tesi a Notice of Intent to Deny the waiver.

B. Jerry Stark – Oral Examination

Jerry Stark appeared before the committee for his oral examination. Sally Jo Donahue notified Stark that one of the questions on his written examination was scored wrong and therefore will be corrected in his record. This will result in a 1 point increase of his overall score.

Committee members discussed with Stark several of his recent charts and the type of questions he uses during examinations.

Motion: Bear Bryant moved to approve Stark for a General Examiner's License. Dick Cowan seconded. Motion passed unanimously.

C. Next Meeting:

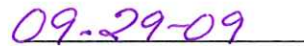
Tuesday - September 29, 2009

9:00 a.m.

V. Meeting Adjourned 11:32 a.m.



Approved by



Date