

**OKLAHOMA STATE POLYGRAPH EXAMINERS BOARD
REGULAR MEETING**

**Edmond Police Department
100 E. 1st St, Edmond, OK 73034**

Friday, October 15, 2021, 10:00 AM

Amended Regular Meeting Minutes

MEMBERS PRESENT:

Jason Holt, Chairman
David Otwell, Vice Chair
Shawn Ward, Secretary
Joel Franks, Member

STAFF PRESENT:

Breanna Atkeson, Recording Secretary
Janey Rowden, Recording Secretary

ABSENT:

GUESTS:

Jason Stearns - Edmond Police Dept.
Todd Ward – El Reno Police Dept.
Amanda Everett- AAG
Randy Bauman
Lynette Clower
James Kelly
John Franks
Timothy LaValley

10:03 a.m. Chairman Jason Holt asked to move to item number seven.

10:13 a.m. Chairman Holt moved on to item number six.

10:37 a.m. Chairman Holt moved back to item number five.

10:40 a.m. Chairman Holt moved to item number eight.

1. Call Meeting to Order

Chairman Jason Holt convened the board meeting of the Polygraph Examiners Board at 10:00 a.m.

2. Open Meeting Act Compliance

Chairman Jason Holt verified that the meeting was being held in compliance with the Oklahoma Open Meeting Act.

3. Roll Call

Roll taken: (4) Four members were present representing a quorum.

4. Review, discussion, and possible action concerning the Minutes from the Board's July 16, 2021, meeting.

Action Taken: Vice-Chairman David Otwell made a motion to approve the minutes as written. Member Joel Franks made the motion to second. Chairman Jason Holt voted yes. Vice-Chairman David Otwell yes. Secretary E. (Shawn) Ward voted yes. Member Joel Franks voted yes. Motion carried 4-0.

5. Review, discussion, and possible action regarding the meeting dates for CY2022.

Information: Committee will review and vote on the following proposed meeting dates:

- January 21, 2022
- April 15, 2022
- July 15, 2022
- October 21, 2022

Action Taken: Vice-Chairman David Otwell made a motion to approve the meeting dates and locations:

- January 21, 2022 at Edmond P.D.
- April 15, 2022 at CLEET
- July 15, 2022 at Edmond P.D.
- October 21, 2022 at Edmond P.D.

Member Joel Franks made the motion to second. Chairman Jason Holt voted yes. Vice-Chairman David Otwell yes. Secretary E. (Shawn) Ward voted yes. Member Joel Franks voted yes. Motion carried 4-0.

6. Review, discussion, and possible action concerning Intern Specification Review(s) / Applications for licensure / Late Renewal(s) / Applications for licensure by reciprocity.

Information:

A. Jason Stearns - Edmond PD - Internship 03/23/2021. (Sponsor- David Otwell)

Action Taken: Member Joel Franks made a motion to approve Jason Stearns exams and accept Sponsor David Otwell's recommendation that Jason Stearns be given his full license. Secretary E. (Shawn) Ward made the motion to second. Chairman Jason Holt voted yes. Vice-Chairman David Otwell abstain. Secretary E. (Shawn) Ward voted yes. Member Joel Franks voted yes. Motion carried 3-0. One abstained.

B. Forrest Perry III- Norman PD- (Sponsor-Derrick Hopkins) Completes Texas DPS Polygraph School on November 12, 2021

Action Taken: Vice-Chairman David Otwell made a motion to approve with contingent upon CLEET receiving all paperwork, payment, notification of the passing of polygraph school, and notification of passing the state polygraph exams that all occurs upon notification from CLEET to Chairman Jason Holt and Vice-Chairman David Otwell for approval that the board will grant internship license. Member Joel Franks made the motion to second. Chairman Jason Holt voted yes. Vice-Chairman David Otwell voted yes. Secretary E. (Shawn) Ward voted yes. Member Joel Franks voted yes. Motion carried 4-0.

C. Timothy LaValley – Pending Intern

Action Taken: Vice-Chairman David Otwell made a motion to approve with contingent upon CLEET receiving all paperwork, payment, notification of passing of polygraph school, and notification of the passing the state polygraph exams that all occurs upon notification from CLEET to Chairman Jason Holt and Vice-Chairman David Otwell for approval that the board will grant internship license. Member Joel Franks made the motion to second. Chairman Jason Holt voted yes. Vice-Chairman David Otwell voted yes. Secretary E. (Shawn) Ward voted yes. Member Joel Franks voted yes. Motion carried 4-0.

D. Richard McKey - OHP – Pending Intern

Action Taken: Vice-Chairman David Otwell made a motion to approve with contingent upon CLEET receiving all paperwork, payment, notification of passing of polygraph school, and notification of the passing the state polygraph exams that all occurs upon notification from CLEET to Chairman Jason Holt and Vice-Chairman David Otwell for approval that the board will grant internship license. Member Joel Franks made the motion to second. Chairman Jason Holt voted yes. Vice-Chairman David Otwell voted yes. Secretary E. (Shawn) Ward voted yes. Member Joel Franks voted yes. Motion carried 4-0.

E. Daniel Price- Noman PD- Pending Intern

No Action Taken

F. Jerry D. Thomas – Texas License Number 1177

Reciprocity Application: Board approval required. Received reciprocity application on 08/20/2021. **INCOMPLETE**

- Oklahoma Polygraph Testing.

