

**MINUTES**

**UTAH  
Deception Detection Examiner Board  
MEETING**

**September 23, 2009**

**Room 475 – 4<sup>th</sup> Floor – 1:00 p.m.  
Heber Wells Building  
Salt Lake City, UT 84111**

**CONVENED: 1:02 p.m.**

**ADJOURNED: 2:01 p.m.**

**Bureau Manager:**

Clyde Ormond

**Board Secretary:**

Kristy Haueter

**Board Members Present:**

John Pickup, Chairman  
Will Draughon  
Lon Brian  
C.Y. Roby

**Board Members Absent:**

D Troy Denney  
W Brent Bullock  
Richard Triplett

**Guests:**

**DOPL Staff Present:**

**TOPICS FOR DISCUSSION**

**DECISIONS AND RECOMMENDATIONS**

**MINUTES:**

Election of the 2009-2010 Board Chairperson

Mr. Brian nominated Mr. Pickup as the 2009-2010 Board Chairperson, the motion was seconded by Mr. Draughon, all voted in favor.

Open & Public Meetings PowerPoint

PowerPoint presentation was reviewed by Board.

**APPOINTMENTS:**

1:15 a.m. Taylor, Donna – Request to conduct Relevant Irrelevant test

Ms. Taylor was not present for the meeting. Mr. Pickup presented her case for her. Mr. Draughon expressed concern that, follow up is necessary to use this technique. Mr. Brian made a motion to allow Ms. Taylor to use the Relevant Irrelevant testing technique, Mr. Draughon seconded the motion, all voted in favor.

**DISCUSSION ITEMS:**

After a brief discussion regarding American Society for Testing and Materials (ASTM) Standards. Mr. Pickup made a recommendation that the Division become a member of the ASTM Standards.

Mr. Brian made a motion that the Division or a representative of the Division becomes a member of ASTM Standards. The motion was seconded by Mr. Roby, all voted in favor.

A brief discussion took place about the Concealed Information Examination technique and the usefulness of the examination. This examination would only take approximately 30 minutes; therefore this would be a violation of R156-64-502 (9). It was the opinion of Mr. Brian that this exam would be valid for a screening exam but not an evaluation test.

#### Possible Rules Change

Mr. Pickup presented to the board the following rules changes:

R156-65-102(15) Concealed information exam means a recognition exam administered to determine whether the examinee recognizes elements of a crime not reported to the public and known only to the individual who engaged in the behavior and investigators.

R156-64-502(8) conducting more than five deception detection examinations in a 24 hour period unless conducting a Concealed information exam;

Mr. Draughon motioned to amend the rule as Mr. Pickup presented, the motion was seconded by Mr. Brian, all voted in favor.

R156-64-102(16) Activity Sensor means a sensor attached to a polygraph instrument approved for use by the manufacturer of the instrument. Placed under the buttocks of the examinee to detect movement and attempts at countermeasures.

R156-64-502(9) conducting an examination of less than the required duration:

- (a) thirty minutes for a guilty knowledge exam;
- (b) sixty minutes for a pre-employment exam;
- (c) Ninety minutes for all other exams.

R156-64-502(10) failure to use an activity sensor in all testing unless the examinee suffers from a diagnosed medical condition that contraindicates its use.

Mr. Roby motioned to amend the rule as Mr. Pickup presented, Mr. Draughon seconded the motion, all voted in

favor.

**CORRESPONDENCE:**

Executive Order "Ethics"

Reviewed, with no further action taken.

**ADJOURN:**

*Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.*

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Date Approved (ss)  
Chairperson, Deception Detection Examiner Licensing Board

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Date Approved (ss)  
Bureau Manager, Division of Occupational & Professional Licensing

Awaiting Formal Approval