PISPWV Meeting Notes

WVSOS Office Representatives

January 22, 2015

**PRIVATE MEETING**

WVSOS Representatives Present: Dave Nichols, Liaison Legislature; Michael Jordan, WVSOS Investigator; Penny ??, WVSOS Representative over PI Licensure; Ashley Summit (?sp), Attorney

Question to Attorney – Why can’t WVSOS issue a license number for PIs. Penny said WVSOS has internal number assigned to each investigator and a number could be added to the individual license. Attorney will move towards a program change not a code change to meet this request.

Question – Training requirement when individual calls WVSOS staff member – staff tells individual to look at website requirements which are years of training, academy, code and degree of criminal justice. Fluharty asked about example of a computer forensic specialty - if criminal justice education doesn’t count for other experience what would WVSOS consider? WVSOS will look at judgment not a two year degree. Attorney said, “Attorneys want license too.”

Question - Process for getting license – Criminal Report, Summary Sheet, Officer ? – they don’t check national database – why does it take two months+ for renewal. DPS Report from WV State Police. Bond in another important part of process. If bond is in place, if DPS Report had issue, license would be revoked. If bond wasn’t in place, this delays process. WVSOS said a code change is needed for a grace period from the Attorney General’s office to improve bond system. In past, WVSOS wasn’t collecting sealed bond (original) in the process. Now WVSOS does collect original bond.

Question – Reciprocity with other states – Fluharty followed question with understanding of training differences but WVSOS said no one had ever asked the question. WVSOS said code change required if state lines were crossed.

Question – Security/PI Enforcement – according to the code, WVSOS has authority to enforce. WVSOS says only enforce if working on expired license. Process now is if a situation is identified, a “Cease and desist letter is sent to the company. WVSOS hoped the company complies. Very few cases have been sent to a prosecutor to legal action. It was suggested that resources from our organization would be needed to pursue such cases in making a case to the prosecutor.

Question – Code says if business works in State of WV without a license and complaint made, the code says business can’t obtain a license and will be fined for time working in state without license. WVSOS said their office rarely receives complaints. The process is the following:

1. Make complaint to WVSOS
2. SOS Investigator will review
3. PISPWV needs to put pressure on Prosecutor Attorney after WVSOS verifies company/individual is in violation of the law.
4. Prosecutor Attorney will make decision

Question – Changing license to 2 year renewal – Code change would be required to accommodate this request. Issue would need to be discussed and concerns that crime could be committed and too much time before revoke for such cases.