

# Investigative Reporter

THE OFFICIAL PUBLICATION OF THE PROFESSIONAL INVESTIGATORS OF CALIFORNIA

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www.GaryBrummond.com

Ken Shigut—President—PICA  
ken@shorelinepi.com



## Third Annual PICA Conference

### Conference Schedule & Exhibit Hours

#### Friday, November 12, 2004

7:00am—8:30am	Breakfast - Exhibit Hall Open
8:30am—10:00am	Three Easy Steps to Increase Business
10:15am—12:00pm	Interviewing Techniques
12:00pm—1:30pm	Lunch—Exhibit Hall Open
1:30pm—3:00pm	Mexican Databases & Investigations
3:15pm—5:00pm	Mining the Internet for Intelligence
6:00pm—7:30pm	Dinner
7:30pm—8:00pm	Guest Speaker, Eddy McClain
8:00pm—9:00pm	Annual Business Meeting

#### Saturday, November 13, 2004

7:00am—8:30am	Breakfast—Exhibit Hall Open
8:30am—10:00am	Legalities of Tape Recordings
10:15am—12:00pm	Surveillance Investigation Techniques
12:00pm—1:30pm	Lunch—Exhibit Hall Open
1:30pm—3:00pm	Computer Investigations
3:15pm—5:00pm	Accident Scene Investigations

**Inside this issue:**

PICA Conference Schedule	1
PICA Thanks our Vendors and our Volunteers!	1
Who Doesn't Need Advice From Time to Time?	2
Conference Speaker Intro's	3,5,7,8,11
Conference Registration Form	12
Annual Business Meeting Bylaw Proposals	13-15

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## Who Doesn't Need Advice from Time to Time?

That's why the PICA Investigative Reporter brings you the

### “Expert Eye for the PICA Guy”

Who doesn't need advice from time to time? More importantly, doesn't it feel good to avoid pit falls by learning from others mistakes? How about just talking about the common issues that all PI's have in running their business?

We are starting a PICA member-only business evaluation. During the course of the next year, PICA member Roy Miller, will provide an evaluation of four PICA member businesses. The idea is two fold. First, the lucky member

will get a hands-on business evaluation where the goal is simply to make more money.

Next, a series of articles will be published in the PICA Investigative Reporter.

So, now's the time to volunteer. **An announcement of the four lucky PICA Members will be made at the Annual Business Meeting & Conference.**

To place your name on the business evaluation list—simply send an email to the Editor of the PICA Investigative Reporter, Gary Brummond, at [picaceditor@aol.com](mailto:picaceditor@aol.com). Deadline for submissions is Friday, November 12, 2004 at 12 noon.

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## Three Easy Steps to Increase Business

### JIMMIE MESIS

Jimmie Mesis has been a successful private investigator and businessman since 1979. He began his investigative career after serving in the United States Marine Corps as an Intelligence Unit translator. He then learned the art and science of investigations and business working in New York City.

For the last 25 years, Jimmie has created and sold several successful businesses including three investigative agencies. He currently owns a marketing consulting firm, several Internet based companies, but most notably he and his wife Rosemarie own PI Magazine, the trade publication of professional investigators. In less than 2 years the magazine has grown to over 25,000 readers with subscribers in 20 countries.

Jimmie is the recipient of the 2003 Investigator of the Year Award by the New Jersey Licensed Private Investigator's Association and their immediate past president. Jimmie is also the recipient of the Hal Lipset Award for investigative excellence presented to him by the World Association of Detectives.

Jimmie also serves as the Chairman of the NCISS Marketing and Membership Committee; he is an NCISS Regional Director, and Chairman of NCISS – Association Advisory Council representing all of the PI associations throughout the United States.

His passion for the investigative profession and his reputation as a successful businessman has made him a frequently requested speaker and teacher at conferences throughout the country. Jimmie is constantly helping and teaching his colleagues on how to market and grow their investigative agency. It's easy to understand why many say, "When Jimmie speaks, PI's listen, and learn!"