Action Taken: Secretary E. (Shawn) Ward made a motion to approve the reciprocity application once all requirements have been met, each applicant will be notified by email to provide the name and information of a proctor of their choosing and the date they have chosen to test. The proctor will need to submit an attestation that the examinee completed a closed book, no notes exam. The completed exam will be submitted to Janey Rowden - Recording Secretary for grading. Each reciprocity applicant is approved upon a complete application, required documents, and passing exam. Member Joel Franks second the motion to approve reciprocity applicants upon completion of all requirements. Chairman Jason Holt voted yes. Vice-Chairman David Otwell yes. Member Joel Franks voted yes. Member E. (Shawn) Ward voted yes. Motion carried 4-0

G. Jonathan M. Thornhill – Texas License Number 1165

Reciprocity Application: Board approval required. Received reciprocity application on 08/20/2021. **INCOMPLETE**

- Oklahoma Polygraph Testing.

Action Taken: Secretary E. (Shawn) Ward made a motion to approve the reciprocity application once all requirements have been met, each applicant will be notified by email to provide the name and information of a proctor of their choosing and the date they have chosen to test. The proctor will need to submit an attestation that the examinee completed a closed book, no notes exam. The completed exam will be submitted to Janey Rowden -

Recording Secretary for grading. Each reciprocity applicant is approved upon a complete application, required documents, and passing exam. Member Joel Franks second the motion to approve reciprocity applicants upon completion of all requirements. Chairman Jason Holt voted yes. Vice-Chairman David Otwell yes. Member Joel Franks voted yes. Member E. (Shawn) Ward voted yes. Motion carried 4-0

H. Roxie R. Simmons. – Texas License Number 3138

Reciprocity Application: Board approval required. Received reciprocity application on 08/16/2021. **INCOMPLETE**

- Oklahoma Polygraph Testing.

Action Taken: Secretary E. (Shawn) Ward made a motion to approve the reciprocity application once all requirements have been met, each applicant will be notified by email to provide the name and information of a proctor of their choosing and the date they have chosen to test. The proctor will need to submit an attestation that the examinee completed a closed book, no notes exam. The completed exam will be submitted to Janey Rowden - Recording Secretary for grading. Each reciprocity applicant is approved upon a complete application, required documents, and passing exam. Member Joel Franks second the motion to approve reciprocity applicants upon completion of all requirements. Chairman Jason Holt voted yes. Vice-Chairman David Otwell yes. Member Joel Franks voted yes. Member E. (Shawn) Ward voted yes. Motion carried 4-0

7. Review, discussion, and possible action regarding Complaint 2021-02.

Discussion and Review: Chairman Jason Holt introduced Complaint 2021-02. Mr. Holt informed of the Review Panel (as is presented in OAC Title 560: 10-1-13.1) comprised of an investigator from the Attorney General’s Office, Board Member E. Shawn Ward, and a Polygraph Examiner from the State of Oklahoma. The representative from the Attorney General’s Office, Assistant Attorney General (AAG), Amanda Everett confirmed the complaint number. AAG, Ms. Everett read the Review Panel summary and recommendation, “Review Panel anonymously recommended the Polygraph Examiners Board dismiss the above complaint against the licensee without further action.” Mr. Holt thanked AAG, Ms. Everett. Mr. Holt informed that any questions can be submitted in writing to the AAG representing the board following the board meeting.

Action Taken: Vice-Chairman David Otwell made a motion that the board dismiss the complaint. Member Joel Franks made the motion to second. Chairman Jason Holt voted yes. Vice-Chairman David Otwell yes. Member E. (Shawn) Ward abstained. Member Joel Franks voted yes. Motion carried 3-0. One abstained.

8. Review, discussion, and possible action concerning the State Polygraph Examiners Act, 59 O.S. §1451 – 1476, and the Board’s rules under Title 560 of the Oklahoma Administrative Code.

Discussion: Chairman discussed making changes to the State Polygraph Statutes of the requirements of appointment of the vacant member of the Polygraph Board and further reviewing/updating Administrative Rules regarding polygraph.

9. Update from CLEET regarding Thentia and the process of applying for polygraph licensure.

Recording Secretary, Janey Rowden informed Polygraph Board updates regarding the new online system (Thentia) and changes that may affect applying for polygraph licensure.

No action required.

10. New Business, if any, means items not known about or which could not be reasonably foreseen prior to the time of posting of agenda. 25 O.S. §311(A)(10).

There was no discussion.

No action taken.

11. Public Comments

Information: Limited to agenda items and no longer than three minutes per person if time permits.

- Randy Bauman made comments regarding item number seven. Mr. Holt directed Mr. Bauman to file an open records request with the Attorney General's Office.
- Lynette Clower inquired on the process for detesting the board's decision. Mr. Holt informed Ms. Clower that any questions regarding the complaint according to the OAC Title Rules need to be addressed to the Assistant Attorney General, Thomas Schneider.

12. Adjournment

Action Taken: Vice-Chairman David Otwell made a motion to adjourn. Member Joel Franks made the motion to second. Chairman Jason Holt voted yes. Vice-Chairman David Otwell yes. Secretary E. (Shawn) Ward voted yes. Member Joel Franks voted yes. Motion carried 4-0.

Chairman Jason Holt adjourned the meeting at 11:05 a.m.