

**TENNESSEE PRIVATE INVESTIGATION AND POLYGRAPH COMMISSION
COMMISSION MEETING MINUTES**

Date: Friday, September 16, 2016 9:30 A.M. (CDT)

Place: Davy Crockett Tower
Conference Room 1-A
500 James Robertson Parkway
Nashville, TN 37243

Present: Commission Members:
Minnie Ann Lane, Chair
Paul David Brown
Larry T. Flair
David W. Horton
Jerry Richards
Dr. Paul Ritch (Teleconference)
Alan G. Rousseau (Teleconference)

Absent: William Rick Jones

Present: Staff Members:
Cody Vest, Executive Director
Beth Smith Bell, Administrative Assistant
Ashley Thomas, Assistant General Counsel
Regina Oldham, Paralegal
Shauna Balaszi, Administrative Assistant
Paul Hartbarger, Assistant Commissioner Operations

Others: Jenny Checuga, Court Reporter
Jeffery Bilyeu Michael Donaldson William Keck
Marjorie Laster Richard Tinsley

On November 18, 2016, the Tennessee Private Investigation and Polygraph Commission adopted the transcript of the meeting as the minutes of the September 16, 2016 Commission meeting. The meeting agenda is also a part of the minutes.



Minnie Ann Lane, Chair



Paul David Brown, Jr.

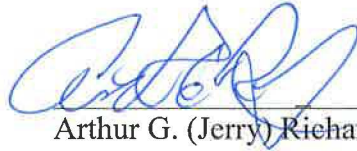


Larry T. Flair, Sr.

absent

William Rick Jones

Dr. Paul Ritch



Arthur G. (Jerry) Richards



Alan G. Rousseau

David W. Horton

Notice of September 16, 2016 meeting of the Tennessee Private Investigation and Polygraph Commission posted to the Commission website on September 9, 2016



State of Tennessee
Department of Commerce and Insurance
Private Investigation and Polygraph Commission
500 James Robertson Parkway
Davy Crockett Tower
Nashville, Tennessee 37243-1167
Telephone: 615.741.4827 Fax: 615.532.2965

Website: <http://www.tn.gov/commerce/section/private-investigation-polygraph>

AGENDA

Private Investigation and Polygraph Commission
NOTICE OF COMMISSION MEETING
Davy Crockett Tower – Conference Room 1-A
500 James Robertson Parkway
Nashville, TN 37243

Friday, September 16, 2016

- 9:00 A.M. CDT Education Committee Meeting
- 9:30 A.M. CDT Call To Order – Commission Meeting
Minnie Ann Lane, *Commission Chair*
Roll Call - Cody Vest, *Executive Director*
Agenda (Review/Adopt)
Minutes 07/22/2016 Commission Meeting (Review/Approve)
- Legal Report – Ashley Thomas, Assistant General Counsel
[Ex A] Complaint Review
- Paul Hartbarger, Assistant Commissioner Operations
Technology Changes in Licensing
- Administrative Matters – Cody Vest, Executive Director
[Ex B] Regulatory Boards Disciplinary Action Reports
[Ex C] Regulatory Boards Monthly Reports
[Ex D] Budget Review
Legislative Update
- Private Investigator Trainer Application Review
[Ex E] Chandler, Terry Melvin F#5
- Education Report - Beth Smith Bell, Administrative Assistant
[Ex F] Education Review
- Unfinished Business
New Business
Continuing Education Participant Forum
Review questions submitted by participants during Commission Meeting
Adjournment

The listed order of items and times on the agenda are subject to change, as the Commission reserves the right to move to the next agenda items due to cancellations or deferrals.

Commission meetings will be conducted by permitting participation of the Commission members by electronic or other means of communication if necessary. Any member participation by electronic means shall be audible to the public at the location specified above. The Department of Commerce and Insurance is committed to principles of equal access. If you need assistance with attending this meeting due to a disability please contact the Department's ADA Coordinator at 615.741.0481

PRIVATE INVESTIGATION AND POLYGRAPH COMMISSION

COMMISSION MEETING

September 16, 2016

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1
2 PRIVATE INVESTIGATION AND POLYGRAPH COMMISSION
3 COMMISSION MEETING
4 September 16, 2016
5 DAVY CROCKETT TOWER
6 500 JAMES ROBERTSON PARKWAY, ROOM 18
7 NASHVILLE, TN 37243

13
14 TRANSCRIPT OF COMMISSION MEETING
15 Commencing at 9:30 a.m.

22
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A P P E A R A N C E S

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2
3 COMMISSION MEMBERS
4 Minnie Ann Lane, Chair
5 Paul David Brown, Jr.
6 Larry T. Flair, Sr.
7 David W. Horton
8 Jerry Richards
9 Dr. Paul A. Ritch - by telephone
10 Alan G. Rousseau - by telephone
11
12 ALSO PRESENT
13 Ashley Thomas, Staff Attorney
14 Cody Vest, Executive Director
15 Beth Smith Bell, Administrative Assistant
16 Shauna Balaszi, Administrative Assistant
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2
3 CHAIRPERSON LANE: Good morning, fellow
4 Commission members, staff members, attorneys, and
5 guests. The date is Friday September the 16th at
6 approximately 9:30 a.m. I'm Minnie Ann Lane, your
7 Commission Chairman. I'll now call to order the
8 meeting of the Tennessee Private Investigation &
9 Polygraph Commission.

10 Since we have Commission members
11 attending by telephone conference, it will be
12 necessary to have a roll call after each vote. I'd
13 like to request that Executive Director Cody Vest
14 call the roll and verify a quorum, please.

15 MS. BELL: Thank you.

16 David Brown?

17 MR. BROWN: Here.

18 MS. VEST: Larry Flair?

19 MR. FLAIR: Here.

20 MS VEST: David Horton?

21 MR. HORTON: Here.

22 MS. VEST: Rick Jones?

23 Minnie Lane?

24 CHAIRPERSON LANE: Here.

25 MS. VEST: Jerry Richards?

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1 MR. RICHARDS: Here.
2 MS. VEST: Dr. Ritch?
3 DR. RITCH: Here.
4 MS. VEST: Allen Rousseau?
5 MR. ROUSSEAU: Here.
6 MS. VEST: Let the record show that
7 everyone is present, except for Rick Jones. We do
8 have two calling in telephonically. Madam Chair, you
9 have a quorum.
10 CHAIRPERSON LANE: Thank you. If each
11 Commission member has received and had time to review
12 a copy of the agenda, I'll ask if there's a motion to
13 adopt the agenda as presented.
14 MR. RITCH: I'll move to adopt the
15 agenda.
16 MR. ROUSSEAU: Second by Allen Rousseau.
17 CHAIRPERSON LANE: A motion by Dr. Ritch,
18 second by --
19 MS. VEST: Allen Rousseau.
20 CHAIRPERSON LANE: Commissioner Rousseau.
21 Any discussion? All in favor?
22 THE COMMISSION: Aye.
23 CHAIRPERSON LANE: Opposed? Motion
24 carries. We need a roll call on that?
25 MS. VEST: I'm going to do a roll call

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1 again.
2 David Brown?
3 MR. BROWN: Aye.
4 MS. VEST: Larry Flair?
5 MR. FLAIR: Aye
6 MS. VEST: David Horton?
7 MR. HORTON: Aye.
8 MS. VEST: Minnie Lane?
9 CHAIRPERSON LANE: Aye.
10 MS. VEST: Jerry Richards?
11 MR. RICHARDS: Aye.
12 MS. VEST: Dr. Ritch?
13 DR. RITCH: Aye.
14 MS. VEST: Allen Rousseau?
15 MR. ROUSSEAU: Aye.
16 MS. VEST: Ayes have it, Madam Chair.
17 CHAIRPERSON LANE: Thank you. If each of
18 the Commission members have reviewed the minutes of
19 the July 22, 2016, Commission meeting, then I'll ask
20 if there's a motion to approve these minutes as they
21 are presented.
22 MR. FLAIR: I'll make that motion, Madam
23 Chairman. Larry Flair.
24 CHAIRPERSON LANE: Motion by Larry Flair.
25 MR. HORTON: David Horton. Second.