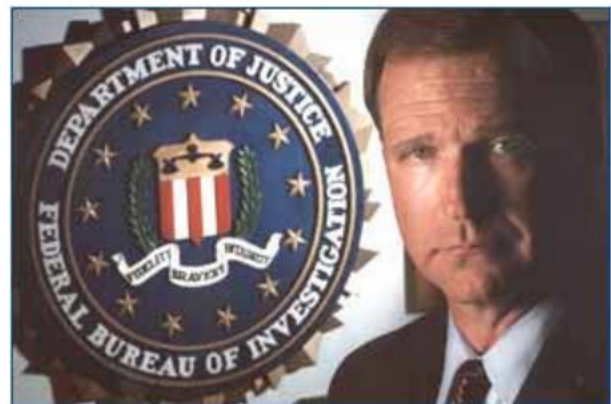
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## Interview Techniques

### JACK TRIMARCO

As an FBI Hostage Negotiator, FBI EXPERTISE Psychological Profiler, FBI SWAT Team Member, FBI Interrogation Instructor and Homicide Investigation Instructor, Jack Trimarco will be sharing his experiences and methods on interviewing individuals.

Trimarco has worked on numerous high-profile cases including the Olympic Park Bombing, the "Unabomber", "Whitewater", the World Trade Center Bombing, the Oklahoma City Bombing, and TWA Flight 800.



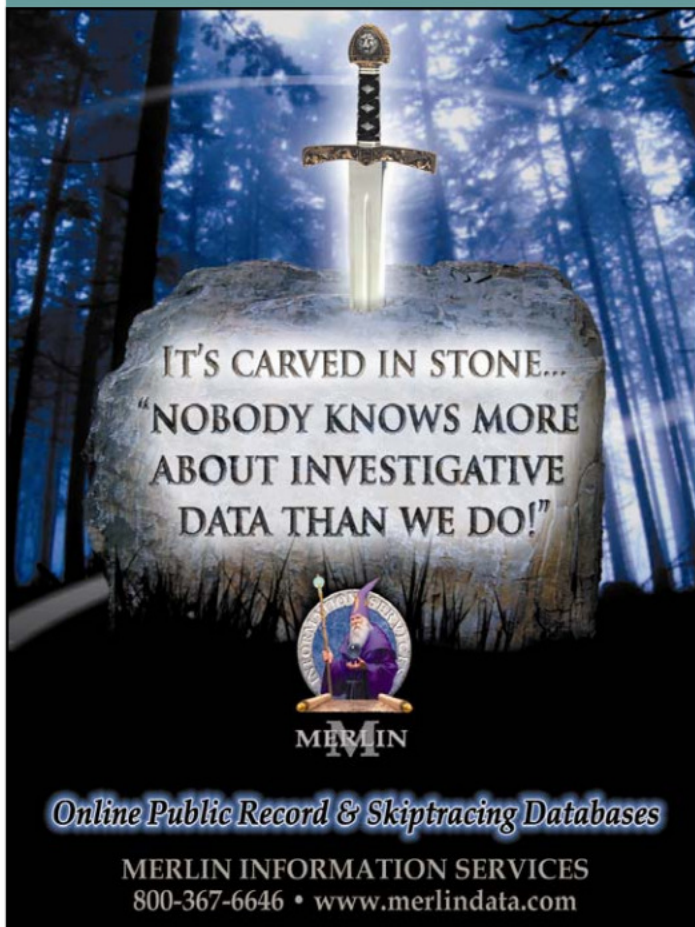
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## Merlin' Legal Phone Break

Merlin Information Services has introduced *The Legal Phone Break*, the ultimate phone skiptracing product designed with the Private Investigations Industry in mind. PIs know that a phone break is an illegal activity where an individual is paid anywhere from \$25 to \$150 to provide the name and address associated with an unlisted phone number. **Merlin offers results for \$15—no hit/no charge.** Merlin has found a new, legal gateway to a powerful database that contains virtually every business and residential phone number in the nation, including a minimum of 65 million unlisted numbers. The user supplies a phone number and receives the name and address of the owner of that phone number via the Legal Phone Break. Results are returned immediately with an 80 to 85% success rate. The database is continuously updated with nearly a half-million updates a day. For a trial period, Merlin is offering 5 free searches to their current customers. Tim Kluesner, National Sales and Marketing Representative of Merlin Information Services will be demonstrating this product at the PICA conference. More information can be obtained by phoning Merlin at 800-367-6646 or by stopping by Merlin's booth.



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## Mexican Databases & Investigations

### MANUEL GUTIERREZ

Interpoint Data Services (IDS) is licensed by the Mexican government to conduct Private Investigations throughout Mexico. IDS has put together an extensive network of investigative resources throughout Mexico as well as both Latin and South America.

