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DIVISION OF PROFESSIONAL REGISTRATION

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MISSOURI BOARD OF PRIVATE INVESTIGATOR EXAMINERS

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Pamela Groose
Executive Director

Meeting Notice

**Board of Private Investigator Examiners
April 2, 2010
10:00am
Division of Professional Registration
3605 Missouri Blvd
Jefferson City MO 65109**

Notification of special needs as addressed by the Americans with Disabilities Act should be forwarded to the Board of Private Investigator Examiners, 3605 Missouri Boulevard, P O Box 1335, Jefferson City, MO 65102 or by calling 573-522-7744 to ensure available accommodations. The text telephone for the hearing impaired is 800-735-2966.

Except to the extent disclosure is otherwise required by the law, Board of Private Investigator Examiners is authorized to close meetings, records, votes, to the extent they relate to the following: Sections 610.021 (1), (3), (5), (7), (13) and (14), RSMo, and Section 620.010.14 (7) RSMo.

The Board may go into closed session at any time during the meeting. If the meeting is closed, the appropriate section will be announced to the public with the motion and vote recorded in open session minutes.

Agenda follows.

Public Agenda
BOARD OF PRIVATE INVESTIGATOR EXAMINERS
APRIL 2, 2010 10:00AM
DIVISION OF PROFESSIONAL REGISTRATION
3605 Missouri Blvd., Jefferson City, MO

OPEN SESSION

10:00am Call to Order	Dwight McNeil Chairperson
Roll Call	Pam Groose
Review and Approval of Agenda	TAB 1
Review and Approval of Minutes - March 15, 2010	TAB 2
Application update	TAB 3
Question related to ID badges	TAB 4
Review & discussion related to 20 CSR 2234-4.010 and 20 CSR 2234-6.010	TAB 5
Legislative Update	
Future Meetings <ul style="list-style-type: none">• April 12, 2010• May, 2010• June, 2010	
Closed Session	
Draft of Guidelines for Approval of Applications for Licensure	TAB 6
Adjournment	

Public Agenda
BOARD OF PRIVATE INVESTIGATOR EXAMINERS
APRIL 2, 2010
DIVISION OF PROFESSIONAL REGISTRATION
3605 Missouri Blvd., Jefferson City, MO

CLOSED SESSION
WILL BEGIN AT END OF OPEN SESSION

Review and approval of Closed Agenda
Review and approval of Minutes
Update related to ongoing litigation
Review of Applications for Licensure – Private Investigator
Review of Applications for Licensure – Agency
Review of Applications for Licensure – Agency Investigator Employee
Back to Open

**BOARD OF PRIVATE INVESTIGATOR EXAMINERS
DIVISION OF PROFESSIONAL REGISTRATION
3605 Missouri Blvd, Jefferson City, MO**

April 2, 2010 – Open Minutes

The open session of the Missouri Board of Private Investigator Examiners was called to order by Dwight McNeil, Chairperson, at 10:15am on April 2, 2010, at the Division of Professional Registration, 3605 Missouri Boulevard, Jefferson City, Missouri.

Members Present:

Dwight McNeil, Chairperson
Douglas Mitchell, Vice-Chairperson
Francis “Chris” Rey, Member

Members Absent

Kenneth McGhee, Public Member

Staff Present:

Pamela Groose, Executive Director
Roxy Brockman, Administrative Assistant
Sarah Ledgerwood, Division Legal Counsel

Visitors Present:

John McCarthy, MAPI President

Review and Approval of Agenda

A motion was made by Mr. Rey and seconded by Mr. Mitchell to approve the open agenda. All approved.

Review and Approval of Minutes

A motion was made by Mr. Mitchell and seconded by Mr. Rey to approve the minutes from the March 15, 2010 meeting. All approved.

Application Update

Ms. Groose and the board members discussed the numbers of applications received. Ms. Groose reported the postcard to the PI mailing list alerting those people to the fact that there is no grace period to apply for licensure would be mailed out within the next few business days. Additionally, she confirmed the information has also been placed on the Private Investigator website homepage. The board, along with Mr. McCarthy, discussed the role of the association with the board and talked in general terms about the complaint process. Mr. McCarthy indicated the association would be sending out a letter to its members encouraging them to apply for licenses as soon as possible.

Question related to ID badges

Mr. McNeil said our statute does not authorize any type of badge and doesn't prohibit any type of badge, it just basically says that you cannot use a badge to give an impression that you are affiliated with a state, federal or local law enforcement agency. Ms. Ledgerwood said she thought it would also have to meet the requirements of the advertising statute and could not be in contrast with it. After discussion Ms. Groose or Ms. Ledgerwood will relay the board cannot give advice on whatever kind of badges he wants to issue his process servers, refer him to the statute and that if he has a legal question he should contact his attorney.