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1 CHAIRPERSON LANE: Motion by David
2 Horton, Commissioner Horton. Any discussion? All in
3 favor?
4 THE COMMISSION: Aye.
5 MS. VEST: I have to do the roll call,
6 Madam Chair.
7 CHAIRPERSON LANE: Opposed? Now we'll
8 have a roll call.
9 MS. VEST: Excuse me.
10 David Brown?
11 MR. BROWN: Aye.
12 MS. VEST: Larry Flair?
13 MR. FLAIR: Aye.
14 MS. VEST: David Horton?
15 MR. HORTON: Aye.
16 MS. VEST: Minnie Lane?
17 CHAIRPERSON LANE: Aye.
18 MS. VEST: Jerry Richards.
19 MR. RICHARDS: Aye.
20 MS. VEST: Dr. Ritch?
21 DR. RITCH: Aye.
22 MS. VEST: Allen Rousseau?
23 MR. ROUSSEAU: Aye.
24 CHAIRPERSON LANE: Looks like next on the
25 agenda we have the legal report under Exhibit A.

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1 I'll respectfully request that our Assistant General
2 Counsel Ashley Thomas handle the legal report, along
3 with -- I think we have got -- is that the only
4 exhibit we've got? I believe it is.
5 MS. THOMAS: For legal, yes, ma'am.
6 CHAIRPERSON LANE: Okay. Thank you.
7 MS. THOMAS: I'll just start at number
8 one being, case number 2016030731.
9 This complaint opened alleging multiple
10 violations by Respondent, including unlicensed
11 activity. The complaint alleges that Respondent
12 entered into an agreement for investigative services
13 in Texas. Complainant alleges that the agreement
14 listed a Tennessee company, which was explained to be
15 a sister company.
16 Complainant's allegations named various
17 violations purported to have occurred during the
18 Texas investigation. Complainant alleges that
19 Respondent operated in the State of Tennessee without
20 proper licensure. Additionally, Complainant states
21 that Respondent did not obtain a branch office,
22 despite having a Tennessee address and advertised its
23 company in a name other than the company's true name.
24 Respondent denies any unlicensed activity
25 or violation of the Tennessee Law. Respondent states

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1 that it is a properly licensed private investigations
2 company and the agreement provided to the Texas
3 client on Tennessee letterhead was the result of
4 clerical error. Respondent states that no work was
5 performed in Tennessee as a result of the agreement
6 being signed. Respondent states that the company has
7 only a mailing address in the State of Tennessee.
8 Investigation shows that Respondent hired one private
9 investigator who indicated that she works
10 approximately 20 to 40 hours per week.
11 My recommendation is to issue a letter of
12 warning regarding Tennessee Comprehensive Rules and
13 Regulations 1175-04-.06(5)(b).
14 CHAIRPERSON LANE: Is there a motion?
15 DR. RITCH: I move we accept Counsel's
16 recommendation.
17 CHAIRPERSON LANE: Motion by Commissioner
18 Ritch.
19 MR. ROUSSEAU: I second.
20 CHAIRPERSON LANE: Second by Commissioner
21 Richards.
22 MR. ROUSSEAU: Rousseau.
23 CHAIRPERSON LANE: That was Commissioner
24 Rousseau?
25 MR. ROUSSEAU: Yes.

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1 CHAIRPERSON LANE: Is that for a second?
2 MR. ROUSSEAU: Yes, correct.
3 CHAIRPERSON LANE: Is there any
4 discussion on this? Roll call.
5 MS. VEST: David Brown?
6 MR. BROWN: Aye.
7 MS. VEST: Larry Flair?
8 MR. FLAIR: Aye.
9 MS. VEST: David Horton?
10 MR. HORTON: Aye.
11 MS. VEST: Minnie Lane?
12 CHAIRPERSON LANE: Aye.
13 MS. VEST: Jerry Richards?
14 MS. RICHARDS: Aye.
15 MS. VEST: Dr. Ritch?
16 DR. RITCH: Aye.
17 MS. VEST: Allen Rousseau?
18 MR. ROUSSEAU: Aye.
19 MS. VEST: Ayes have it, Madam Chair.
20 MS. THOMAS: Case number two is
21 2016040601. This complaint opened alleging that
22 Respondent engaged in unlicensed activity in addition
23 to offered training without proper certification.
24 The complainant alleges that Respondent
25 offered various equipment and training classes. The

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1 Complainant further alleged that Respondent employs
2 individuals as private investigators who are not
3 licensed.
4 In response to the complaint, Respondent
5 states that it is a properly licensed company with
6 one licensed investigator in Tennessee. Respondent
7 also states that it does not offer certified
8 training, but rather training for potential
9 investigators to determine their skill level and
10 aptitude. Respondent states that the training
11 classes offered are in Alabama, with an option for
12 online classes, but the advertisements were available
13 in the Tennessee location. Respondent states that
14 the company websites do not reference services at a
15 particular location.
16 In discussion with the Respondent, the
17 company claims to have removed the marketing material
18 from the Tennessee location entirely. Respondent
19 states that the company employs only one investigator
20 in Tennessee, however, there is additional staff for
21 the administrative duties of the company. Finally
22 Respondent is advertised to the public under a name
23 other than that registered with the State of
24 Tennessee.
25 My recommendation is to authorize a

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1 formal and send a consent order with a civil penalty
2 in the amount of \$500. The civil penalty amount
3 represents \$250 for violation of Tennessee Code
4 Annotated 62-26-226 and \$250 for violation of
5 Tennessee Comprehensive Rules and Regulations
6 1175-04-.06(5).
7 CHAIRPERSON LANE: Is there a motion?
8 MR. FLAIR: I'll make that motion that we
9 except Counsel's recommendation, please. Larry
10 Flair.
11 CHAIRPERSON LANE: Motion by Commissioner
12 Flair. Is there a second?
13 MR. BROWN: Second by Commissioner Brown.
14 CHAIRPERSON LANE: Second by Commissioner
15 Brown. Is there any discussion? Roll call, please.
16 MS. VEST: David Brown?
17 MR. BROWN: Aye.
18 MS. VEST: Larry Flair?
19 MR. FLAIR: Aye.
20 MS. VEST: David Horton?
21 MR. HORTON: Aye.
22 MS. VEST: Minnie Lane?
23 CHAIRPERSON LANE: Aye.
24 MS. VEST: Jerry Richards?
25 MS. RICHARDS: Aye.

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1 MS. VEST: Dr. Ritch?
 2 DR. RITCH: Aye.
 3 MS. VEST: Allen Rousseau?
 4 MR. ROUSSEAU: Aye.
 5 MS. VEST: Ayes have it, Madam Chair.
 6 MS. THOMAS: Case number three is
 7 2016041781. This complaint opened alleging that
 8 Respondent private investigate -- that is a typo.
 9 This complaint opened alleging that Respondent hired
 10 private investigators as employees who were not
 11 properly affiliated with the company in addition to
 12 an unlicensed branch office. The complaint included
 13 screenshots of the company website and online
 14 advertisements listing a Nashville address.
 15 Respondent states that the company is
 16 properly licensed and has no employees or physical
 17 office in Tennessee. Respondent states that the
 18 investigative work is completed in the State of
 19 Texas, but the company obtained a license in
 20 Tennessee in order to bid on contracts primarily
 21 being pre-employment background checks.
 22 Respondent states that the website in the
 23 complaint results from a search engine placement tool
 24 in order to have the company website categorized in
 25 the search engine. Respondent states that the

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1 marketing website populated the address with the
 2 Nashville, Tennessee address. As to the address,
 3 Respondent states, and research confirms, that the
 4 address listed is a post office box. My
 5 recommendation is to close as the allegations could
 6 not be substantiated.
 7 CHAIRPERSON LANE: Is there a motion?
 8 MR. FLAIR: Madam Chairman, I make a
 9 motion we accept Counsel's recommendation. Larry
 10 Flair.
 11 CHAIRPERSON LANE: Commissioner Flair
 12 made a motion to accept.
 13 MR. RICHARDS: I second.
 14 CHAIRPERSON LANE: Second by Commissioner
 15 Richards. Any discussion? All in favor?
 16 THE COMMISSION: Aye.
 17 CHAIRPERSON LANE: Let's have a roll
 18 call.
 19 MS. VEST: David Brown?
 20 MR. BROWN: Aye.
 21 MS. VEST: Larry Flair?
 22 MR. FLAIR: Aye.
 23 MS. VEST: David Horton?
 24 MR. HORTON: Aye.
 25 MS. VEST: Minnie Lane?

