

NEW MEXICO PRIVATE INVESTIGATOR AND POLYGRAPH BOARD
Regulation and Licensing Department
2055 South Pacheco Street, Building 400
Santa Fe, NM

Regular Board Meeting
June 8, 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
Pamelya Herndon, Deputy Superintendent
Pamela Barrone, Compliance Officer

OTHERS PRESENT:

See Sign-In-Sheet

I. Call To Order:

Chair Jochem called the meeting to order at 9:40 am, roll call was taken and a quorum was established.

II. Approval of Agenda:

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

III. Approval of Minutes – February 23, 2007 (Regular Board Meeting).

Mr. Khalsa moved for approval of the February 23, 2007 Regular Board Meeting minutes. Mr. Stotts seconded, motion passed unanimously.

IV. Date and Place of Future Meeting:

Tentative meeting date: Tuesday, July 31, 2007, 9:30 am in Santa Fe, New Mexico.

V. New Business – Discussion on Passed Legislation and Subsequent Rule Changes

Ms. Herndon started the discussion with a few issues on the new legislation from licensees, which needed clarification. The first issue had to do with section 61-27A-4, B under “Persons Exempted”. It seems that there are several Private Patrol owners who feel this Statute presents a hardship to their companies. Mr. Khalsa agreed and noted that this was existing language under the old legislation and the Board had placed stronger language in the new legislation to address this issue. Unfortunately, the Board ran into huge opposition in the wording of the added legislation and in the best interest of the legislation decided to remove the language and leave as is. Mr. Khalsa did agree that changes to this section were needed and will recommend changes at the next legislative session.

Mr. Khalsa noted that if it were not for the incredible efforts of Pamelya Herndon along with the support of Mary James, Don Jochem, Jim Wilson and Butch Cassidy, the legislation would not have passed. It was also noted that Mr. Gurutej Khalsa played a huge role in the passing of the legislation.

The second issue Ms. Herndon brought to the Board dealt with the three levels of training and the requirements as set forth in the new legislation. The PPO’s would like the Board to consider a “journeyman” provision. Ms. Herndon suggested that this might be dealt with in rule. Mr. Khalsa thought it might be a possibility, but that there would have to be a time limit (maybe a week).

Mr. Peso Chavez of Chavez Security asked about the in-house training and the curriculum. Mr. Khalsa responded that this is the task ahead while working to create the rules to define the Statute on training.

The final issue deals with the psychological exam required for level three security under 61-27A-6.11 B, 8. A short discussion continued on the subject with Mr. Khalsa finishing with the fact that this requirement will not take effect for two years. This would give the Board time to iron out the details.

Mr. Peso Chavez asked if anyone had looked into what these new training requirements would cost the individual security guard. Mr. Cassidy explained that for a security guard to go through levels one, two and three it would cost them \$3,000 (\$1,000 per level). Mr. Cassidy also noted that there are resources available to help those who are unable to pay for this training. Ms. Herndon

wanted to note that it is hard to place an actual dollar amount on this training since the new legislation did allow for in-house training.

Mr. Chavez did want the Board to know that he understands the importance of the new legislation and what it means to New Mexico. Mr. Khalsa added that other states have been through this process and the industry does conform to new rules, it might not be an easy process, but well worth the end result.

As part of the rule making process, the Board must hold hearings throughout the State; it was decided to hold the hearings in Las Cruces, Albuquerque and Santa Fe. The Board may hold a hearing in Farmington as well, this will be decided later. The Board will notice the rule hearings as required by the "Open Meetings Act".

Ms. Herndon suggested that the Board set a goal date of November 15, 2007 to publish a final version of the rules. In the meantime the rule process will start with the assignment of committees to tackle the sections of the Statutes. The following committees were formed:

PPO Training – Curriculum – Education/P.I. Continuing Education

Gurutej Khalsa and Charles Cassady – Co-Chairs
Peso Chavez, Chavez Security
Jay Horany, Chavez Security
Roy Dennis, R and C Consulting and Investigations, LLC
Connie Giannini-Dennis, R and C Consulting and Investigations, LLC
Michael Gonzales, Security Concepts

Reciprocity/Special Events/Grandfathering/Psychological Exam/Misc.

Don Jochem and Al Stotts – Co-Chairs
Roy Dennis, R and C Consulting and Investigations, LLC
Connie Giannini-Dennis, R and C Consulting and Investigations, LLC
Robert Ruiz, James Hamilton Construction Company

Polygraph Section

James Wilson, Chair
(Mr. Wilson will report later with names of prospective members.)

Ms. Herndon asked that a draft of these rules be ready for her review by July 2nd.

VI. Old Business: NONE.

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

Motion was made at 11:30 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

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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 #08 and a motion was made to approve applicant to move forward with licensing process.

The Board reviewed case #09 and a motion was made to deny licensure due to previous felony conviction.

- B**
 - 2006-05 – to table for further investigation.
 - 2006-13 – to table for further investigation.
 - 2006-16 – to advise complainant to contact the AG’s Consumer Protection Division, the Board feels this is the proper venue.
 - 2006-17 – to dismiss.
 - 2007-01 – to dismiss.
 - 2007-05 – to dismiss and refer the case to the Department of Labor.
 - 2007-10 – to table for further investigation.

- C.** Parental Responsibility Act:

- 1. To Issue Default Orders to:

PI-06-02-08-PRA	PI-06-06-19-PRA
PI-06-03-03-PRA	PI-06-06-20-PRA
PI-06-03-10-PRA	PI-06-06-21-PRA
PI-06-04-11-PRA	PI-06-08-22-PRA
PI-06-04-12-PRA	PI-06-08-23-PRA
PI-06-04-13-PRA	PI-06-08-24-PRA
PI-06-05-14-PRA	PI-06-08-25-PRA
PI-06-05-15-PRA	PI-06-08-26-PRA

PI-06-05-16-PRA PI-06-08-27-PRA
PI-06-05-17-PRA PI-06-09-28-PRA
PI-06-06-18-PRA PI-06-07-29-PRA

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

PI-06-11-30 PI-06-12-37
PI-06-11-31 PI-06-12-34
PI-06-11-32 PI-06-01-38
PI-06-12-33 PI-06-01-39
PI-06-12-35 PI-06-02-40
PI-06-12-36

3. Motion to Dismiss (licensee submitted proof of compliance):

PI-06-02-07-PRA

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

ADJOURN – Chair Jochem adjourned the meeting at 12:31pm.

Submitted By:

Mary James, Board Administrator

Date

Approved on Behalf of the Board By:

Don Jochem, Chairman

Date