

From the February 22, 2008 PPS Board Meeting Minutes

COMPUTER FORENSICS COMMITTEE:

Mr. Booth advised the committee met on Thursday February 21, 2008 from 4:40 p.m. until 5:30 p.m.

Mr. Booth reported the meeting was very informative with several interested parties addressing the committee regarding the computer forensics profession. Mr. Booth stated that we will have a workshop prior to the April meeting at Sea Trail for further discussion. Mr. Booth stated he is hopeful that the committee will have some recommendations to present to the full Board at the April meeting. All interested persons were requested to provide Mr. Wright with their name and address in order to be noticed of the workshop.

MOTION BY MR. GRIMES TO ACCEPT THE COMMITTEE REPORT.

SECONDED BY MR. ALLEN. MOTION CARRIED.

SCREENING COMMITTEE:

From the April 18, 2008 Board Meeting Minutes

DIGITAL FORENSICS COMMITTEE:

Mr. Booth reported that there was a meeting on April 16, 2008 from 4:05 PM to 4:50 PM. Committee members were Mr. Booth and Mrs. Bishop. Mr. Booth stated this was the last of the public forums and the committee has received input from representatives from eight other states. There were speakers from Rhode Island, Massachusetts, and the Secret Service expressing their views regarding the licensing of digital forensics personnel. Mr. Booth asked the Chairman to appoint two new committee members. The new committee members are Mr. Johnson and Mr. Blanks.

MOTION BY MR. JOHNSON TO ACCEPT THE COMMITTEE REPORT. SECONDED BY MR. PENDRY. MOTION CARRIED.

From the June 20, 2008 PPS Board Meeting Minutes

DIGITAL FORENSICS:

Mr. Booth advised that there was a meeting on June 9, 2008 in Greensboro. The Committee recommended a separate license to be called Digital Forensics Examiner. This will require new rules to require 3000 hours of verifiable experience, credit for obtaining a college degree, 12 CEU's for renewals and the digital forensics license would not apply to Accountants and Network Security Personnel.

MOTION BY MR. BOOTH TO ACCEPT. SECONDED BY MR. JOHNSON.

After additional discussion, the language will need to be amended to include that Private Investigators using digital cameras or other recorders during the normal course of their investigations are not required to have this license.

The legislature usually allows licensees that have been engaged in this type of investigation prior to the license requirement to be grand fathered in.

MOTION BY MR. BOOTH TO WITHDRAW HIS PREVIOUS MOTION, SECONDED BY MR. JOHNSON, MOTION CARRIED.

The decision was made to further discuss this issue at the August Board meeting.

The August Minutes below have not been approved by the PPS Board. These minutes will be presented to the Full Board on October 17, 2008 at the meeting in Raleigh.

FROM THE AUGUST 15, 2008 PPS BOARD MEETING MINUTES.

COMPUTER FORENSICS COMMITTEE:

MR. BOOTH ADVISED SINCE THE JUNE MEETING HE HAD REWORKED THE FOLLOWING REGARDING COMPUTER FORENSICS:

DIGITAL FORENSIC EXAMINER'S LICENSE

74C-3 PRIVATE PROTECTIVE SERVICES PROFESSION DEFINED.

(A) (10) DIGITAL FORENSIC EXAMINER - ANY PERSON WHO, ON A CONTRACTUAL BASIS, ENGAGES IN THE PROFESSION OF OR ACCEPTS EMPLOYMENT TO CONDUCT EXAMINATIONS OF DIGITALLY STORED DATA IN ORDER TO RECOVER, IMAGE, ANALYZE, OR EXAMINE SUCH DATA TO DETERMINE RESPONSIBILITY AND/OR RECONSTRUCT USAGE OF SUCH DATA. THESE PERSONS TYPICALLY ARE RETAINED TO SEARCH OUT FACTS CONTAINED IN DIGITALLY STORED DATA AND OPINE ON THEIR FINDINGS AND FREQUENTLY IMAGE AND ANALYZE DIGITAL STORAGE MEDIA THROUGH THE USE OF SPECIALIZED SOFTWARE. THEY OFTEN PROVIDE EVIDENCE FOR CRIMINAL AND CIVIL COURT PROCEEDINGS.

(B) PRIVATE PROTECTIVE SERVICES SHALL NOT INCLUDE:

(17) WITH REGARDS TO DIGITAL FORENSIC EXAMINERS PRIVATE PROTECTIVE SERVICES SHALL NOT INCLUDE ANY OF THE FOLLOWING:

- (1) ACCOUNTANTS
- (2) PERSONS EMPLOYED TO CONDUCT NETWORK SECURITY OPERATIONS UP TO THE POINT OF RESPONSIBILITY FOR NETWORK SECURITY VIOLATIONS
- (3) MEMBERS OF NETWORK SECURITY COMPROMISE RESPONSE TEAMS
- (4) PERSONS WHO ANALYZE COMPUTER OR DIGITAL STORAGE MEDIA FOR THE PURPOSE OF UPGRADING, MAINTAINING, OR REPAIRING SUCH SYSTEMS.
- (5) PERSONS WHO UTILITIES PROPRIETARY TO THE EXAMINED DEVICE TO RECOVER DATA WITHOUT THE USE OF ADDITIONAL SOFTWARE (EX. - CELL PHONE CALL INFORMATION)
- (6) OTHER COMPUTER AND DIGITAL MEDIA TECHNICIANS WHO ARE NOT CONDUCTION IMAGING, ANALYSIS OR OTHER ACTIVITIES AS DESCRIBED IN SECTION (10)

74C-21 LAW ENFORCEMENT OFFICER PROVISIONS

- (A) ADD DIGITAL FORENSIC EXAMINER TO PRIVATE DETECTIVE AND SECURITY GUARD

AND PATROL

MR. BOOTH ADVISED HE UNDERSTANDS THE NUMBERING MAY HAVE TO CHANGE, HOWEVER, THIS WILL BE ADDRESSED BY THE 74C RE-WRITE COMMITTEE.

MOTION BY MR. BOOTH THE ACCEPT THE ABOVE RECOMMENDATION TO BE SENT TO THE RE-WRITE COMMITTEE WITH ANY MINOR CHANGES THAT NEED TO BE CORRECTED. SECONDED BY MR. BURRIS. MOTION CARRIED.