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1 CHAIRPERSON LANE: Aye.
 2 MS. VEST: Jerry Richards?
 3 MS. RICHARDS: Aye.
 4 MS. VEST: Dr. Ritch?
 5 DR. RITCH: Aye.
 6 MS. VEST: Allen Rousseau?
 7 MR. ROUSSEAU: Aye.
 8 MS. VEST: Ayes have it, Madam Chair.
 9 CHAIRPERSON LANE: Thank you.
 10 MS. THOMAS: Case number four is
 11 2016045161. This complaint opened alleging that
 12 Respondent charged and collected fees for services
 13 not rendered in violation of Tennessee Code Annotated
 14 62-26-221. Complainant alleges that she hired
 15 Respondent to provide surveillance on her apartment.
 16 Complainant alleges that Respondent placed a camera
 17 in her apartment and charged \$300. Complainant
 18 alleges that Respondent provided no instruction for
 19 the camera and indicated she could contact the police
 20 to retrieve the footage from the camera.
 21 Respondent agrees that he provided video
 22 surveillance for complainant's home. And after
 23 installing the camera for \$250, Respondent indicated
 24 to Complainant that because she was unable to review
 25 the footage, he will provide the service. if he

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1 received a telephone call from Complainant.
 2 Respondent states that he explained to Complainant
 3 that the police department would be contacted if
 4 suspicious activity was observed on the camera.
 5 Respondent states that Complainant did not request
 6 him to review any of the camera footage and the
 7 Complainant is still in possession of the camera.
 8 While there is some dispute about the
 9 amount Complainant paid for the service, there is no
 10 evidence to settle that discrepancy. Respondent did
 11 provide a service to the Complainant for which he was
 12 compensated. The Commission should note that the
 13 complaint appears to have been drafted by a family
 14 member, and it did include comments regarding
 15 Complainant's mental state, which appears to evidence
 16 an erroneous allegation against the Respondent. My
 17 recommendation is to close.
 18 CHAIRPERSON LANE: Is there a motion?
 19 MR. FLAIR: I'll make that motion as
 20 well, Larry Flair, to accept Counsel's
 21 recommendation, please.
 22 CHAIRPERSON LANE: Commissioner Flair.
 23 Is there a second?
 24 MR. BROWN: Second. David Brown.
 25 CHAIRPERSON LANE: Second by Commissioner

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1 Brown. Any discussion? All in favor?
 2 THE COMMISSION: Aye.
 3 CHAIRPERSON LANE: Roll call, please.
 4 MS. VEST: David Brown?
 5 MR. BROWN: Aye.
 6 MS. VEST: Larry Flair?
 7 MR. FLAIR: Aye.
 8 MS. VEST: David Horton?
 9 MR. HORTON: Aye.
 10 MS. VEST: Minnie Lane?
 11 CHAIRPERSON LANE: Aye.
 12 MS. VEST: Jerry Richards?
 13 MS. RICHARDS: Aye.
 14 MS. VEST: Dr. Ritch?
 15 DR. RITCH: Aye.
 16 MS. VEST: Allen Rousseau?
 17 MR. ROUSSEAU: Aye.
 18 MS. VEST: Ayes have it, Madam Chair.
 19 MS. THOMAS: And finally case number five
 20 is 2016049511. This complaint opened alleging that
 21 Respondent failed to submit termination notices for
 22 would two employees within 30 days in violation of
 23 Tennessee Code Annotated 62-26-213(2) and Tennessee
 24 Comprehensive Rules and Regulations 1175-01-.06. The
 25 Commission office received two termination notices on

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1 January 18, 2016, indicating termination dates for
 2 two private investigators, the dates being June 6,
 3 2014, and August 17, 2015.
 4 Respondent states that the failure to
 5 submit the termination notices timely was an
 6 oversight by the company and will not happen again.
 7 Respondent states that any future employment
 8 changes -- upon any future employment changes
 9 Respondent will be certain to submit a written notice
 10 within 30 days of the change. Finally, Respondent
 11 also indicated one additional termination that was
 12 not reported within 30 days.
 13 My recommendation is to authorize a
 14 formal and send a consent order with a civil penalty
 15 in the amount of \$150 for violation of Tennessee Code
 16 Annotated 62-26-213(1) and Tennessee Comprehensive
 17 Rules and Regulations 1175-01-.06. The civil penalty
 18 amount represents \$50 for each employee termination
 19 notice not submitted timely.
 20 CHAIRPERSON LANE: Is there a motion?
 21 MR. BROWN: I move we accept Counsel's
 22 recommendation.
 23 CHAIRPERSON LANE: Motion by Commissioner
 24 Brown. Is there a second?
 25 MR. RICHARDS: I second.

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1 CHAIRPERSON LANE: Second by Commissioner
 2 Richards. Any discussion? All in favor?
 3 THE COMMISSION: Aye.
 4 CHAIRPERSON LANE: Roll call, please.
 5 MS. VEST: David Brown?
 6 MR. BROWN: Aye.
 7 MS. VEST: Larry Flair?
 8 MR. FLAIR: Aye.
 9 MS. VEST: David Horton?
 10 MR. HORTON: Aye.
 11 MS. VEST: Minnie Lane?
 12 CHAIRPERSON LANE: Aye.
 13 MS. VEST: Jerry Richards?
 14 MS. RICHARDS: Aye.
 15 MS. VEST: Dr. Ritch?
 16 DR. RITCH: Aye.
 17 MS. VEST: Allen Rousseau?
 18 MR. ROUSSEAU: Aye.
 19 MS. VEST: Ayes have it, Madam Chair.
 20 CHAIRPERSON LANE: Thank you.
 21 MS THOMAS: That concludes the legal
 22 report, thank you.
 23 CHAIRPERSON LANE: Do you want to take a
 24 few-minutes break, perhaps we'll get our speaker
 25 here?

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1 MS. VEST: Yes.
 2 CHAIRPERSON LANE: Let's take a
 3 ten-minute break.
 4 (Short break.)
 5 CHAIRPERSON LANE: We'll return to the
 6 meeting of the Tennessee Private Investigation &
 7 Polygraph Commission, and I believe that we have Paul
 8 Hartbarger, the Assistant Commissioner of Operations,
 9 Technology Changes in Licensing. Welcome.
 10 MR. HARTBARGER: Thank you, Commission
 11 members. Good morning, ladies and gentlemen. I am
 12 here to talk to you. Cody and I have been talking
 13 for the last year, we have had -- we've had the birth
 14 and successful first year of adolescence of the new
 15 system called CORE, that you probably heard about.
 16 And that system is a foundational system that takes
 17 this department and you, board, to be able to work
 18 with online licensing and to hopefully revolutionize
 19 the way that you work with the Commission with the
 20 board here, so you get the most efficient means of
 21 work possible. So that when you make a request, that
 22 it's taken care of with as few steps as possible, and
 23 you get a return document as quickly as possible so
 24 that people don't miss work and any of those areas
 25 are capable.

1 So what I am here to do today is show you
2 a little bit of history, hand you a few documents and
3 talk to through this. And then at the conclusion of
4 doing that, what I really want to do is engage you
5 today, and as you move forward, with how do we work
6 together through Cody, how do we work together to
7 utilize this new system, to make enhancements to it,
8 to do what would be necessary to make it work the
9 best that it can work for your Commission. So that's
10 what we are charged with.

11 MS. VEST: Paul, we have a court
12 reporter. So sometimes we go a little fast.

13 MS. BELL: We have two people
14 participating by teleconference too. Can you hear?

15 MR. RITCH: I can hear very well. I need
16 some pretty fair explanation from the Commission,
17 please. I hear real well, but I have nothing in
18 front of me about this.

19 MR. ROUSSEAU: Allen Rousseau. I hear.

20 MR. HARTBARGER: Cody, before we got up
21 here, you told me I have a big mouth.

22 MS. VEST: They heard fine.

23 MR. HARTBARGER: So the one item I want
24 to point out to you is when we talk about the world
25 is moving forward, I want to remind you of some

1 events that did not have to do with you, but had to
2 do with one of the other boarding commissions here.

3 If there was people that were doing your
4 nails and they were producing this document with
5 Microsoft Excel -- are you familiar with Microsoft
6 Excel? So some people thinks it would be really
7 difficult to do a forgery of this, but they literally
8 took Microsoft Excel, and unless you got a magnifying
9 glass, you could not tell the difference.

10 So it's to really point out to you the
11 world has changed. That with the age of electronics,
12 what you can do at a home PC with simple tools and a
13 color printer is as good as we can do here with
14 professional tools, and so it's to understand that.

15 And then to point out the certificate
16 that you are used to, you see that it has all those
17 curly fonts, those kinds of things, and to point out
18 to you when you go electronic, that some of the work
19 you need to do to have this legible on devices,
20 change some of those things.

