

NEW MEXICO PRIVATE INVESTIGATOR AND POLYGRAPH BOARD
Regulation and Licensing Department
2550 Cerrillos Road, 2nd Floor – Hearing Room #1
Santa Fe, NM 87505

Regular Board Meeting
January 31, 2005

MINUTES

MEMBERS PRESENT:

Donald Jochem, Board Chair
Gurutej Khalsa
Jim Wilson
Al Stotts
Butch Cassady

MEMBERS ABSENT:

None

STAFF PRESENT:

Mary James, Board Administrator
Dona Tafoya, Administrative Assistant
Cindy Cordova, General Counsel
Lee McDaniel, Investigator
Geraldine Mascarenas, Compliance Section

OTHERS PRESENT:

See Sign-In Sheet

1. CALL TO ORDER:

Chair Jochem called the meeting to order at 9:10 am, roll call was taken and quorum was established.

2. APPROVAL OF AGENDA:

Mr. Stotts moved to approve the agenda as presented; Mr. Wilson seconded, motion passed unanimously.

3. APPROVAL OF MINUTES – November 29, 2004:

Mr. Stotts moved for approval of the November 29, 2004 Board meeting minutes; Mr. Cassidy seconded, motion passed unanimously.

4. DATE AND PLACE OF FUTURE MEETING:

Tentative meeting date: Monday, February 28, 2005, 9:00 am at Regulation and Licensing Department, Santa Fe, New Mexico.

5. NEW BUSINESS

A. P.I. Application – Richard Taffett, Omega Insurance Services:

Chair Jochem introduced Mr. Richard Taffett who had submitted an application for Private Investigator. After much discussion and a question and answer session with the applicant the Board gave the following directive. Mr. Taffett was instructed to have the name of the business changed to Omega Investigative Services; this is so that they do not conflict with a firm that already goes by Omega Insurance Services. Mr. Taffett agreed and was then given permission to continue with the licensing procedure.

B. Jeremy Crow, Guardsmark:

Chair Jochem introduced Mr. Jeremy Crow who is employed by Guardsmark. Mr. Crow went on to report that Mesa Detection Agency was subcontracting guards instead of registering them with the Board and Night Vision Security is not currently licensed. Chair Jochem instructed Mr. Crow to file a formal complaint against Mesa Detection Agency and Night Vision Security.

C. Night Vision Security – Unlicensed Activity:

Chair Jochem reported that the Board would act appropriately once a formal complaint has been filed with the Board.

D. Security Guard – Albert Garcia:

Dona Tafoya submitted a Security Guard application for Albert Garcia for the Board's approval and there were several findings during a background check.

The Board discussed the matter further and directed Ms. Tafoya to deny the application due to the results of the above mentioned background check.

6. OLD BUSINESS

A. Update on Statute Changes:

Chair Jochem asked Ms. Mascarenas to report on the status of the impending statute changes. Ms. Mascarenas proceeded to ask the Board if the training should be limited to programs approved by the Commission on Higher Education. The Board felt strongly that the Commission should approve all training programs. Ms. Mascarenas also informed the Board that there was a grand fathering provision that was just added. A detailed discussion continued between the Board members and Ms. Mascarenas, it was then decided that the statutes were very close to final and would soon be ready for the bill drafter.

B. Johnny Ray Salazar:

Chair Jochem reported that Mr. Salazar had come before the Board and asked that his past (10 or more years ago) experience in the Military and Law Enforcement be considered current as required by statute. Chair Jochem also noted that Mr. Salazar was given consideration and was asked to only show 450 hours of current experience as opposed to the 6,000 hours, which are required by law.

Mr. Cassidy moved to tentatively give Mr. Salazar approval to take the Private Investigator test on the condition that he submits proof of the required 450 hours of current experience as requested by the Board. Mr. Wilson seconded the motion, motion passed unanimously.

C. Robin Brussel:

Chair Jochem reported that Mr. Brussel's Private Patrol Operator application was previously denied due to lack of current experience as required by statute. Mr. Brussel asked to come before the Board to plea his case; Mr. Brussel then went on to describe how what he currently does as a security software company owner and salesperson should be relevant and considered as current experience. The Board members considered his plea, but decided that the experience Mr. Brussel has is not consistent with what is required by law. Previous decision stands, denial of licensure due to lack of current experience.

Ms. Cassidy advised Mr. Brussel to hire a Private Patrol Operator Manager and work under him as his employee and gain the necessary experience.

7. EXECUTIVE SESSION

Motion was made at 11: 47 am by Chair Jochem, Seconded by Butch Cassady to enter into Executive Session pursuant to Sections 10-15-1.H (1) and (3) of the Open Meetings Act. A roll call vote was taken and Don Jochem, Gurutej Khalsa, Jim Wilson, Al Stotts and Butch Cassady voted yes and the Motion Passed Unanimously.

Mr. Lee McDaniel went on to report on an impending investigation and the result thereof, Mr. McDaniel recommended that a Default Order be issued.

Motion was made at 12:10 pm by Chair Jochem, Seconded by Gurutej Khalsa to enter back into open meeting. Motion Passed Unanimously.

Chair Jochem moved, Seconded by Gurutej Khalsa to approve the issuance of a Default Order as recommended by Mr. McDaniel. Motion Passed Unanimously.

8. OTHER

Mary James reported that Pamelya Herndon, General Counsel, had recently hired an extern by the name of Jackie Fuhr. Ms. Fuhr will be working in Las Cruces and very part-time in Santa Fe on investigations. Ms. Fuhr is currently attending New Mexico State University in Las Cruces.

ADJOURN – Chair Jochem adjourned the meeting at 12:17 pm.

Submitted By:

Mary James, Board Administrator

Date

Approved on Behalf of the Board By:

Don Jochem, Chairman

Date