Review & discussion related to 20 CSR 2234-4.010 and 20 CSR 2234-6.010

This discussion was related to questions that Ms. Groose has been receiving in regard to the CEU rule and how the CE rule is interpreted. In response to a question posed by Mr. McNiel, she said there is a CE course approval rule and a PI trainer rule. Ms. Groose and Ms. Ledgerwood both indicated they thought the rule implied that all CEs accrued by a private investigator licensed in the state of Missouri must either have been approved prior to the licensee taking the course or obtain approval following the taking of the course. Ms. Groose provided information in regard to other professions' CE rule and how the language was written that would grant automatic approval to courses offered by certain entities as outlined in their rule. Mr. McCarthy indicated that it would be helpful to MAPI if there could be some possibility of any course they offer to be automatically approved. The board will discuss this further during closed session and obtain advice from Ms. Ledgerwood.

Legislative Update

Ms. Groose reported the house bill has amendments that were added while in committee but the senate bill does not. She said Representative Wasson has talked to Senator Scott. Dennis Pearce has been talked to also and he has been given the wording for the amendments so the language can be changed before it comes out of the senate committee. Ms. Groose said the amendment to make practicing without a license a felony instead of a misdemeanor had been removed and did not have the support of the division, department or the governor's office. The board discussed confusion over the D felony language removal from the amendment and Ms. Groose provided a synopsis of the process for the Division of Professional Registration, as well as the importance for the bill to pass not only for the impact on the private investigator board but many other boards also. Ms. Groose provided the committee with the process for testifying before the house and senate committees. She also said that Ms. Clarkston as the Legislative Liaison for the Division can have many conversations during a day and that a different decision can be made with each conversation. She said there is fluidity to Ms. Clarkston's job. She verified the clean up language with exception of the D felony language is fine and should go through. Mr. Mitchell expressed his appreciation for Ms. Groose's willingness to take the time to explain the ins and outs of the legislative process.

Future Meetings

- April 12, 2010
- May, 2010 – no meeting dates decided on.
- June, 2010 – no meeting dates decided on.

Draft of Guidelines for Approval of Applications for Licensure

The board members reviewed the document prepared by Ms. Groose that allows her to approve applications for licensure providing the applicants meet certain guidelines. The board members added the phrase "acceptable proof of 24 months prior experience" and add "as a private investigator" under the "Private Investigator Application. A motion was made by Mr. Rey and seconded by Mr. Mitchell to accept the guidelines as amended. All approved.

Ms. Groose asked the board to clarify that if someone clearly doesn't have the experience that we tell them they have been unsuccessful in providing documentation of at least 24 months prior private investigation experience and they will be required to take the examination. The board members agreed with this.

A motion was made by Mr. Mitchell and seconded by Mr. Rey to go into closed session at 12:40pm for #1, #2 #5 and #9. Mr. Mitchell, Mr. Rey and Mr. McNiel all approved.

A motion was made by Mr. Rey and seconded by Mr. Mitchell to adjourn the meeting at 3:45pm. All approved.



Signature of Executive Director

April 12, 2010

Date Approved by Board

MOTIONS

1. INVESTIGATIONS / COMPLAINTS / AUDITS

I move that this meeting be closed, and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under section 610.021 subsection (14) and section 620.010.14 subsection (7) RSMo for the purpose of discussing investigative reports and/or complaints and/or audits and/or other information pertaining to a licensee or applicant.

2. LEGAL ACTIONS / LITIGATIONS / PRIVILEGED COMMUNICATIONS

I move that this meeting be closed, and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under section 610.021 subsection (1) RSMo for the purpose of discussing general legal actions, causes of action or litigation and any confidential or privileged communications between this agency and its attorney.

3. DISCIPLINE

I move that this meeting be closed, and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under section 610.021 subsection (1) RSMo for the purpose of deliberation on discipline.

4. PROMOTING / HIRING / DISCIPLINING / FIRING EMPLOYEES

I move that this meeting be closed, and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under section 610.021 subsection (3) RSMo for the purpose of discussing hiring, firing, disciplining, or promoting an employee of this agency.

5. APPLICATIONS

I move that this meeting be closed, and that all records and votes pertaining to and/or resulting from this closed meeting be closed under section 610.021 subsection (14) and section 620.010.14 subsection (7) RSMo for the purpose of discussing applicants for licensure.

6. EMPLOYEE PERFORMANCE RATINGS

I move that this meeting be closed, and that all records and votes pertaining to and/or resulting from this closed meeting be closed under section 610.021 subsection (13) RSMo for the purpose of making performance ratings pertaining to individual employees.

7. EXAMINATION MATERIALS

I move that this meeting be closed, and that all records and votes pertaining to and/or resulting from this closed meeting be closed under section 610.021 subsection (7) RSMo for the purpose of discussing and/or reviewing testing and examination materials.

8. DIAGNOSIS / TREATMENT OF DISCIPLINED LICENSEES

I move that this meeting be closed, and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under section 610.021 subsection (5) RSMo for the proceedings required pursuant to a disciplinary order concerning medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or treatment of specific licensees.

9. CLOSED MINUTES

I move that this meeting be closed, and that all records and votes pertaining to and/or resulting from this closed meeting be closed, for the purpose of reviewing and approving the closed minutes of one or more previous meetings under the subsections of 610.021 which authorized this agency to go into closed session during those meetings.