21 The first thing I would tell you, it's
22 kind of the end goal before we get into this, this is
23 what we want to be the end goal. This is going to be
24 a little hard for you to see. Our end goal is in a
25 position for you to be able to say that your

1 licensees and what they are identified by is coming
2 to them on a device like this. Because I believe all
3 of you understand that contemporary technology today,
4 you don't even deal with your PC, you do it with your
5 phone. They say that 80 percent of the work is done
6 on the internet and 80 percent of electronic work
7 done today has already moved to these phones. What
8 we are wanting to do is get you to a position so that
9 you can leverage this in your every day work.

10 Are there any of you who have used Apple
11 Pay? So you can set your credit card ID to --
12 Walgreens is one of the few people who accept it, so
13 you walk over to it, you scan your credit card in
14 ahead of time, you walk over to the terminal, you
15 hold your telephone above it and it says "ready," and
16 you put your thumb print on it and you just pay. So
17 that's what we want to get you in the ability
18 similar, obviously you are not paying for anything,
19 but we want to get you in a similar mode to get in
20 that type of technology.

21 Let me hand out a couple pieces to you
22 and say how at least in this juncture how we are
23 going to work the evolution of this.

24 MS. VEST: Dr. Ritch and Allen, we do
25 know you do not have these documents, and we will

1 e-mail them to you for your review.

2 (Handing out documents.)

3 MR. HARTBARGER: So if you will compare
4 that certificate that I just handed you, that is the
5 certificate that in the very short run that we are
6 attempting to provide to you. And so it's a move
7 away from those cursive, old English style fonts to
8 get things legible. So it's a move away from some of
9 the other things that are difficult to read when you
10 frame and when you -- so, I mean, this document, as
11 long as it's been around, I believe all of you know
12 that when you are standing more than a couple feet
13 from it, you probably can't read this middle line in
14 here. So we are trying to move you away from
15 something that is a little cleaner.

16 In doing this, the other piece that we
17 are doing is we are setting the tone for something
18 that's the first security feature that's a little
19 electronic. This is called a QR code over in the
20 corner that you have seen. If you have an iPhone,
21 you can actually take your iPhone that you have there
22 today, if you have -- or one of the Android phones,
23 and you can scan this code, and it will pull up for
24 you immediately the verified dot TN and dot gov. It
25 pulls that up.

1 Today all they can do is launch that
2 application for you so you can search further.
3 Within a matter of a few weeks, we intend that when
4 you scan it, whoever is on this license, it's going
5 to pull them up and show you right on the screen,
6 this is John Smith, this is their license, this is
7 the effective date, this is the expiration date. And
8 potentially, if you chose to, it can show behind it
9 any complaints that were filed against them that have
10 been resolved and that would be deemed publishable to
11 the public in general. And so those are the kinds of
12 things that you'd would be in a position to do.

13 So the first step is to try to produce a
14 new document, with the time being it would probably
15 be produced on this security paper here still, and it
16 would move that direction. So any questions about
17 that is kind of a first step?

18 MS. VEST: Now's the time to ask
19 questions, if you have any.

20 MR. RITCH: Paul Ritch in Chattanooga. I
21 don't have a question about that, I have a general
22 question. The new system called CORE is an acronym
23 for something, what does CORE stand for?

24 MR. HARTBARGER: Stands for Comprehensive
25 Online Regulatory and Enforcement.

1 MR. RITCH: Got you. Appreciate that.
2 Thank you.

3 MR. HARTBARGER: I didn't get to run last
4 night, so I wanted my exercise.
5 (Handing out documents.)

6 MS. VEST: And what we're also -- if you
7 look at that, all Regulatory Board licenses will look
8 like this. Every board that is covered under
9 Regulatory Boards would have the same certificate
10 like they do now, they will all look the same.

11 MR. HARTBARGER: The reason I'm handing
12 these out is I didn't want you to read to the end of
13 the book before we got started.

14 MS. VEST: Thank you, Paul.

15 MR. HARTBARGER: So with very short
16 order, the intent is going to be that when someone is
17 licensed and their license fees are paid and their
18 continuing education and they have all the proper
19 credentials or they have renewed, that there is going
20 to be the ability that that's going to be sent to you
21 by e-mail.

22 And so then depending on whether you have
23 a color printer, which almost all people do today,
24 actually, remember black-and-white for a long time
25 was the standard because it was cheaper, today almost

1 everyone has an ink jet printer because that's just
2 what's sold and bought, it's a hundred bucks. The
3 cartridges cost more than the printer, we all know
4 that. So then someone sitting at home that does this
5 can then produce one of those two documents.

6 If they happen to have a black-and-white
7 printer, that's what they remain with, then the copy
8 done in gray scale would be the copy they produce.
9 Versus, if they have a color printer, then they're
10 going to be the other document is what they produce.
11 Then, again, that QR code in the corner, again, if
12 anybody has a phone, I'll be glad to show with mine
13 if anybody wants to see, if you scan it, even the one
14 that's on there today, will take you straight to
15 verify. With the intent, again, of being that we
16 will set it up so when you scan it, it will take you
17 to the person that you are looking at their
18 certificate, take you to electronic information about
19 them.

20 MS. VEST: As we talk through this, and
21 you need to be thinking about, there might be some --
22 excuse me, Paul -- might be some law changes and some
23 rule changes that we will need to speak about at
24 another meeting.

25 For instance, it says that you have to

1 properly display in your place of business the actual
2 card, it also says that you have to have a photo on
3 your ID card. So we are moving in a different
4 direction and doing those as well. But we'll talk
5 about that in another meeting.

6 CHAIRPERSON LANE: If we have this here
7 and we printed this off and we put -- either put it
8 on a website, could we, where someone could -- or we
9 could mail it to our client and they can scan it?

10 MR. HARTBARGER: You absolutely can.

11 CHAIRPERSON LANE: That's great.

12 MR. HARTBARGER: That is exactly what we
13 are working toward, is to give you the ability so
14 that opposed to a paper document that someone has to
15 come and see or you have to scan or treat some other
16 way, we are positioning you with documents that make
17 it easier to do business every single day.

18 Again, the paper documents would still
19 probably remain for some period of time that would
20 come to you, and then at some point, once you got the
21 laws and rules, whatever in place, and you thought
22 through how that process works, then you can move to
23 a methodology where it would be you would be sending
24 that document electronically to people to verify your
25 license. And you would have it on your phone or

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1 tablet or something similar so that when they walked
2 in, they could also electronically, not even see the
3 piece of paper, and scan it off of the screen.
4 So, again, the foundation was set with
5 the CORE system and the capabilities that it gave us
6 to move forward, so what we want to do is introduce
7 this whole thought process to you in terms of how do
8 you go forward? How do you leverage this technology
9 to take your industry forward with licensing? Very
10 much like your question is to the point, would I be
11 able to take the license I have and be able to send
12 that to someone, as opposed to having to display it.
13 If I want to be able to send it to someone that's
14 many counties away, you have the document that was
15 sent to you that you may have printed because you
16 chose to and then you could also forward that onto
17 other people.
18 So we are trying to engage you to start
19 thinking about what other things maybe would you want
20 to do to optimize the industry's interaction with the
21 Board and Commission here.
22 MS. VEST: Do we have any questions with
23 the call-in commissioners?
24 MR. RITCH: Not in Chattanooga, thank
25 you.

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1 MR. ROUSSEAU: Allen Rousseau, no.
2 MS. VEST: Any other commission members?
3 Don't want to leave you out.
4 CHAIRPERSON LANE: I'm excited about it.
5 MR. HARTBARGER: Cody, was there anything
6 in particular that you think may be --
7 MS. VEST: I want you to talk about the
8 picture.
9 MR. HARTBARGER: Picture?
10 MS. VEST: All our programs require a
11 photo ID. We are one of the few that require the
12 photo ID on your cards. You, as private
13 investigators, usually carry that card in your
14 pocket, you don't have it attached to your shirt or
15 jacket or whatever, and you have your driver's
16 license and you are going to have this card -- this
17 license here, why is it necessary for you to have a
18 photo ID? Is it more difficult, Paul, to do that in
19 the future, the way we are going?
20 MR. HARTBARGER: Yes, it is. It's the
21 issue of trying to merge the photo with this document
22 to get it on a document and try to produce it in a
23 format where somebody -- where it will be legible for
24 that person.
25 CHAIRPERSON LANE: So you are saying if

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1 they scan this, will it pull up our photo then and
2 they would know that that's the person they are
3 talking to.
4 MR. HARTBARGER: That would be a
5 possibility, yes, ma'am. That would be one
6 possibility that rather than trying to print it on
7 something, that you could have it be when they scan
8 it, that that would be part of the record that would
9 pop up for you, yes.
10 MS. VEST: That sounds good to me.
11 CHAIRPERSON LANE: It does, yes.
12 MS. VEST: And also, right now, your ID
13 card has your physical description on the back. It
14 would be on the front now of the card. I don't see
15 what difference that would make, but it -- you are
16 required to have a physical description,
17 characteristics. Any questions? I know what you are
18 going to do when Paul leaves, you are going to catch
19 me. So you better ask Paul.
20 CHAIRPERSON LANE: Maybe we'll call him
21 back.
22 MS. VEST: That's possible.
23 MR. HORTON: We need to find a third
24 grader to figure this out for us.
25 MS. VEST: I beg your pardon?

