

# THE KENTUCKY BOARD OF LICENSURE FOR PRIVATE INVESTIGATORS

Minutes  
April 7, 2010

A regular Board Meeting of the Kentucky Board of Licensure for Private Investigators was held at the Board offices, Office of Occupations and Professions, 911 Leawood Drive, Frankfort, KY on April 7, 2010.

## **MEMBERS PRESENT**

Edward Mercer, Chairman  
Roger McDonald, Police Officer  
Daniel Triplett, Private Investigator  
John L. Logdon, Private Investigator  
Mary Pedersen, Citizen at Large  
Craig Newbern, Attorney General's Counsel  
Kathryn Witt, Sheriff

## **OCCUPATIONS & PROFESSIONS STAFF**

David Garr, Deputy Executive Director  
Adriana Lang, Board Administrator

## **OTHERS PRESENT**

Angela Evans, Board Counsel  
John Poole

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## **CALL TO ORDER**

The Chairman, Mr. Mercer, called the meeting to order at 1:00 p.m.

## **APPROVAL OF MINUTES**

The minutes of March 16, 2010 regular meeting was called to the attention of the members. A motion was made by Ms. Pedersen to approve the minutes as presented. The motion, seconded by Mr. Triplett, carried.

## **FINANCIAL STATEMENTS**

The Board reviewed the Financial Statement indicating the balance \$91,267.37 from July 1, 2009 to March 28, 2010. A motion was made by Mr. Triplett to accept the Financial Statement as presented. The motion, seconded by Ms. Pedersen, carried.

## **LICENSURE STATUS REPORT**

The Board reviewed the licensure status report as of April 7, 2010.

## **DIRECTOR'S REPORT**

Mr. Garr provided the following report:

- 1) E-mail from Schroeder Measurement Technologies (SMT) regarding the Monthly Activity Report.
- 2) E-mail from SMT listing the private investigator exam sites within the Commonwealth of Kentucky. The currently active sites are located in Bowling Green, Covington, Lexington, Louisville and Somerset. A new site will be available in Morehead effective March 25, 2010. The Board requested Mr. Garr to contact SMT to inquire about exam candidate feedback on the new exam.
- 3) Susan Ellis took another position within State Government. The Office of Occupations and Professions posted her position in order to hire another employee to replace Ms. Ellis.
- 4) Ms. Short is out of the office attending a conference on behalf of another licensure Board.
- 5) Informed that the new ID cards are finalized and that is currently being issued within the Office of Occupations and Professions.

## **ANGELA EVANS/ LEGAL MATTERS**

Ms. Evans provided the following report:

- 1) Will draft regulation specifying that private investigators/companies unlicensed employees can only work 240 hours per year per employer.

**COMPLAINT COMMITTEE REPORT**

The Complaint Committee met at 11:00 a.m. Mr. Triplett recused himself from complaint #09-004. Ms. Pedersen provided the following report and recommendations:

09-002 and 10-001- Sent letter inviting individuals to attend Complaint Committee Meeting. In addition, spoke to individuals via a telephone call and she was informed that they requested their Information Technology people to take down any misleading information on their website. This case is ongoing until the changes are made on their website.

09-004- Waiting for a response from the Cease and Desist affidavit. Mr. McDonald made a motion for Ms. Evans to file an injunction against the individual involved. The motion, seconded by Mr. Logdon, carried.

09-005- Closed.

Mr. McDonald made a motion to accept the Complaint Committee recommendations. The motion, seconded by Mr. Logdon, carried.

