

**POLYGRAPH EXAMINERS ADVISORY BOARD MEETING  
MINUTES**

The Polygraph Examiners Advisory Board met on Thursday, **April 28, 2022** at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, 2<sup>nd</sup> Floor, Richmond, Virginia.

The following members of the Advisory Board were present:

Karl Holzbach, Chairman  
John T Orr  
Michael E Lovely  
Heather Brown

The following members of the Advisory Board were not present:

George D Grant

Board Counsel, Elizabeth Peay was not present during the meeting.

Staff present for all or part of the meeting:

Demetrios Melis, Director  
Kishore Thota, Chief Deputy Director  
Tom Payne, Deputy Director  
Eric L. Olson, Executive Director  
Marjorie King, Regulatory Boards Administrator  
Mary Charity, Licensing Supervisor  
Stephanie Keuther, Administrative Coordinator  
Shannon Webster, Workforce Development and Exams Director  
Rhonda Starr, Examination Coordinator  
Deborah Ogram, Examination Specialist

Mr. Holzbach, Chairman called the meeting to order at 10:11 a.m.

Call to Order

A motion was made by Mr. Orr seconded by Mr. Lovely to approve the Draft Agenda of April 28, 2022

Approval of the Agenda

The motion was approved with a vote of 4-0-0 Ayes: Holzbach, Lovely, Brown and Orr. Nays: None Abstained: None Absent: Grant.

A motion was made by Mr. Lovely seconded by Ms. Brown to approve the Minutes of January 14, 2021 as presented.

Approval of  
Draft Minutes

The motion was approved with a vote of 4-0-0 Ayes: Holzbach, Lovely, Brown and Orr. Nays: None Abstained: None Absent: Grant.

Public Comment

Marjorie King, Board Administrator informed the Board of an email that came in from Mr. Brown.

Public Comment

Mr. Browns comment.

“As a polygraph test is designed to measure the most minute and subtle of physiological responses to obtain valid results, I have been of asked if requiring the person being polygraphed to wear an KN or N 95 mask, which restricts normal airflow and has been shown to place physiological burdens on wearers (particularly those with underlying conditions such as asthma or allergies), is allowed by VA law.

Can you provide me with any science or studies regarding polygraph impact by making a person taking the polygraph wear a KN or N95 mask?”

Ms. King’s response.

“There has not been any scientific studies performed that have been brought to the agency's attention. Should you come across any studies you'd like the Polygraph Advisory Board to review please submit them.”

**Introductions**

**Demetrious Melis, Director** welcomed the Board Members. Mr. Melis informed the Board the Agency is working to fill vacancies, while revamping our technology to provide efficient services to the public. Mr. Melis informed the Board staff is also looking into a new licensing system to fully enterprise the entire agency.

**Kishore Thota, Chief Deputy Director** welcomed the Board Members.

**Tom Payne, Deputy Director** welcomed the Board Members.

**There was none.**

**New Business**

**Consent Order**

**In the matter of Consent Order File Number 2022-00033 Richard Goodpasture** the board reviewed the ratified Consent Order as seen and agreed to by Richard Goodpasture.

**Shannon Webster: Exam Stats**

**Exam Stats**

Shannon Webster, Exams Director informed the Board that the closed book exam started in 2020. In 2021 out of 17 applications 13 passed the closed book examination, with an average score of 88 and a 76% pass rate.

**Regulatory Review**

Marjorie King, Board Administrator informed the Board that the current regulatory package to extend renewals and reinstatements to two years went into effect March 1, 2022, and the temporary fee reduction of \$40.00 has been extended to June 30, 2024.