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1 MR. HORTON: We need to find a third
2 grader who can figure this out for us.
3 MS. VEST: That's why he's here.
4 CHAIRPERSON LANE: That's a compliment.
5 MR. HARTBARGER: I'll give you -- yeah,
6 that's a compliment. I'll get you, Cody.
7 MS. VEST: Yeah, he will.
8 MR. HARTBARGER: So that's⁴ actually very
9 great question, could it do something like that.
10 Because honestly we're not certain, I'm not certain
11 in terms of technology, what ways do you need to
12 interact with the public and how do you need to
13 interact with them. How can we meld this technology
14 with the way you need to interact and satisfy both
15 sets of needs, and that's the way we want to work.
16 So if you can begin that thought
17 process -- Cody is very right, trying to print on
18 this document something that would be equivalent of a
19 photo is going to be almost illegible when you print
20 on thin stock paper and you print it at the size we
21 are talking about printing it, you might as well put
22 Micky Mouse's picture on there, because it's just not
23 going to be legible. So for that reason, when we get
24 into how do we give you the security or whatever --
25 whatever the photo does for you, how do we provide

1 you an alternate means to be able to get to the same
2 end result.

3 MR. RITCH: One question, Paul Ritch in
4 Chattanooga. Will this information be available to
5 the public (inaudible)

6 MS. VEST: You'll have to speak up,
7 Dr. Ritch, we did not hear all that question.

8 MR. RITCH: I apologize. My question
9 was, if a photo ID is necessary, will they be able to
10 pull that from the driver's license division, what
11 you have to have on your driver's license, would that
12 be accessible or do you share information across
13 departments?

14 MS. VEST: As it stands right now, we do
15 not share information. That would probably be --
16 it's a little bit higher than me to make that type of
17 decision, but usually when we are talking about
18 another division, it would take probably a law
19 change, at least a rule change, and then we would
20 have to tap in to their site in order to do that. So
21 I don't know the answer to that question.

22 MR. RITCH: Old habits die hard and the
23 public is used to seeing that photo ID. I am asking
24 that question for that reason.

25 MR. HARTBARGER: Technologically that

1 need to be thinking how we are going to get these
2 changes made.

3 That's why Paul is here, if you have
4 questions, if you have ideas later or you can e-mail
5 them to me, we'll talk about it, I'll get with Paul
6 at a later date. The idea about tapping into the
7 driver's license, we can ask them about that. I just
8 don't know what will result from that, but I can ask
9 that. If you do have any questions, especially our
10 people on the telephone, make sure you think about
11 ways we can get this changed and we'll talk about it.

12 MR. RITCH: One question, Cody. Paul
13 Ritch here. I know you superimposed a photo that we
14 provide, which is actually a passport size photo, but
15 you do not keep a copy of that there in your files,
16 do you?

17 MS. VEST: Yes, sir, we do. That's why
18 you are required to send in more than one photo.

19 MR. RITCH: I got you, okay. That's one
20 source for that photo if that came down do to it.
21 That would be within the purview of your jurisdiction
22 without involving the Department of Safety. Just a
23 thought.

24 MS. VEST: Yes, sir. See, right now what
25 we have to do, you send in your photo, yes, you do

1 information does exist there, they do store it.
2 Because you know if you renew your driver's license,
3 they can produce another copy with a prior picture
4 that was taken of you, so you know they're storing
5 it. So they do have it. We would just simply look
6 if that was something that you wanted to look at, we
7 would need to start working with them with the
8 Department of Safety.

9 MS. VEST: Any other questions? Well, I
10 personally, and I know the Commission does as well,
11 would like to thank Paul Hartbarger and his staff
12 because there has been a lot of work that has been
13 done to get CORE up and running. I think it's a year
14 old this month.

15 MR. HARTBARGER: Year old on
16 September 9th.

17 MS. VEST: Okay. So we are still
18 working, trying to get some things changed. And this
19 is the first step, you are the first body that I had
20 asked Paul to come in and speak to, and I'll ask him
21 to come and speak to our Alarm people as well.
22 Because I have really been concerned about the photo.
23 If we have to do it the way we are doing it now, it's
24 going to make some different changes. But with our
25 knew database and all these cards looking a like, we

1 send in a passport style, but we have to physically
2 cut it out about the size of the seal or the bar code
3 here, Q code here. Then we have to manually cut it
4 out with a pair of scissors, we have a little machine
5 that we cut it down even smaller, and then we have to
6 actually tape it to -- we used two-sided tape to tape
7 it to the card, and we laminate it. It is very, very
8 labor intensive. We would like to get away from that
9 with the technology that we have now.

10 MR. RITCH: Makes sense.

11 MR. HARTBARGER: I have been at a meeting
12 across departments and the issue of the driver's
13 license and photo ID did come up, and at that point
14 their thought process on it was, although not on the
15 form, was to look at something along the lines of if
16 you have an ID card in front of you, do you ask that
17 you see their driver's license. Would it be within
18 the -- okay within the law to actually say, can you
19 just show me your driver's license to show me you are
20 the person that's listed on this certificate.

21 They already have a well done security
22 document in their wallet probably and ask to see
23 that, that that's actually much better than anything
24 we could put together. So you might also consider
25 this.

1 MS. VEST: That's what we were talking
2 about. If you had the card, it's in your pocket, it
3 doesn't have a picture on it, you need to show it to
4 someone, you just show your driver's license as well
5 for identification purposes.

6 MR. RITCH: That addresses my question,
7 thank you Commissioner. Thank you, Cody.

8 MS. VEST: You're welcome.

9 MR. HARTBARGER: Great to speak to you
10 today. If you have anything, obviously get it to
11 Cody and we'll get together and I'll either get it
12 back to you via e-mail or I'll come and see you
13 again.

14 CHAIRPERSON LANE: Thank you so much.

15 MS. VEST: Thank you, Paul. We
16 appreciate it. Now that short presentation has taken
17 several years to accomplish. I am going to go
18 before, of course, the Alarm Board as well, and as I
19 said, the Private Protective Services and our
20 Locksmith are Commissioner run programs, so we'll
21 make that decision and you will, the Commissioner
22 will by making the necessary changes. Everything
23 comes through our office, so we really want all --
24 everything to be the same, all the Commission, the
25 Board and the Commissioner run programs, I'd like to

1 have -- if we are going to have a photo ID, it's
2 going to be everything. If we are going take it off,
3 we are going to take it off everything. We want it
4 all to be as uniform as possible that the law permits
5 us to do.

6 But I want to thank Paul Hartbarger. I'm
7 on the committee of this one and several others and
8 he has done a lot of work and a lot of things in the
9 background and took a long time to get to where we
10 are at. We are still trying to learn this system and
11 what it can do for us. We just did find out recently
12 how to go to a document and put our signature on
13 there with -- automatically. It just does it for us.
14 There's several different ways you can do that.
15 Instead of us having to print something, the document
16 to look at, usually it's criminal records, then I put
17 my signature, "okay," the criminal record's okay, I
18 have to give it back to the individual, they have to
19 scan that, upload it into the system. This way my
20 signature will automatically be put in so we will be
21 eliminating several steps there.

22 We just found out that system can do that
23 and we do know, what Paul has told me, there's a lot
24 more that this system can do, we just have to get in
25 there and work with it and play around with it, see

1 what it can do.

2 And along with that, our office has gone
3 paperless. We are going to get to the point where
4 you will not have a paper application. So you won't
5 call my office to get one, it's not even going to be
6 on the internet to print one. You will have to go
7 online to do the application, you'll have to go
8 online to do your renewal. Everything is going to be
9 online. It's the direction that we are going into.

