Polygraph Licensing Advisory Committee
Minutes
January 11, 2012

The Polygraph Licensing Advisory Committee held a regular meeting and executive session on January 11, 2012 in Room A235 at the Oregon Public Safety Academy in Salem, Oregon.

Attendees:

Committee Members:
Susan Couch – Salem Police Department
Dick Cowan – Attorney at Law
Sally Jo Donahue – Linn County Sheriff's Office
Lucinda Gardner – Private Polygraph Examiner
Rebecca Martin – Oregon State Police
Derry York – Private Polygraph Examiner

DPSST Staff Members:
Debbie Graves
Rebecca Hannon
Marilyn Lorance

Regular Session

Old Business:

1. Minutes Approval - PLAC members reviewed the draft minutes from the September 14, 2011 meeting. Dick Cowan moved to accept the minutes with no corrections; Susan Couch seconded. Motion passed unanimously.
2. John Taber Update – Marilyn Lorance was present to answer any questions the PLAC had with regards to the material provided in their agenda packet. Sally Jo asked if Mr. Taber will have to go back through a polygraph school before he is able to reapply for an internship. Marilyn said he will not have to complete another polygraph program. He would apply as any new trainee would. Sally Jo then asked if he will have to show proof of on-going training during the three years he is restricted from polygraph. Marilyn said no because we have no jurisdiction over someone who is not licensed.
   Dick Cowan asked if there are efforts being made to put policies into place to better handle this type of situation since it covered new ground. Marilyn stated that she, Debbie Graves and our Rules Coordinator, Linsay Hale have discussed the need to develop an initial outline of an Administrative Rule set that would work through those questions. A draft will be brought to the PLAC as soon as DPSST has some general procedural elements ready for them to look at. Dick asked why DPSST sent letters to Malheur and Umatilla Counties informing them of Mr. Taber's situation. Marilyn stated that anytime DPSST receives a complaint about behavior that may be considered criminal we pass that information on to the agency or agencies that have jurisdiction.
3. Code of Ethics – The code of ethics has been drafted. Debbie Graves stated that we would like to give examiners an opportunity to comment on the code before it is put into rule. To that end DPSST will send a copy of the draft to all examiners in February giving them ample time to send us their comments. Sally Jo Donahue will present the draft code at an upcoming polygraph seminar to let the examiners know what is being proposed and to assure them they will have an opportunity to comment on it before it goes into effect.
4. OAR 259-020-0015 Minimum Standards for a Polygraph Examiner Update – Rebecca Hannon informed the PLAC that this rule has now been changed to allow for an applicant to apply for a general polygraph

examiner license if they have been awarded a GED certificate. The previous language did not make this allowance. The changes became effective January 1, 2012.

5. OAR 259-020-0005 Definitions Update – Rebecca Hannon informed the PLAC of this proposed rule change which will update the rule to include definitions for "Internship", "Polygraph examiner", and "Trainee". The changes have been proposed to ensure consistency between the definitions found in Oregon Administrative Rule with those found in Oregon Revised Statute. Sally Jo noted a typo in the proposed rule. Section 7 line two the word 'detection' currently used should read 'deception'. Rebecca noted the typo and will notify Linsay Hale.

New Business:

1. Selection of Vice Chairperson – Lucinda Gardner nominated Derry York for the role as Vice Chairperson. No other nominees came forward. Dick Cowan moved to close nominations and approve Derry as Vice Chairperson. Susan Couch seconded. Motion passed unanimously.
2. Rick Buckner Request for Extension of Trainee License – Rick appeared before the PLAC to make a formal request for an extension of his trainee license. He has completed his required 200 exams and is ready to test for his General Examiner License. Once the remaining six required critiques have been turned in he will be eligible to set a test date. Rick stated he would send the critiques to Rebecca. The PLAC moved into executive session to discuss his charts and exam questions, information that is exempt by law from public inspection. After returning to regular session Dick Cowan moved to extend Mr. Buckner's trainee license for one year. Lucinda Gardner seconded. Motion passed unanimously.
3. Adjournment – Sally Jo moved to adjourn the meeting. Dick Cowan seconded. Motion passed unanimously.

Next Meeting:

- May 9, 2012

Signature

05-09-12

Date