**OLD BUSINESS**

Mr. Triplett informed the Board that the Laws and Regulations Committee met on April 6, 2010 and provided the following updates: The Committee worked on the individual renewal and reinstatement forms and recommended the following changes: 1) Use the same letterhead as the individual application form, 2) add the physical characteristics, and e-mail addresses. He stated that the Committee will work on the company renewal form at their next meeting. He further provided copies of two new draft forms. He explained that the "Temporary Employee Application" is to be used by unlicensed investigators that works for a licensed private investigators or company, and that the "Temporary Employee Quarterly Report" are for the licensees to complete. In addition to the new forms, the licensees will be responsible to keep a log of the unlicensed employees so they can quarterly report to the Board. Mr. Mercer suggested to create a new Compliance Committee and to include Mr. Logdon in that Committee. Ms. Pedersen suggested for the Board to defer nominations to the Compliance Committee until the regulations are final. The Board further discussed that if the Compliance Committee finds individuals violating the 240 rule, they can take action and individuals can be disciplined, fined and could be charged with a Class A misdemeanor.

The Laws and Regulations Committee agreed to meet on May 25, 2010 at 12:00 a.m. at the Office of Occupations and Professions 911 Leawood Drive, Frankfort Kentucky.

The Board reviewed correspondence from Dale Dorning, President of the Kentucky Society of Professional Investigators (KSI), in response to the Board's correspondence regarding information provided by Mr. Loos. The Board requested Ms. Evans to review the correspondence and provide a legal advice at the next scheduled meeting.

**NEW BUSINESS**

John Poole was present. Mr. Poole introduced himself as a private investigator applicant. He asked the Board about his application status and expressed concerns as to the administrative procedures and timeframe. The Board explained to Mr. Poole that his application was pending because his finger print cards were rejected by the Federal Bureau of Investigation (FBI). The Board further explained the licensure procedures and stated that unfortunately the FBI rejection was beyond their control, and acknowledged the administrative process. Ms. Witt, expressed that staff members do an outstanding job considering their workload. Staff members thanked Ms. Witt for acknowledging their work. Mr. McDonald made a motion to authorize their Board Administrator to approve Mr. Pooles's application as soon as she receives his FBI report and as long as there isn't any criminal record. The motion, seconded by Mr. Logdon, carried. Ms. Evans advised the Board to make sure that the approval wasn't something out of the Board's procedures.

**NEW BUSINESS CONTINUED**

The Board reviewed an e-mail from Holly McCoy-Johnson stating that the new mileage reimbursement rate beginning April 1, 2010 through June 30, 2010 is .43 cents per mile.

The Board reviewed an informational e-mail from the Associations One 2010.

**APPLICATION REVIEW COMMITTEE**

The Applications Review Committee met at 11:00 am.

Mr. McDonald made a motion to approve the applications with provisions as follows. The motion, seconded by Ms. Pedersen, carried.

INDIVIDUALS APPROVED WITH PROVISIONS: *Jessee Edgin, Erin Jessee, John Blair, William Bullock, Larry Coombs, Dawn Daley, Michael Johnson, Andres Mata, John Poole, Patrick Reardon, Shannon Scott and Wyvon Turner.*

Mr. McDonald made a motion to approve the applications via reciprocity as follows. The motion, seconded by Ms. Pedersen, carried.

Mr. McDonald made a motion to defer the application as follows. The motion, seconded by Ms. Pedersen, carried.

INDIVIDUAL DEFERRED: *Daniel Kovacic.*

Mr. McDonald made a motion to approve the company application as follows. The motion, seconded by Ms. Pedersen, carried.

COMPANIES APPROVED WITH PROVISIONS: *Insight Service Group, Inc.*

**TRAVEL AND PER DIEM**

A motion was made by Ms. Pedersen to approve payment of travel expenses and per diem compensation for eligible members in attendance at today's meeting. The motion, seconded by Mr. Logdon, carried.

**ADJOURNMENT**

The Chairman, Mr. Mercer informed the Board that the next meeting is scheduled for Wednesday, May 6, 2010, at 1:00 p.m., the Application Review Committee Meeting at 11:00 a.m. Having no further business to be brought before the Board, a motion was made by Ms. Pedersen to adjourn. Motion seconded by Mr. Triplett, carried. The meeting adjourned at 2:15 p.m.

**APPROVED**