10 The last one was PPS, we just went this
11 week paperless. It has been an ordeal to do that.
12 With the volume of work that we are getting, we
13 produce about 2000 applications a month, a little bit
14 more than that in actual licenses get printed, the
15 way it rolls over. Labor intensive, all programs for
16 the photos, you can see how long it takes to do that.
17 We want to cut the time down, which we have and we
18 are very proud of that. The time we have been able
19 to cut down how long it takes to get a license from
20 our office, we were dealing with 56 days, something
21 like that, down to 5 days to 8 days, 10 days,
22 something in that particular range. And we are
23 really proud of that. And we -- hopefully with the
24 new direction that we are going into, we can almost
25 do it within a 24-hour period. Everything is done

1 electronically and I don't have to touch anything.

2 CHAIRPERSON LANE: That will be great.

3 MS. VEST: That's the direction that we
4 are going into.

5 CHAIRPERSON LANE: From personal
6 experience, I know that the contractors license and
7 the real estate license, they don't have photo ID's.

8 MS. VEST: No, they do not, but your
9 program requires it. Every program we have, except
10 for PPS, requires a photo, but we do put a photo on
11 an armed guard license. We have to talk with law
12 enforcement about removing it, have a dialogue with
13 them to understand when you now send an armed guard
14 card, you have a photo on it. But you are actually
15 the first step in this part in doing this. You are
16 the first ones we have come to to ask to re-think
17 some of the things that we need to do and get your
18 input as a profession of how this would be accepted.

19 CHAIRPERSON LANE: That's all of the
20 agenda now?

21 MS. VEST: Yes, ma'am.

22 CHAIRPERSON LANE: The next item is
23 administrative matters. I turn these items over to
24 Executive Director Cody Vest. I believe they are
25 Exhibit B through F.

1 MS. VEST: Yes. We can do go ahead to
2 Exhibit B, if you like. We have disciplinary action
3 report for July 2016. You do not have any
4 disciplinary action on there, but you do see other
5 programs have. Private Protective Services had a few
6 that is on the report for July.

7 Gentlemen, do you have this information
8 front of you, Allen and Dr. Ritch?

9 MR. RITCH: Yes.

10 MR. ROUSSEAU: Allen Rousseau. Yes.

11 MS. VEST: All right. If you go to
12 August, the Commission also does not have any for
13 that particular month, but you can see for Private
14 Protective Services due to arrests, we do have a
15 revocation of a license. And the rest -- the month
16 before that in July you did have some student loan
17 suspensions.

18 Exhibit C is going to be the monthly
19 report. You have already got this in advance too. I
20 am going to go over here to the list of Commission
21 members. We have David Brown who expires 9/30 of
22 '16. Larry Flair expires 9/30 of '16. Also David
23 Horton, Minnie Lane, Dr. Ritch, and Allen Rousseau
24 expired in 2014. And I'd like to thank the
25 Commission members for serving. You will receive a

1 letter sometime that says thank you for your service.
2 Until you do that, we would like for you to continue
3 to serve in your capacity. Just all of you kind of
4 look at that. But that's what's in the report.

5 You have the July report and you have the
6 August report, they are almost identical. There'll
7 be some little bit of changes in how many complaints
8 we had or licenses that were produced, but I am
9 basically talking to you about the Commission
10 members.

11 Now we are going to go to the budget
12 review. This form will look different to you. It
13 looked very different to me. I did have Bill
14 Huddleston come in and talk with me about the way
15 they are doing this now. I talked to you about the
16 budget at the last meeting, but I do not have the
17 final closeout for your budget yet. I'll get that to
18 you by e-mail, whenever, then we can discuss at the
19 October meeting.

20 You are still in the black, that is good.
21 There is no need to raise fees in this program
22 either. Remember, I have always told you when we
23 started July the 1st, we must start with a zero
24 balance, and then over the year until June, you have
25 to have enough money to operate your program, which

1 you have. So don't be alarmed to what you are seeing
2 right now, because each month is going to fluctuate.

3 The month of July, your revenue was
4 \$16,315. There's no cents because we don't deal with
5 cents. State regulatory fees, that's that \$5 we pay
6 for license. So your revenue action for the month of
7 July was \$15,765.

8 Now if you look at the next bracket down
9 where it talks about the PI expenditures and the
10 trend, I have never been able to give you this
11 information before. We always talked about cost
12 backs, that's how you saw it listed as a cost back,
13 now they are breaking out the actual cost backs.
14 Edison expenditures are the salaries. Administration
15 cost backs, that is usually the 5th floor, the
16 administration above my office. Legal cost backs,
17 \$1,502. Then investigations with \$3,158. We had two
18 investigations on your legal report. That's what you
19 are paying for.

20 We don't do field enforcement because you
21 don't have anybody that goes out in the field and
22 gives citations. We don't do that in your
23 profession. And customer service is like the front
24 counter here when you go in to pay with your
25 applications or renewal in person, that's what that

1 is. So that total expenditure was \$17,425, which
2 left you with a negative balance of \$1,660.

3 Like I said, don't let that alarm you,
4 next month you may be over continuously. I just
5 showed it to you to try to give you a better idea how
6 your program is running and where the money is
7 actually being applied to. Any questions?

8 All right, we'll just move right along
9 here. Let's go to Exhibit E, if I'm not mistaken.

10 Gentleman on the telephone, did you have
11 any questions?

12 MR. RITCH: I have none in Ghattanooga,
13 thank you.

14 MR. ROUSSEAU: Allen Rousseau. No
15 questions.

16 MS. VEST: Thank you. We'll go to
17 Exhibit E. You have in front of you a certified
18 trainer application for review. We don't really have
19 very many of these, but this gentleman here has sent
20 the paperwork in, and I believe Beth has passed out
21 to you the law 62-26-226 and your rule 1175-3-.01 is
22 the definition, but it's 1175-3-.02 certified trainer
23 application requirements. If you want to take a look
24 at that to match up what he has sent in, I am going
25 to give you a few minutes to do that.

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1 THE COMMISSION: (Commission viewing
 2 documents.)
 3 MR. FLAIR: Madam Chair, may I ask a
 4 question, please?
 5 CHAIRPERSON LANE: Yes, Commissioner
 6 Flair.
 7 MR. FLAIR: Larry Flair asking how many
 8 of these do we have, Ms. Cody?
 9 MS. VEST: Two.
 10 MS. BELL: Two.
 11 CHAIRPERSON LANE: Is this the second
 12 one?
 13 MS. BELL: This is the third one. We
 14 have two active trainer -- licensed certified
 15 trainers, Stewart Bane and Robert Duhane.
 16 MR. FLAIR: Thank you.
 17 MS. BELL: There's not a huge demand for
 18 it because you are not required to get training to
 19 get a license. I did not put this one up on the
 20 screen because it has social security numbers and
 21 quite a bit of information.
 22 MR. FLAIR: Madam Chairman, I have one
 23 other question, please. Larry Flair. I notice on
 24 the college transcript you would need four years of
 25 accredited college or university or two years

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1 experience for each of those four; is that correct?
 2 It would be line -- on the second page line -- under
 3 number 3, line number 4 -- line number 3. In essence
 4 what I'm asking is to be able -- for him to be able
 5 or she to be able to place their application, they
 6 need a college degree and X number of years of
 7 experience or the equivalent, if I'm reading this
 8 correct --
 9 MS. VEST: He has a masters degree.
 10 Isn't that four years?
 11 MR. FLAIR: Right, I'm sorry.
 12 MS. VEST: That's okay.
 13 MR. FLAIR: Or the person could have X
 14 number of years experience for -- I think it says two
 15 years experience for each year that is needed of
 16 college. In other words, if you got 20 years of
 17 experience in the field, you wouldn't need that
 18 college degree.
 19 MS. VEST: That's the way, it reads.
 20 MR. HORTON: So you would be referencing,
 21 like a law enforcement like yourself get 20 years
 22 experience, you could bypass that then?
 23 MR. FLAIR: Right, I mean -- I'm not
 24 interested in it myself, but there's some people that
 25 I think that may have 20 years experience in law

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1 enforcement, be very well qualified to train and/or
 2 to be a qualified trainer, but they wouldn't have
 3 their masters or wouldn't have their bachelors and so
 4 on and so on. That was my question. I am just
 5 trying to interpret this.
 6 MR. HORTON: Those folks would have real
 7 experience, not just book experience.
 8 MR. FLAIR: Pretty much, yes.
 9 MS. VEST: Okay, let -- let me see where
 10 you see that at. It says, each individual applicant
 11 must be 21 years of age, hold a four-year degree from
 12 an accredited college or a university that's
 13 acceptable, have at least three years of supervisor
 14 experience, have a Tennessee Private Investigators
 15 license and is personally qualified to conduct,
 16 that's when we get the certificates, hasn't been
 17 convicted of a felony or misdemeanor involving moral
 18 turpitude, not be suffering from habitual drug
 19 drunkenness or narcotics addiction, have a set of
 20 classifiable fingerprints on file. That would be the
 21 requirements.
 22 Where did you see the two years?
 23 MR. FLAIR: Well, under his application,
 24 Private Investigator Certified Training Application
 25 on Page 2, if you will, under number 3, then the