Effective investigative tools and resources include several in-house databases in addition to unique access to public and private information throughout Mexico. Comprehensive and timely investigations often include narcotics dealing and complex money laundering cases among the wide investigative areas of focus of IDS. Interpoint Data Services is prepared to investigate Mexican organized crime and the many narcotics cartels and organizations.



Investigations can include, but are not limited to, certain bank transaction records and credit history records. Asset searches include real property and business ownership, together with automobile, boat and aircraft registration and can expanded into bank account traces and selected money wire transfers and other bank draft activities.

Additional capabilities include the location of missing persons. Our professional legal staff, located in Mexico, can assist in the location, release and retrieval of individuals who are believed to be in Mexican custody or who have been otherwise illegally detained by other parties (known or unknown) within Mexico.

## Mining the Internet for Intelligence

### CYNTHIA HETHERINGTON

This presentation is a thorough "how to" explanation demonstrating how your private lives and public information are available through websites as well as "Invisible Web" sources. Beginning with the basics of search engines, as used by power searchers, to gather cell phone numbers, PO Boxes, personal data of individuals, and historical leads which can often times be the lynchpin to your cases. Cynthia Hetherington is principal of Hetherington Information Services, LLC. She has over 10 years of experience in conducting text based, Internet and online database research, including a specialization in training law enforcement and private industry professionals' online investigative skills.

data2know.com

INTERNET & ONLINE INTELLIGENCE

Data  
Information  
Knowledge

Volume 5, Issue 4  
Winter 2004

In This Issue

Extra, Extra Read All About It! ... 1

Reld Notes ..... 2

Book Reviews ..... 2

Industry Undercover ..... 3

30-Second Research Tip ..... 4

Meet Cynthia ..... 4

A data2know Publication

Welcome to data2know, the Internet & Online Intelligence Newsletter, published by Hetherington Information Services, LLC. Cynthia Hetherington, MLS, is President of Hetherington Information Services, LLC. Ms. Hetherington has been working with private investigators and law enforcement professionals since 1993. Using her traditional training in library science, combined with over 15 years of computer experience, she has found a niche in the investigative industry assisting members of the trade in online and Internet research. Since 1998, Ms. Hetherington has been lecturing to state and national private investigators and police associations about online research. She is also an active contributor to continuing education programs, and conducts all-day seminars on Internet tracking, business research, and online intelligence. Visit the [www.data2know.com](http://www.data2know.com) website for a complete biography and to learn how Hetherington Information Services, LLC can help you!

### Extra, Extra Read All About It!

Media, news, press releases, news videos, interviews, web releases, and announcements. Everyone gets his or her fifteen minutes of fame, and that translates into hours of saved research time.

Recently, I had a case involving asset research for a firm based in the Caymans with their principals located in sunny California. Investigations are costly once we have to enlist the assistance of a regional expert. Then you have to add in the cost of business reports, asset searches; the list goes on. Low and behold, we found an interview in a trade press article that was in a database provided by the local library, which offered up new information. Not only were our principals involved in their firm, they also had mutual interests in some California-based operations. The interview gave us so much detail about the personal life of our lead Principal, even the size diamond he selected for his fiancé.

We often locate business principals, not through business reports, but through the media. As it turns out, thanks to an old article in the *San Francisco Examiner*, we found out that a subject was accused of arms dealing to Iraq in the mid-1990s. He was a Principal of the company my client was considering a merger with.

The trick is to get these news clippings and follow up on the reports. I have also found bad news, and misreported or under reported stories. So follow up on all the details you read, and if possible contact the journalist to see what was edited out.

Where do you start? Which news service do you use?

There are so many sources to search for news. You are cutting your research short if you only use one database. Since research is our primary business, we subscribe to professional tools such as Factiva, Lexis-Nexis, Dialog, Dow Jones Interactive, Ebsco, Proquest, Information Access Company, and Gale. Each publishing house has its own news vendor. You will find *New York Times* in full text; for 20 years coverage you need Proquest. If you want to include the *Wall Street Journal*, you need one of the Dow Jones products, and so on.

#### FREE BASED

As far as breadth, capture of local news, and cost, our favorite fee-based services come from Lexis-Nexis and Factiva. The earliest results we can get are from 1970 and up. Usually, matches from 1980 are in full text. Anything prior to that tends to be a citation or an abstract.

