

**NEW MEXICO PRIVATE INVESTIGATOR AND POLYGRAPH BOARD  
Regulation and Licensing Department  
2550 Cerrillos Road, 2<sup>nd</sup> Floor – Gila Conference Room  
Santa Fe, NM 87505**

**Regular Board Meeting  
May 16, 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  
Sondra Frank, General Counsel

**OTHERS PRESENT:**

See Sign-In Sheet

**I. Convene-Roll Call**

Chair Jochem called the meeting to order at 9:00 am, roll call was taken and quorum was established.

**II. Approval of Agenda**

Chair Jochem asked that the agenda be amended at the request of staff investigator Lee McDaniel to move his report (section VII part D.) to first on the agenda. Mr. Cassady moved for approval of the amended agenda; Mr. Stotts seconded, motion passed unanimously.

**III. Approval of Minutes – January 31, 2005**

Mr. Cassady moved for approval of the January 31, 2005 Board meeting minutes; Mr. Stotts seconded, motion passed unanimously.

**IV. Date and Place of Future Meeting**

Tentative meeting date: Monday, July 25, 2005, 9:00 am at Regulation and Licensing Department, Santa Fe, New Mexico.

**V. New Business**

Chair Jochem introduced Thomas Buckner, Deputy Superintendent for RLD. Mr. Buckner wanted to meet the members of the Private Investigator & Polygraph Board and give a short description of his duties as deputy superintendent; Mr. Buckner also extended his services to the Board.

**A. On-Line Renewals – Kathy McMath:**

Chair Jochem introduced Kathy McMath, Chief Information Officer, IS Division, RLD. Ms. McMath gave a detailed report on on-line renewals and how this Board would benefit from its implementation. A short question and answer discussion followed with the Board and staff agreeing that on-line renewals would be beneficial.

**B. Parental Responsibility Act (PRA) – Geraldine Mascareñas**

Chair Jochem introduced Geraldine Mascareñas, RLD Boards and Commissions Compliance Liaison. Ms. Mascareñas reported on the PRA procedure and its importance.

**C. RLD/Boards and Commissions Training Survey – Mary James**

Board Administrator, Mary James reported that the Office of the Superintendent has asked all Board members to fill out a short survey (under Tab V). Ms. James noted that the Governor's Office will be hosting a one-day seminar for all Board members titled "Board Orientation – Phase II". Survey results will be used in planning the seminar.

**D. Appointment of Complaint Committee Chair**

Chair Jochem gave a brief report on the need to implement a Complaint Committee Chair. A short discussion followed and the following action was taken: Mr. Stotts moved to nominate Gurutej Khalsa as Chair of the Complaint Committee, Mr. Cassady seconded the motion. Motion passed unanimously.

## VI. OLD BUSINESS

Chair Jochem reported on the P.I. legislation and it's failure to make it through the Senate. It was agreed that time just ran out, the bill should have been introduced earlier. Ms. James reported that RLD General Counsel Pamelya Herndon had recommended that the Board try to get the P.I. bill heard during the 2006 Legislature. In order to do this, it would have to be approved to be heard under the "Governor's Call". This being a short session, only financial matters are normally heard.

Board staff and members will try to do whatever necessary to get the P.I. Bill on the 2006 Legislature schedule.

## VII. EXECUTIVE SESSION

Motion was made at 9:05 am by Mr. Cassady, Seconded by Mr. Stotts 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, Al Stotts and Butch Cassady voted yes (with Gurutej Khalsa abstaining) and the Motion Passed Unanimously.

Motion was made at 10:50 am by Mr. Khalsa, Seconded by Mr. Wilson to enter back into open meeting. Motion Passed Unanimously.

Chair Jochem moved, Seconded by Butch Cassady to approve the following motions from Executive Session:

- A. **Application Reassessment of Experience** – Johnny Salazar, not to approve at this time.
- B. **P.I. Employee Application** – James McNeill application denied due to prior felony convictions.
  - P.O. Operator Applications** – (1) Raul Castro, application approved pending re-submittal of uniform insignia (patch), must be redesigned so it won't be confused with his local law enforcement agency. (2) Robert Ruiz, application approved pending letter from the Mayor of the City of Hurley approving Mr. Ruiz's employment with Hamilton Construction Company in the capacity of Private Patrol Operator.
  - Security Guard Application** – William Schaeffer, application denied due to prior felony convictions.
  - Investigative Services Company Request** – Board agreed that company does have to be licensed.

C. Non-Compliance of PRA – Issuance of NCA’s:

PI-04-04-01-PRA  
PI-04-05-04-PRA  
PI-04-06-05-PRA  
2004-04            2004-22  
2004-23            2004-24  
2004-24            2004-26  
2004-27            2005-02  
2005-03            2005-04  
2005-05  
PI-05-01-01-PRA  
PI-05-01-02-PRA  
2003-0002

D. 2005-01 – Dismissal

2005-06 – Dismissal

2005-07 – Issue a Cease and Desist Order to: (1) cease and desist unlicensed practices; (2) remove all advertising of unlicensed practices; and (3) submit a sworn statement stating that licensee is in compliance with Board’s Order.

2005-08 – Dismissal

2005-09 – Issue an NCA to address the following violation: **61-27A-3, License Required, It is unlawful for any person to: A. act as a private investigator, a private patrol operator or a manager or to represent himself to be a licensee or a manager unless he is licensed under the Private Investigators and Polygraphers Act [61-27A-1 to 61-27A-20 NMSA 1978].** Letter to District Attorney informing them of Respondent’s unlicensed activity violation. Mr. Stotts volunteered to write an article to the media to report Respondent’s violation.

**Motion passed unanimously.**

**ADJOURN – Chair Jochem adjourned the meeting at 12:30 pm.**

**Submitted By:**

\_\_\_\_\_  
Mary James, Board Administrator

\_\_\_\_\_  
Date

**Approved on Behalf of the Board By:**

\_\_\_\_\_  
Don Jochem, Chairman

\_\_\_\_\_  
Date