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1 third -- the resume outlining education, experience.
 2 Note, resume's not considered proof of education.
 3 MS. VEST: Excuse me, Commissioner Flair,
 4 are you reading the private investigator application?
 5 MS. BELL: The trainer app.
 6 MR. RITCH: This is Paul Ritch in
 7 Chattanooga. I think that's for assistant trainer.
 8 MS. VEST: Yes, that's what that says for
 9 assistant, to be an assistant trainer.
 10 MR. FLAIR: Right. I'm sorry. But the
 11 word "or" is what I was getting at. It says college
 12 transcript, four years of degree from an accredited
 13 college or university or documentation of two years
 14 of experience in a related field, which may be
 15 submitted for each single year of college for the
 16 trainer.
 17 MS. BELL: That's for the assistant
 18 trainer.
 19 MS. VEST: That's for the assistant
 20 trainer, yes, sir.
 21 MR. FLAIR: But the word "or" would not
 22 be included in the actual certificate to be certified
 23 as a trainer themselves, not an assistant trainer.
 24 MS. VEST: It doesn't have "or" in the
 25 certified trainer. It does not say "or."

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1 MR. FLAIR: Okay.
2 MS. VEST: So that leads me to believe
3 they have to have everything for --
4 MR. FLAIR: Right
5 MS. VEST: Yes, sir, you are correct.
6 CHAIRPERSON LANE: Is there a motion?
7 MR. ROUSSEAU: Allen Rousseau. I move we
8 accept the application.
9 CHAIRPERSON LANE: Okay. Motion by
10 Commissioner Rousseau to accept the application.
11 MR. FLAIR: I'll second.
12 CHAIRPERSON LANE: Second by Mr. Flair.
13 Any discussions? We got ahead of discussions. Any
14 more? No further discussion. All in favor?
15 THE COMMISSION: Aye.
16 CHAIRPERSON LANE: Opposed? Roll call,
17 please.
18 MS. VEST: David Brown?
19 MR. BROWN: Aye
20 MS. VEST: Layer Flair?
21 MR. FLAIR: Aye.
22 MS. VEST: David Horton?
23 MR. HORTON: Aye.
24 MS. VEST: Minnie Lane?
25 CHAIRPERSON LANE: Aye.

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1 MS. VEST: Jerry Richards?
2 MR. RICHARDS: Aye.
3 MS. VEST: Dr. Ritch?
4 DR. RITCH: Aye.
5 MS. VEST: Allen Rousseau?
6 MR. ROUSSEAU: Aye.
7 MS. VEST: Ayes have it, Madam Chair.
8 CHAIRPERSON LANE: Thank you. I believe
9 we are down to the education report on the agenda. I
10 want to -- the record to reflect that the Education
11 Committee met here open to the public at 9:00 o'clock
12 this morning prior to the Commission meeting being
13 called to order. And now I want to respectfully
14 request Assistant -- Administrative Assistant Beth
15 Smith Bell to please handle these items. I believe
16 they are under Exhibit G.
17 MS. BELL: It's exhibit F, I believe.
18 CHAIRPERSON LANE: F, okay.
19 MS. BELL: Okay. Let me get this up.
20 MS. VEST: Madam Chair, can I ask for
21 maybe about a ten-minute break?
22 CHAIRPERSON LANE: That will be fine.
23 We'll resume in ten minutes.
24 (Short break.)
25 CHAIRPERSON LANE: We'll go back on the

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1 meeting for the Tennessee Private Investigation
2 Polygraph Commission. Back on the record. Next on
3 our agenda we have listed the education report. No,
4 we haven't. We were going to. Okay, I'll ask Beth
5 Bell our administrative assistant if she'll handle
6 that now.
7 MS. BELL: All right. The first item on
8 the Education Committee report was Marjorie Laster.
9 She attended Louisiana PI Training, it was a five-day
10 course. It was 40 hours. The recommendation this
11 morning was to approve that to meeting her 12 hours
12 of continuing education.
13 I have a question for the entire
14 Commission. She was given erroneous information by
15 one of our staff members because her first
16 certificate she got from this Louisiana Training said
17 4.0 hours, but in educational terms, that's actually
18 40 hours. So she was told she had to complete eight
19 more hours by August the 31st in order to get
20 renewed. She took the extra eight hours on August
21 the 31st. Is there any way that we could put a
22 caveat in there that we can accept that to meet her
23 next continuing education because of the expense she
24 went through?
25 MR. RITCH: I would so recommend. Paul

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1 Ritch in Chattanooga.
2 MS. BELL: It was the day before her
3 license expired, it was actually the day it expired.
4 So we are looking at one day early. If she had taken
5 it September the 1st, we would accept it.
6 CHAIRPERSON LANE: Let's ask our legal
7 counsel here about that.
8 MS. THOMAS: So she took it the day
9 before it expired?
10 MS. BELL: Took it the day it expired.
11 MS. THOMAS: You are trying to count it
12 for 2018?
13 MS. BELL: Right.
14 MR. RITCH: She did it on erroneous
15 information.
16 MS. THOMAS: If the Commission's okay
17 with it, I don't see where you would run afoul with
18 anything accepting that.
19 CHAIRPERSON LANE: Okay. We have a
20 motion by Commissioner Ritch to accept this and carry
21 it forward to 2017. Is there a second?
22 MR. FLAIR: I'll second that motion.
23 Larry Flair.
24 CHAIRPERSON LANE: Second by Commissioner
25 Flair. Any discussion? All in favor?

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1 THE COMMISSION: Aye.
 2 CHAIRPERSON LANE: Opposed? We'll have a
 3 roll call.
 4 MS. VEST: David Brown?
 5 MR. BROWN: Aye.
 6 MS. VEST: Layer Flair?
 7 MR. FLAIR: Aye.
 8 MS. VEST: David Horton?
 9 MR. HORTON: Aye.
 10 MS. VEST: Minnie Lane?
 11 CHAIRPERSON LANE: Aye.
 12 MS. VEST: Jerry Richards?
 13 MR. RICHARDS: Aye.
 14 MS. VEST: Dr. Ritch?
 15 DR. RITCH: Aye.
 16 MS. VEST: Allen Rousseau?
 17 MR. ROUSSEAU: Aye.
 18 MS. VEST: Ayes have it.
 19 MS. BELL: Most of that I just found out
 20 about. I'm sorry. The next item on the education
 21 review, and we'll make a motion at the end of the
 22 education review for the rest of these, but the
 23 recommendation was to approve the 40 hours of PI
 24 Training for Louisiana to meet her requirements.
 25 The next one is a group called Global

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1 Options and Solutions, a Mr. Raffaele Di Giorgio. He
 2 submitted an online training course. It's a six-week
 3 course. It consists of six modules. It's 16 hours
 4 of credit called Protective Intelligence and Threat
 5 Assessment. The recommendation was to approve that.
 6 The next item is Spearhead Global
 7 Security, Inc., David Kaiser. These are in-person
 8 training courses. He has several. The first one is
 9 Basic Surveillance, it's an 8-hour course.
 10 Projecting a Positive Image, it's 5-hour course.
 11 Elicitation is a 7-hour course. Debriefing a Witness
 12 is an 8-hour course. Critical Thinking is a 6-hour
 13 course. And Interviewing Techniques is a 6-hour
 14 course. The Education Committee recommendation was
 15 to approve those to meet PI continuing ed
 16 requirements.
 17 We had several courses submitted by
 18 Benchmark Leadership Training. These are online
 19 training courses. They are valued at two hours each.
 20 Better Performance Through Better Teamwork,
 21 Communicate with Impact, Creating a Blueprint for
 22 Success, How to be an Effective Problem Solver, How
 23 to Create Consensus, Leadership Strategies, and
 24 Techniques for Managing Personality Styles. These
 25 are all a two-hour online course, the recommendation