Factiva ([www.factiva.com](http://www.factiva.com)) is a web-based business and information tool offering access to a collection of nearly 8,000 global news and business publications, 10,000 Web sites, and photo feeds from both Reuters and Knight Ridder. This service offers a subscription package.

As far as dates are concerned, we ran "Ronald Reagan" and saw an abstract from the *New York Times* for January 4, 1971.

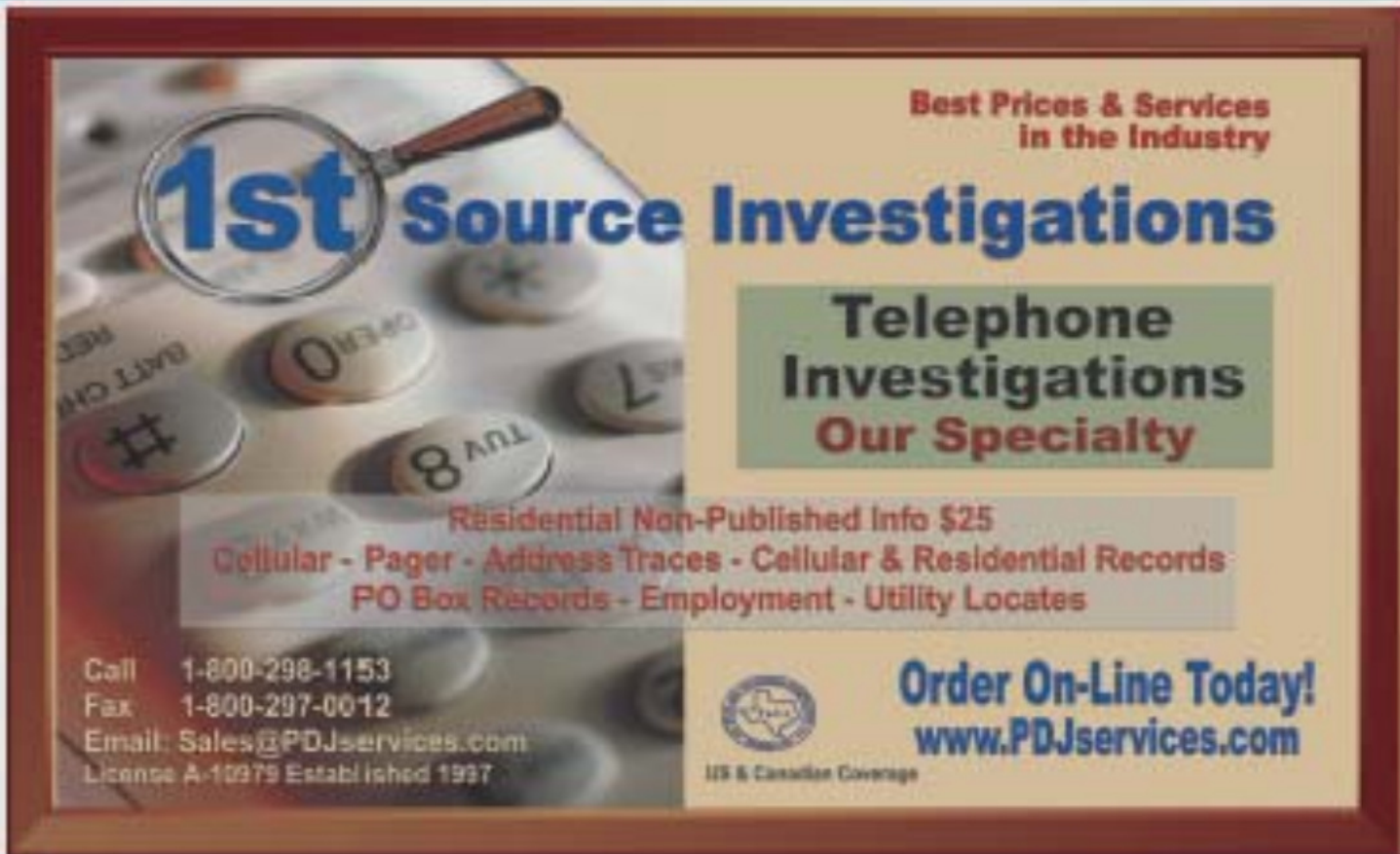
Lexis-Nexis ([www.lexis.com/research](http://www.lexis.com/research)) offers twenty years of archived newspapers (1,302 as per last count) including the *New York Times*, *Washington Post*, *Chicago Tribune*, *LA Times*, regional papers, and newswires. You can

