

**NEW MEXICO PRIVATE INVESTIGATOR AND POLYGRAPH BOARD
Regulation & Licensing Department
Toney Anaya Bldg., 2550 Cerrillos Rd., Hearing Room. 1 – 2nd Floor
Santa Fe, New Mexico**

**Regular Board Meeting
February 23, 2007**

MINUTES

MEMBERS PRESENT:

Donald Jochem, Board Chair
Jim Wilson
Gurutej Khalsa
Butch Cassady

MEMBERS ABSENT:

Al Stotts

STAFF PRESENT:

Mary James, Board Administrator
Dona Tafoya, Administrative Assistant
Pamelya Herndon, General Counsel

OTHERS PRESENT:

See Sign-In Sheet

I. Convene-Roll Call

Chair Jochem called the meeting to order at 9:35 am, roll call was taken and a quorum was established.

II. Approval of Agenda

Mr. Wilson moved for approval of the agenda as presented; Mr. Khalsa seconded, motion passed unanimously.

III. Approval of Minutes – October 20, 2006 (Regular Board Meeting)

Mr. Wilson moved for approval of the October 20, 2006 Regular Board meeting minutes; Mr. Khalsa seconded, motion passed unanimously.

IV. Date and Place of Future Meeting

Tentative meeting date: Friday, April 6, 2007, 9:30 am in Santa Fe, New Mexico, Regulation & Licensing Department.

V. New Business

Mr. Jack Duke introduced himself to the Board. He currently resides in Santa Teresa, New Mexico. Mr. Duke explained to the Board that his intension is to start a private investigations company in New Mexico. His main concern is his experience; it is not three years of related experience within the last five years, as required by statute.

Mr. Duke went on to describe his experience, which is extensive. Mr. Khalsa recommended to Mr. Duke that until an application is submitted to the Board and reviewed, the Board is unable to render a decision. Chair Jochem concurred and added that it may be in Mr. Duke's best interest to apply. Chair Jochem went on to explain that the Board has been able to take an applicant's overall level of experience into consideration in the past when deciding whether or not to grant a Private Investigator license.

VI. Old Business

Mr. Cassidy reported that Senator Richard Martinez introduced the legislation (Senate Bill 621). The Senate Public Affairs Committee heard SB 621 and it was given a "Do Pass". Senator Martinez will try to get the Bill withdrawn from the Senate Finance Committee, as the legislation has no fiscal impact. The next step for the Bill is the Senate Judiciary Committee.

Pamelya Herndon wanted to add that the legislation has been submitted as mirror bills through both the House and the Senate. Representative Mimi Stewart will sponsor the Bill on the House side and as mentioned above Senator Richard Martinez will carry on the Senate side.

Ms. Herndon and members of the Board discussed the legislation and continued with a question and answer session involving the public audience. A few of the topics discussed were security training, security guard card ownership and national background checks.

VII. EXECUTIVE SESSION

Motion was made at 10:05 am by Chair Jochem, seconded by Mr. Khalsa 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, Jim Wilson, Butch Cassidy and Gurutej Khalsa were present. Motion passed unanimously.

Motion was made at 11:15 am by Chair Jochem, Seconded by Mr. Khalsa to enter back into open meeting. Motion Passed Unanimously.

A. Application for Licensure:

- #07-01 Applicant was asked to submit supplemental information on experience.
- #07-02 Approved to grant license upon successful passing of required examination.
- #07-03 Application denied due to felony conviction and failure by applicant to disclose the felony conviction.
- #07-04 Applicant was asked to provide additional certification from past employers attesting to his experience.

Chair Jochem made the following motions:

B. To Approve Recommendation to Dismiss:

- #2005-15 #2006-15
- #2006-01 #2007-04
- #2006-10 #2007-07

#2006-04 – Board agreed to proceed with vote of 10/20/2006 to issue an NCA.

C. To Issue an NCA:

Case #2006-12

D. To Issue Cease and Desist:

- #2006-13 #2006-14

E. On-going (additional information needed) – NO ACTION REQUIRED:

- #2006-05 2007-01

F. Parental Responsibility Act:

1. To Issue Default Orders to:

- PI-05-09-20-PRA PI-06-01-03-PRA
- PI-05-11-27-PRA PI-06-01-04-PRA
- PI-06-01-01-PRA PI-06-01-05-PRA
- PI-06-01-02-PRA PI-06-01-06-PRA

2. Non-Compliance of PRA – To Issue an NCA to:

PI-06-02-07	PI-06-06-18
PI-06-02-08	PI-06-06-19
PI-06-03-03	PI-06-06-20
PI-06-03-10	PI-06-06-21
PI-06-04-11	PI-06-08-22
PI-06-04-12	PI-06-08-23
PI-06-04-13	PI-06-08-24
PI-06-05-14	PI-06-08-25
PI-06-05-15	PI-06-08-27
PI-06-05-16	PI-06-09-28
PI-06-05-17	PI-06-07-29
	PI-06-08-26

G. To Issue an Amended Notice of Action (Goldberg)

Mr. Wilson seconded the Motions: (Roll Call: Don Jochem, Butch Cassady and Jim Wilson voted in the affirmative with Gurutej Khalsa abstaining.) Motions Passed Unanimously.

ADJOURN – Chair Jochem adjourned the meeting at 11:50 am.

Submitted By:

Mary James, Board Administrator

Date

Approved on Behalf of the Board By:

Don Jochem, Chairman

Date