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1 was to approve those.
 2 We had a course submitted by Rick
 3 Mullinax. It's called Active Shooter Training,
 4 Survival and Defensive Tactics. It's a 12-hour
 5 course. These are in-person courses taught in North
 6 Carolina predominantly. Mr. Mullinax has several
 7 other courses already approved by the Commission.
 8 The next item would be National Resource
 9 and Training Services. They presented a list of what
 10 they are going to offer for their online courses for
 11 2017. We have Background Investigations. These are
 12 all valued at one hour. Computer and Internet Use,
 13 Counter Measures I and II, Courtroom Demeanor and
 14 Testimony, Developing Your Business, Developing and
 15 Promoting Your Business, Divorce and Custody,
 16 Effective Report Writing, Hate Crimes and Hate
 17 Groups, Identity Theft, Locating Missing Persons,
 18 Meth Knowledge for PI's, Observation Skills,
 19 Surveillance Techniques, Workers' Compensation
 20 Investigations, Working in Other States, Working with
 21 Attorneys. These are all one-hour courses. The
 22 recommendation was to approve those again to be
 23 offered online for training.
 24 And the last item on the list was the
 25 Tennessee Association of Investigators, they are

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1 offering their one-day seminar in Memphis on October
 2 the 1st. They are on the approved course list, but
 3 they submitted it so that the Commission could review
 4 their speakers, and the recommendation was to accept
 5 that.
 6 That is all of the report, the
 7 recommendation from the Committee was to approve all
 8 of these, so we would need a motion and a second to
 9 approve these.
 10 CHAIRPERSON LANE: Is there a motion?
 11 MR. FLAIR: I'll make that motion, Madam
 12 Chairman, that we accept the recommendation of the
 13 Committee on all of the recommendations. Larry
 14 Flair.
 15 CHAIRPERSON LANE: Larry Flair made a
 16 motion. Is there a second?
 17 MR. BROWN: Second. Commissioner Brown.
 18 CHAIRPERSON LANE: Second by Commissioner
 19 Brown. Any questions? All in favor?
 20 THE COMMISSION: Aye.
 21 CHAIRPERSON LANE: Opposed? Roll call,
 22 please.
 23 MS. VEST: David Brown?
 24 MR. BROWN: Aye.
 25 MS. VEST: Layer Flair?

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1 MR. FLAIR: Aye.
2 MS. VEST: David Horton?
3 MR. HORTON: Aye.
4 MS. VEST: Minnie Lane?
5 CHAIRPERSON LANE: Aye.
6 MS. VEST: Jerry Richards?
7 MR. RICHARDS: Aye.
8 MS. VEST: Dr. Ritch?
9 DR. RITCH: Aye.
10 MS. VEST: Allen Rousseau?
11 MR. ROUSSEAU: Aye.
12 MS. VEST: Ayes have it, Madam Chair.
13 CHAIRPERSON LANE: Thank you. Next on
14 our agenda looks like we have unfinished business.
15 Do we have any unfinished business?
16 MS. VEST: I do not have any unfinished
17 business.
18 CHAIRPERSON LANE: Okay, thank you. All
19 right. We'll go to new business. Is there any new
20 business?
21 MS. VEST: No, ma'am, I do not have any
22 new -- wait a minute.
23 CHAIRPERSON LANE: At this point, did
24 anyone --
25 MS. VEST: Wait just a second. I'm

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1 sorry, Madam Chair, I would like to ask you to
2 approve the 2017 board meeting -- Commission meeting
3 dates. Did everybody get their dates?
4 MS. BELL: I gave them to them this
5 morning.
6 MS. VEST: Beth gave them to you this
7 morning.
8 MS. BELL: They are almost identical to
9 this year, I just moved them up a year.
10 CHAIRPERSON LANE: Is there a motion to
11 approve the 2017 Commission meeting dates?
12 MR. RICHARDS: I make that motion.
13 CHAIRPERSON LANE: Motion by Commissioner
14 Richards. Is there a second?
15 MR. FLAIR: I'll second that, Madam
16 Chair. Larry Flair.
17 CHAIRPERSON LANE: Motion by Larry Flair,
18 second motion. Any question about the scheduling?
19 All in favor?
20 THE COMMISSION: Aye.
21 CHAIRPERSON LANE: Opposed? Roll call,
22 please.
23 MS. VEST: David Brown?
24 MR. BROWN: Aye.
25 MS. VEST: Layer Flair?

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1 MR. FLAIR: Aye.
2 MS. VEST: David Horton?
3 MR. HORTON: Aye.
4 MS. VEST: Minnie Lane?
5 CHAIRPERSON LANE: Aye.
6 MS. VEST: Jerry Richards?
7 MR. RICHARDS: Aye.
8 MS. VEST: Dr. Ritch?
9 DR. RITCH: Aye. If you'll send me a copy
10 because I don't have any.
11 MS. VEST: Allen Rousseau?
12 MR. ROUSSEAU: Aye.
13 MS. VEST: Allen, did you get a copy?
14 MR. ROUSSEAU: No, I did not.
15 MS. VEST: Ayes have it, Madam Chair.
16 CHAIRPERSON LANE: Thank you. Did anyone
17 sign up for the continuing education participation
18 form?
19 MS. BELL: We had one lady, Ms. Laster,
20 that had a question regarding --
21 CHAIRPERSON LANE: Okay. I'll like to
22 turn this over to our Assistant General Counsel to
23 address her question, please.
24 MS. LASTER: I just was wanting to
25 mention something. The speaker that we had in

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1 regards to the photo ID's and possibly doing away
2 with the photos, I just know for me personally going
3 out into the fields, I feel like that photo ID
4 provides me with some credibility, especially when I
5 am speaking with someone who is difficult and maybe
6 doesn't want to give information or is leery of me.
7 I think just having that photo, you know, on that
8 State issued ID lends some credibility.
9 Another thing that I was going to suggest
10 with the little -- the bar code scanner, I know he
11 had mentioned that that was on the postable
12 certificate that has to be posted in your work space,
13 but I guess I was curious if that was going to be on
14 the personal ID's as well, just in case, you know, we
15 end up getting someone that's like how do I know this
16 is real. Well, you can flip the ID over and like,
17 here, if you want to scan this with your phone, this
18 will send you to the State website, it's going to
19 verify that I am who I say I am. So it kind of gives
20 a little bit of extra added credibility to us when we
21 are out in the field trying to talk to people.
22 That's all I was going to suggest, if that bar code
23 was going to be on there as well.
24 CHAIRPERSON LANE: Thank you for your
25 comment then. Okay.

1 MS. VEST: If you don't mind, I'll take
 2 that under advisement when I talk to Paul Hartbarger
 3 again. That is a question -- just like your
 4 description on the little card, height, weight, eye
 5 color, whatever, it's on the back now to where we
 6 actually wanted it on the wall certificate down here.
 7 Because you got so much information on the little
 8 card, the little ID card itself, I don't know how
 9 much more information we can get on there, so that
 10 might be -- they might put it on the back. I just
 11 don't know where it's going to go up there. But I'll
 12 talk with Paul Hartbarger on that. And I appreciate
 13 your input on that. Thank you.

14 CHAIRPERSON LANE: There being no further
 15 business, I'll call for a motion for adjournment of
 16 the September 16, 2016, meeting of the Tennessee
 17 Private Investigation and Polygraph Commission.

18 MR. FLAIR: I'll make that motion, Madam
 19 Chairman, Larry Flair, to adjourn.

20 CHAIRPERSON LANE: Commissioner Flair
 21 made the motion. Is there a second?

22 MR. HORTON: Yes, ma'am, I second that.

23 CHAIRPERSON LANE: Commissioner Horton
 24 seconded that. Any discussion? ALL in favor?
 25

THE COMMISSION: Aye.

1 CHAIRPERSON LANE: Opposed? I guess we
 2 need a roll call.

3 MS. VEST: David Brown?

4 MR. BROWN: Aye.

5 MS. VEST: Laver Flair?

6 MR. FLAIR: Aye.

7 MS. VEST: David Horton?

8 MR. HORTON: Aye.

9 MS. VEST: Minnie Lane?

10 CHAIRPERSON LANE: Aye.

11 MS. VEST: Jerry Richards?

12 MR. RICHARDS: Aye.

13 MS. VEST: Dr. Ritch?

14 DR. RITCH: Aye.

15 MS. VEST: Allen Rousseau?

16 MR. ROUSSEAU: Aye.

17 MS. VEST: Ayes have it. We are

18 adjourned.

19 CHAIRPERSON LANE: Meetings's adjourned.

20 (WHEREUPON, the meeting was adjourned at
 21 11:50 a.m.)
 22
 23
 24
 25

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