

Polygraph Licensing Advisory Committee

May 13, 2008

4190 Aumsville Hwy. SE

Salem, OR 97317

Attendees:

Members:

Ken Simmons, Chair

C.W. Bear Bryant

Richard Cowan

Sally Jo Donahue

Glenda Leutwyler

James Wygant

Staff:

Bonnie Salle, Certification & Records Coordinator

Rebecca Hannon, Files Maintenance Specialist

Debbie Graves, Admin. Support Supervisor

Marilyn Lorange, Program Supervisor

Meeting called to order at 9:00 am.

I. Meeting Minutes

A. Review of January 15, 2008 minutes

Motion: Mr. Simmons moved to approve the minutes.
Seconded; motion passed unanimously.

II. Old Business

A. **Paul Tesi** – General discussion was held regarding the basic log of polygraph exams Mr. Tesi provided to the Committee. The log does not meet Oregon requirements for log maintenance. Only one critique has been submitted. It was decided that before Mr. Tesi can take his General License exam, he will need to provide the Committee with a log of his most recent 200 exams in the format required by Oregon and have all the required critiques submitted. Staff will send a letter to Mr. Tesi explaining the Committee's requirements. Mr. Tesi's Intern

License will be extended to the date of the next PLAC meeting Oct. 14, 2008.

- B. **Larry McKinney** – Discussion revolved around Mr. McKinney's desire to continue his internship after a 5 year break. It was determined that under Oregon Administrative Rule, the opportunity for Mr. McKinney to request an extension of his Intern License has expired and the committee is not able to extend him.

III. New Business

- A. **Jerry Stark** – Mr. Stark appeared before the Committee to discuss his Intern License. License expired in November 2007 but this was caused in part by work related circumstances with Washington County Sherriff's Office. Mr. Stark is not able to gain access to his polygraph records at this time. He believes he has completed 180-185 exams to date. He is not sure how long it will take to resolve work issues and has been told it may take up to a year. He is very interested in maintaining his license and is requesting an extension. After Mr. Stark left the Committee discussed the situation further.

Motion: Mr. Simmons moved to grant Mr. Stark an extension through November 2008; Mr. Wygant seconded; motion passed unanimously.

- B. **Proposed Rule** – 259-001-0010 (Electronic Rule Making Notice) Ms. Lorance explained the purpose of the Electronic Rule Making Notice. If passed, it will allow people who want to be notified of proposed rule changes to receive notification by email rather than regular mail. There is currently no provision allowing this to happen. The Committee has not identified if the rule would cause a significant fiscal impact to small businesses.

Motion: Mr. Wygant moved to accept the proposed rule as written; Ms. Leutwyler seconded; motion passed unanimously.

- C. **Proposed Rule** – 259-020-0040 (County Clerk Registration) –

Motion: Mr. Wygant moved to remove the County Clerk Registration from the rules; Ms. Donahue seconded; motion passed unanimously.

- D. **Test materials for interns** – Committee discussed a packet of polygraph articles and study material that Mr. Simmons provided. Mr. Simmons would like to have this material available on the Department’s website for polygraph interns to use in preparation for their General License exam. Ms. Hannon raised concerns over copyright laws and whether we have the ability to copy materials. Mr. Simmons has spoken with the American Polygraph Association (APA) by telephone and received verbal approval to use the information for educational purposes but will contact them again and request a written authorization.
- E. **Jacqueline Lawson Update** – Committee reviewed letter from Ms. Lawson stating that she will not be renewing her license.
- F. **Roger Cook** – Agency received a telephone call from a constituent regarding their concerns about a specific polygraph examination administered by Mr. Cook. Caller was asked to write a letter regarding his concerns. No letter has been received as of this meeting.
- Motion:** Mr. Wygant moved that a memo regarding the phone conversation be placed in Mr. Cook’s file; Mr. Simmons seconded; motion passed unanimously.
- G. **Jerry Konopasek** – Training hours review – Discussion surrounded some training submitted by Mr. Konopasek and whether it meets the criteria for approved on-going training as required by Oregon Administrative Rule. Committee agrees that while information on the training submitted does not specify a connection to the field of polygraph it is acceptable as approved training since it applies directly to the field of Post Conviction Sex Offender Treatment which is the area Mr. Konopasek specializes in.
- H. **Discussion – Training hours due** – Question was raised by a constituent regarding the rule requiring 30 hours of training every two years and whether interpretation of the rule requires the training to be completed during the two years or just reported. Committee unanimously agreed that the rule clearly states that a total of 30 hours

of continuing training must be completed and reported every two years.

I. **Meeting Dates for 2009** - To be discussed at October 2008 meeting.

J. **Next Meeting**: October 14, 2008

IV. Adjourned at 11:47