

**NEW MEXICO PRIVATE INVESTIGATOR AND POLYGRAPH BOARD**  
**Regulation and Licensing Department**  
**2550 Cerrillos Road, 2<sup>nd</sup> Floor, Hearing Room 1**  
**Santa Fe, New Mexico**

**Regular Board Meeting**  
**October 5, 2007**

**MEMBERS PRESENT:**

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

**MEMBERS ABSENT:**

**STAFF PRESENT:**

Mary James, Board Administrator  
Dona Tafoya, Administrative Assistant  
Julie Meade, General Counsel  
Pamela Barrone, Compliance Officer

**OTHERS PRESENT:**

See Sign-In-Sheet

**I. Call To Order:**

Chair Jochem called the meeting to order at 9:37 am, roll call was taken and a quorum was established.

**II. Approval of Agenda:**

Chair Jochem moved for approval of the agenda as amended; Mr. Wilson seconded, motion passed unanimously.

**III. Approval of Minutes – June 8, 2007 (Regular Board Meeting).**

Mr. Wilson moved for approval of the June 8, 2007 Regular Board Meeting minutes. Mr. Cassidy seconded, motion passed unanimously.

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

Tentative meeting date: Friday, December 7, 2007, 9:30 am in Santa Fe, New Mexico.

**V. New Business – AMENDED**

- A. Ms. Meade reported that Sondra Frank would be returning sometime in November. This may mean that Ms. Frank would be stepping back into the role of the Board's General Counsel.

Ms. Meade updated Board members on George Davis' lawsuit against the Board. Ms. Meade reported that the Judge (Knowles) dismissed the lawsuit on a technicality not on merit. Ms. Meade anticipates that Mr. Davis will re-file, when and if he does, Ms. Meade is prepared with a response.

Ms. Meade stated that there might be concern that Mr. Davis is working unlicensed. Mr. Cassidy reported that Mr. Davis is allegedly providing security services (unlicensed) for the Ramada Express on Alameda in Albuquerque. The security guards who are employed by Mr. Davis are, not only working unlicensed but are also armed. This is a huge concern to the Board as these employees are probably not going through background checks or going through the proper licensing to carry a weapon.

Mrs. Khalsa also noted that Mr. Davis owes a considerable amount of money to ex-employees. The Department of Labor has appeared before the Board on this issue with Mr. Davis.

Mr. Khalsa motioned to authorize an investigation on George Davis for unlicensed activity. Mr. Stotts seconded, motion passed unanimously.

- B. Andrew Janowsky owner of Nighthawk Investigation in Durango Colorado sent the Board a letter (handout) asking permission to come into New Mexico to be able to complete a work assignment, which was initiated in Colorado.

The Board directed the Administrator to contact Mr. Janowsky and inform him that the only way he would be allowed in New Mexico to conduct any investigative services would be for him to apply for licensure in New Mexico or to subcontract with a licensed Private Investigator in New Mexico. Unfortunately, since Colorado does not regulate Private Investigators this will be their only option.

**VI. Old Business: Rules Committees - Progress**

Mr. Wilson reported that his Polygraph Committee met (Ralph Trotter Steve Martinez, Eric Lucero, Pete Pierangeli and Patrick Whitney). The committee asked Mr. Wilson to prepare a draft for their review. Mr. Wilson has been gathering data from other states; he has received the rules and ethics charges from the American Polygraph Association and the American Police Polygraphers. Mr. Wilson will continue working on the rule and hopes to have a draft soon.

Mr. Jochem reported that he and Mr. Stotts had met and were working on reciprocity. A short discussion continued with Mr. Jochem stating that a draft would be available shortly.

Mr. Khalsa and Mr. Cassady reported that a committee meeting had been scheduled and committee members were invited. Mr. Khalsa and Mr. Mr. Cassady were the only ones in attendance. Mr. Cassady reported that he and Mr. Khalsa have been working on the training rules and hope to have a draft prepared shortly

**VII. Deliberation/Action on adjudications, complaints and licensing matters.**

Motion was made at 11:00 am by Mr. Khalsa seconded by Mr. Stotts to enter into Executive Session pursuant to Sections 10-15-1.H (1) and (3) of the Open Meetings Act. Motion passed unanimously.

**Executive Session**

\* \* \* \* \*

Motion was made at 12:00 pm by Mr. Khalsa, seconded by Mr. Wilson to enter back into open meeting. Motion passed unanimously.

**Open Session:** Decisions/Actions on Executive Session agenda.

Chair Jochem made the following **Motions**:

- A.** The Board reviewed case #10 and motioned to deny the applicant licensure due to insufficient experience. A letter is to be sent to applicant to appear before the Board before a final determination is made.
- B** Board Review and Action – Complaint Committee Recommendation:
  - 1. 2006-04 – accept recommendation to revoke both PPO and PI licenses.
  - 2. 2007-08 – to table for further investigation.
  - 3. 2007-11 – accept recommendation to refer this case to mediation.
  - 4. 2007-12 – accept recommendation to dismiss.

5. 2007-13 – accept recommendation to issue an NCA.
6. 2007-17 – accept recommendation to issue an NCA.

**C. Request for Dismissal**

1. 2007-14 – accept recommendation to dismiss, no jurisdiction.
2. 2007-16 – accept recommendation to dismiss, no violation.

Mr. Stotts seconded the **Motions** (Roll Call: Don Jochem, Butch Cassady, James Wilson and All Stotts voted in the affirmative with Gurutej Khalsa abstaining). **Motions** passed unanimously.

**ADJOURN – Chair Jochem adjourned the meeting at 12:40pm.**

**Submitted By:**

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

\_\_\_\_\_  
Date

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

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

\_\_\_\_\_  
Date