(continued on page 4)

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## Legalities of Tape Recordings

**MICHAEL J. NIBORSKI, Esq.**

As the author of "Not So Fast! A Tape-Recorded Conversation Could Hurt Case," Los Angeles Daily Journal, June 24, 2004 and author of "Hidden Perils of Audio Recording," California Lawyer Magazine, June 2004, Michael Niborski has developed a specialty in the area of California's Anti-SLAPP (Strategic Lawsuits Against Public Participation) statute, litigating all areas of the law on behalf of both plaintiffs and defendants.

Mr. Niborski has extensively litigated issues involved in hidden camera and audio recording. He concentrates his practice in entertainment, privacy and First Amendment litigation. He has represented both public and private individuals as well as corporate clients in a wide array of defamation and right of privacy actions. Among his many defamation cases, Mr. Niborski has represented Aretha Franklin, Martha Stewart, Mimi Rogers, Frank and Kathie Lee Gifford, Johnnie L. Cochran, Jr. and Las Vegas casino magnate Steve Wynn. In addition, Mr. Niborski helped win a successful defense verdict and appellate judgment in a defamation action in Japan on behalf of Soka Gakkai International, a global association of lay practitioners of Buddhism.

While a clerk to the California Court of Appeal, Mr. Niborski co-authored the court's opinion in *Khawar v. Globe International, Inc.*, 51 Cal.App.4th 14 (1996), a landmark California case in the area of defamation law. The appellate decision was featured on several news programs, including 60 Minutes, and was later affirmed by the California Supreme Court.

## Surveillance Investigation Techniques

**LARRY V. BAUGHER, JR.**

Mr. Baugher retired in February 2000 after 30 1/2 years of service, 10 1/2 years with the Ojai Police Department and 20 years with the Ventura County Sheriff's Department. During the last 20 years, he spent eighteen of them working internal affairs, burglaries, narcotics, vice, criminal intelligence and organized crime as an investigator. During the last 10 years he was the supervisor in these units.

Since establishing Baugher Investigations, his office has conducted over three hundred personal injury/worker's comp. surveillances.

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## Computer Investigations

### MICHAEL A. DIMATTEO

Began law enforcement career as a Military Policeman in the United States Marine Corps Serving with the 3rd Marine Air Wing in Santa Ana and Tustin California. In 1980, began civilian law enforcement career, working as a patrol officer with the Cities of Banning and Bell Gardens Police Departments, in California. In 1984, began career with the San Bernardino County Sheriff's Department in California, and retired in 2004.

Began investigating Internet related crimes in 1994, conducting hundreds of investigations relating to the sexual exploitation of children via the Internet. Received specialized training relating to the investigation of computer crimes and computer forensics, and conducted complicated undercover operations where suspects paid money to engage in sex acts with children.

Assisted law enforcement agencies in the United States, England, Canada, and Africa. Cases conducted in these jurisdictions have resulted in the enacting of new laws in the United Kingdom and the State of Texas.

Has testified as an expert in federal, state, and local court jurisdictions throughout the United States, and has provided sworn testimony via deposition for authorities in the United Kingdom.

Assisted federal law enforcement agencies, including the Federal Bureau of Investigation, US Customs Service, US Secret Service, Office of the Inspector General, Naval Criminal Investigative Service, Air Force OSI, and the US Army Criminal Investigative Division.

Has conducted over 150 computer forensic investigations related to various crimes, including homicide, robbery, fraud, counterfeiting, embezzlement, wrongful termination, identity theft, the theft of proprietary information, family law, and crimes related to the physical and sexual molestation of children.

Has trained law enforcement personnel in the investigation of computer crimes and the physical and sexual abuse of children, and has taught at the FBI Academy in Quantico, VA.

### ROSS CRESPI

Due to an Urgent Investigative Assignment, Ross Crespi will be unable to present the Accident Scene Investigations Seminar, nor will he be able to attend the PICA Annual Business Meeting & Conference.

