

## **POLYGRAPH EXAMINERS ADVISORY BOARD MEETING MINUTES**

The Polygraph Examiners Advisory Board met on Tuesday, January 9, 2024 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:

Michael E Lovely, Chair (Arrived at 10:40)  
Robert Dembowski  
Heather Brown  
John Corsi  
Karl Holzbach (Arrived at 10:40)  
Michael McKinney

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:

Kishore S. Thota, Agency Director  
Brian Wolford, Chief Deputy Director  
Marjorie King, Executive Director  
Greg Emerson, Examinations Director  
Mary Charity, Licensing Operation Administrator  
Cameron Parris, Regulatory Operations Administrator  
Stephanie Keuther, Administrative Coordinator  
Rhonda Starr, Examination Coordinator

**Ms. King, Executive Director** called the meeting to order at 10:30 a.m.

### **Call to Order**

**A motion was made by Ms. Brown seconded by Mr. Corsi** to approve the Draft Agenda of January 9, 2024.

### **Approval of the Agenda**

**The motion was approved with a vote of 4-0-0 Ayes:** Brown, Corsi, McKinney, and Dembowski. **Nays:** None **Abstained:** None **Absent:** Grant

### **Emergency Egress**

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**Marjorie King, Executive Director** reviewed the Emergency Egress procedures with the Board and members of the public.

**\*Mr. Lovely and Mr. Holzbach arrived at the meeting and will now be included in the vote.\***

### **New Board Member Introductions**

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**Mr. Lovely, Chair** introduced the new board members in attendance.

- Mr. John Corsi
- Mr. Michael “Mike McKinney
- Mr. `Robert “Jason” Dembowski

### **Minutes**

### **Approval of Draft Minutes**

**A motion was made by Ms. Brown seconded by Mr. Holzbach** to approve the Minutes of July 18, 2023 as presented.

**The motion was approved with a vote of 6-0-0 Ayes:** Brown, Corsi, McKinney, Lovely, Holzbach and Dembowski. **Nays:** None **Abstained:** None **Absent:** Grant

### **Public Comment**

### **Public Comment**

Mr. Lovely, Chair opened the Public Comment section of the meeting.

Ms. Brown presented a resolution for Captain John Orr.

# Department of Professional and Occupational Regulation

## Polygraph Examiners Advisory Board Resolution

### *Captain John Orr*

**WHEREAS**, Captain John Orr, Vice Chairman and member of the Polygraph Examiners Advisory Board has faithfully and diligently served since September 2011 to 2023; and

**WHEREAS**, Captain John Orr discharged his duties with excellence and expertise to protect the health, safety and well-being of the public; and

**WHEREAS**, Captain John Orr served the Board with dedication and effectiveness and devoted generously of his time, talent and leadership; and

**WHEREAS**, Captain John Orr guided the Board wisely, ensuring that the Board always rendered decisions with fairness, good judgment, and in the best interest of the Board, its regulants, and the Commonwealth; and

**WHEREAS**, the Polygraph Examiners Advisory Board wishes to acknowledge its gratitude and deepest appreciation for devoted service by Captain John Orr, who is held in high esteem by the members of the Board, the employees within the Department, and the citizens of the Commonwealth.

**NOW, THEREFORE, BE IT RESOLVED**, by the Polygraph Examiners Advisory Board this ninth day of January, in the year two-thousand and twenty-four, that Captain John Orr be given all honors and respect due for his outstanding service to the Commonwealth, its citizens, and the Polygraph Examiners Advisory Board; and

**BE IT FURTHER RESOLVED**, that this Resolution be presented to him and be made a part of the official minutes of the Board so that all may know of the high regard in which he is held.

With no one else wishing to come forward Mr. Lovely, Chair closed the Public Comment section of the meeting.

### Old Business

There was none.

### Old Business

### New Business

#### **Board Member Training**

**Marjorie King, Executive Director**, informed the Advisory Board of its roles and responsibilities as Board Members.

### New Business

#### **Board Member Training**

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#### **Regulatory Review update**

**Marjorie King, Executive Director** informed the Board in accordance with Executive Directive One and current statutory requirements, the Board will continue the line-by-line review of the Polygraph Examiners Regulations to determine if they currently meet those requirements or should be amended or removed.

#### **Regulatory Review update**

<b>18 VAC 120-30-200</b>	<b>Review of Standards of Practice and Conduct</b>	Currently in Executive Branch review.  60-day public comment period ends 1/19/2024. – No comments received as of 1-7-2024.
<b>18 VAC 120-30</b>	<b>General Regulatory Reduction</b>	NOIRA currently in Executive Branch review

The Board completed its line-by-line review of the Polygraph Advisory Board Regulations.

#### **Applications – Criminal History Matrix**

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**Marjorie King, Executive Director** informed the Board a review of its criminal history matrix needed to be reviewed.

**After discussion, a motion was made by Ms. Brown and seconded by Mr. Dembowski** to adopt the updated amendments to the Criminal History Matrix as presented.

**The motion was approved with a vote of 6-0-0 Ayes:** Brown, Corsi, McKinney, Lovely, Holzbach and Dembowski. **Nays:** None **Abstained:** None **Absent:** Grant

## Licensing Reciprocal Agreements

**Marjorie King, Executive Director** informed the Board a review of its Licensing Reciprocal Agreements was necessary.

After discussion, the Board agreed to move this to the April 18, 2024, Polygraph Examiners Advisory Board Meeting in order to allow staff to complete more research.

## Election of Officers

**The chair was shifted to the Executive Director to the Polygraph Examiners Advisory Board Marjorie King** who chaired the meeting so the Board could conduct election of officers.

The floor was open for the nomination for the office of Board Chair: **Mr. Lovely** nominated **Ms. Brown** as Chair.

**Ms. M. King** asked if there were any additional nominations for the office of Board Chair? (Three times). There being none **Mr. Lovely** offered a motion to close the floor for nominations. It was seconded by **Mr. McKinney**.

**Ms. King** called for a vote.

**The motion was approved with a vote of 6-0-0 Ayes:** Brown, Corsi, McKinney, Lovely, Holzbach and Dembowski. **Nays:** None **Abstained:** None **Absent:** Grant

**Ms. King** opened the floor for the nomination for the office of Board Vice-Chair. **Mr. Lovely** nominated **Mr. Dembowski** for the office of Board Vice-Chair.

**Ms. King** asked if there were any additional nominations for the office of Board Vice-Chair? (Three times). There being none **Mr. Lovely** offered a motion to close the floor for nominations. It was seconded by **Mr. McKinney**.

**Ms. King** called for a vote.

**The motion was approved with a vote of 6-0-0 Ayes:** Brown, Corsi, McKinney, Lovely, Holzbach and Dembowski. **Nays:** None **Abstained:** None **Absent:** Grant

**Mr. Lovely** resumed as the chair.

## 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

## Licensing Reciprocal Agreements

## Election of Officers

## Introductory of Exam Candidates

and enjoy their profession.

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. Lovely** adjourned the Polygraph Examiners Advisory Board Meeting at 2:30 p.m.

**Adjourn**

The next Board meeting is scheduled for Thursday, **April 18, 2024** at 10:00 am.

\_\_\_\_\_  
Heather Brown, Chair

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Date

\_\_\_\_\_  
Kishore S. Thota, Agency Director

\_\_\_\_\_  
Date

Draft