Ms. King informed the Board the current Polygraph Regulations are in conflict with the new FOIA requirements. A NOIRA has been sent to the Governor's office to review and amend the Standards of Practice and Conduct. Comment has been received indicating that changes to the Virginia Freedom of Information Act may require

**Introductions**

**Old Business**

**New Business**

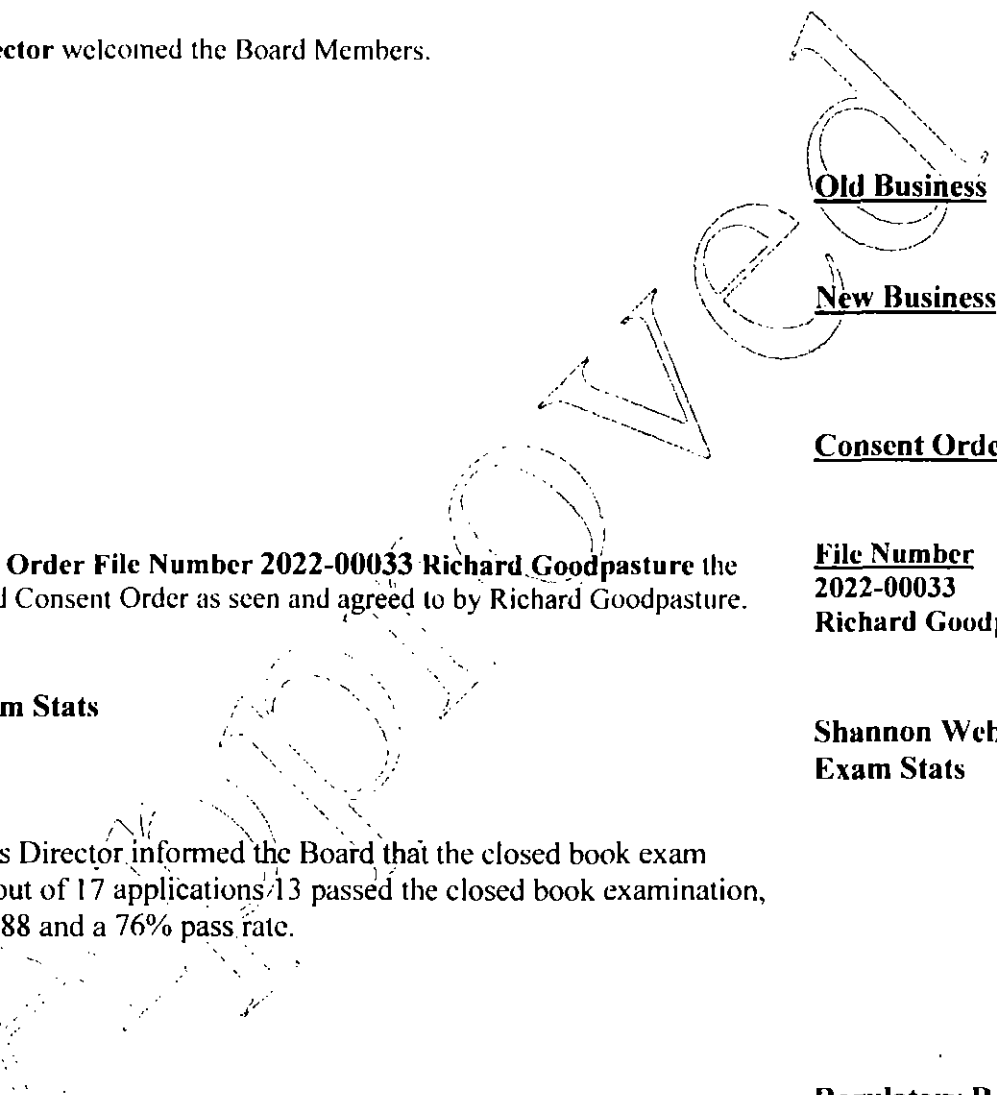
**Consent Order**

**File Number**  
**2022-00033**

**Richard Goodpasture**

**Shannon Webster:**  
**Exam Stats**

**Regulatory Review**



amendments to the Regulations with regards to copies of polygraph reports being made available to the public.

Mitch Melis, Director informed the Board the Governor's office would like a regulatory review of the current regulations to insure minimum statutory requirements are required for licensure.

**Recess**

Mr. Holzbach, Chairman called a recess to the meeting at 10:53 AM  
Mr. Holzbach, Chairman called the meeting back to order at 2:07 PM

**Recess**

**Introductory of Exam Candidates**

Board members and staff congratulated the polygraph examiner candidates on passing their examination and welcomed them to the profession. The Board members encouraged the candidates to participate in continuing education, keep pressing forward and enjoy their profession.

**Introductory of Exam Candidates**

**Election of Officers**

Mr. Holzbach turned the chair to Mitch Melis, Director, for the purposes of conducting the Election of Officers.

**Election of Officers**

Mr. Melis called for nominations from the floor for Chairman of the Board.

Ms. Brown made a motion, seconded by Mr. Orr, to nominate Mr. Lovely as Chairman.

Mr. Melis called for other nominations, hearing none, the nominations for chairman were closed.

**The motion was approved with a vote of 4-0-0 Ayes:** Holzbach, Lovely, Brown and Orr. **Nays:** None **Abstained:** None **Absent:** Grant.

Mr. Melis called for nominations from the floor for Vice-Chairman of the Board.

Mr. Lovely made a motion, seconded by Ms. Brown, to nominate Mr. Orr as Vice Chairman.

Mr. Melis called for other nominations, hearing none, the nominations for chairman were closed.

**The motion was approved with a vote of 4-0-0 Ayes:** Holzbach, Lovely, Brown and Orr. **Nays:** None **Abstained:** None **Absent:** Grant.

Mr. Melis returned the chair to Mr. Holzbach.

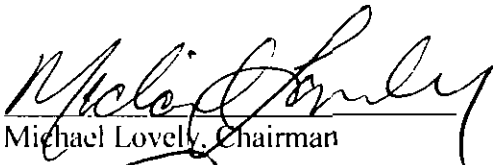
Travel vouchers and conflict of interest forms were completed by all the board members present and submitted to Stephanie Keuther for processing.

**Completion of Paperwork**

**Mr. Holzbach** adjourned the Polygraph Examiners Advisory Board Meeting at 2:17 p.m.

**Adjourn**

The next Board meeting is scheduled for Thursday, **July 28, 2022** at 10:00 am.

  
Michael Lovely, Chairman

10/06/22  
Date

  
Demetrios Melis, Director

10/11/2022  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name Karl Holzbach  
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Polygraph Examiners Advisory Board  
(Name of Board)
4. Meeting/IFF Date: 04/28/2022

5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I **do not** have a personal interest in any transactions taken at this meeting.

Signature 

April 28, 2022

Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name Heather Brown  
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Polygraph Examiners Advisory Board  
(Name of Board)
4. Meeting/IFF Date: 04/28/2022
5. I have a personal interest in the following transaction:

(Agenda Item)

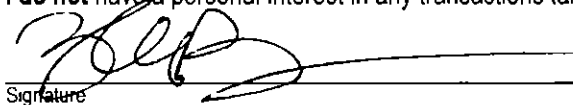
Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- I am able to participate in this transaction fairly, objectively, and in the public interest.  
or  
 I did not participate in the transaction.

I do not have a personal interest in any transactions taken at this meeting.

Signature



April 28, 2022

Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name Lieutenant Michael E. Lovely  
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Polygraph Examiners Advisory Board  
(Name of Board)

4. Meeting/IFF Date: 04/28/2022

5. I have a personal interest in the following transaction:

None  
(Agenda Item)

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

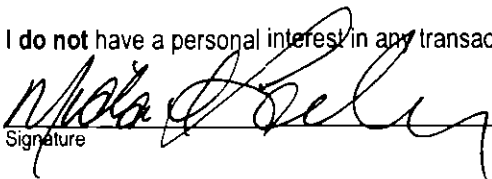
\_\_\_\_\_

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

  
Signature

April 28, 2022  
Date



**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name Captain John T. Orr  
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Polygraph Examiners Advisory Board  
(Name of Board)
4. Meeting/IFF Date: 04/28/2022

5. I have a personal interest in the following transaction:

None Known  
(Agenda Item)

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or  
 I did not participate in the transaction.

6. I **do not** have a personal interest in any transactions taken at this meeting.

J. Orr April 28, 2022  
Signature Date