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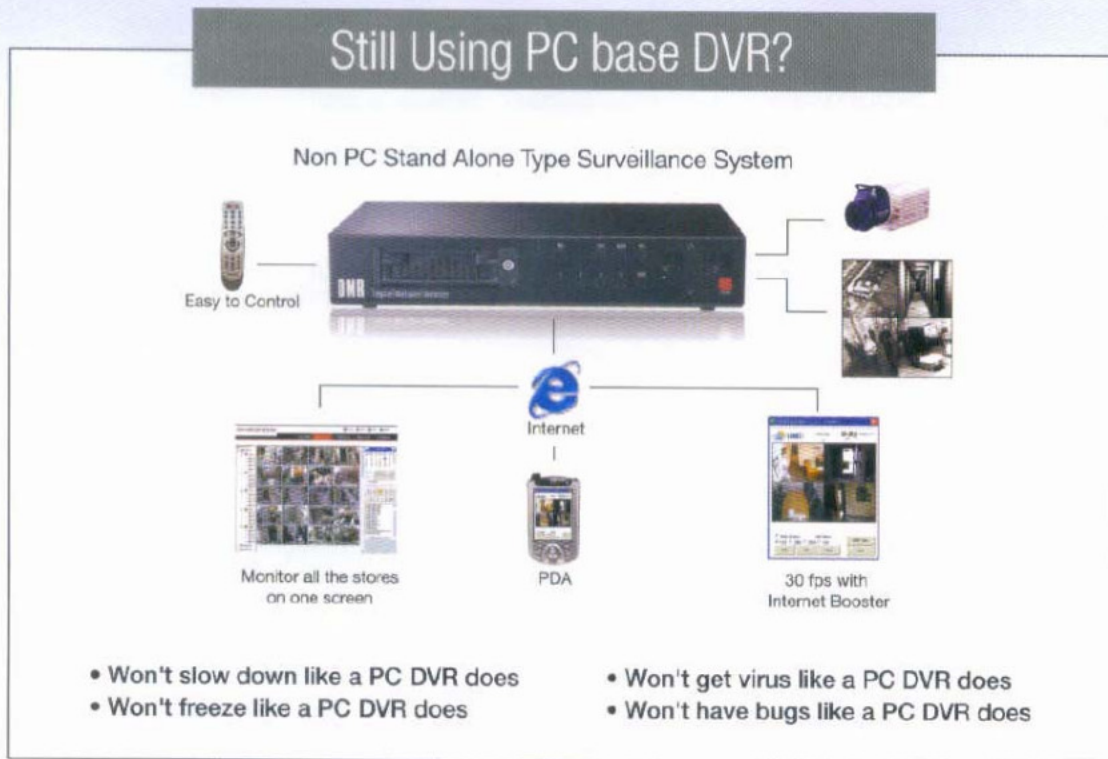
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Coming in the next issue of the PICA Investigative Reporter:

- PICA District News
- ABM & Conference News & Highlights
- The next installment of the P.I. Museum
- Expert Eye for the PICA Guy
- Legislation Update
- Growing List of New PICA Members

## Accident Scene Investigations



### Francis D. "Frank" Ritter, CLI, CII

Frank Ritter has owned Backtrack Unlimited, Co., in Southern California, since 1973, and has specialized in catastrophic plaintiff personal injury and major criminal defense since early 1975. During his twenty-nine years of investigative experience he has investigated injury cases that have obtained plaintiff results in excess of a half-a-billion dollars. In addition, he has solved ten homicides, providing enough evidence for convictions. The police investigated two of these cases as homicides (having arrested two innocent people), seven of them as accidents, and one of them as a suicide. He is a Certified Legal Investigator and is a member of Mensa. He is also a member of the National Association of Legal Investigators, in which he chaired the Continuing Education Committee for three years and has been on the Certified Legal Investigator committee since 1994. In addition, he is a member of the Council of International Investigators, the California Association of Licensed Investigators, the Florida Association of Licensed Investigators, the National Council of Investigation and Security Services, Inc., and is an honorary member of the Georgia Association of Professional Private Investigators. Mr. Ritter has authored numerous articles for NALI's magazine, *The Legal Investigator*, and other investigative organs, including *PI Magazine*. He also authored the "Construction Site Accidents" chapter in the book, *Advanced Forensic Civil Investigations*. In 2001 Mr. Ritter released his own book, *Successful Personal Injury Investigation*. This 1,184 page guide to how-to-investigate over one hundred types of accidents and injury incidents, with its forty-eight pages of tear out forms and checklists, was described by Buddy Bombet as "the most comprehensive manual of its kind . . . the premier personal injury guide ever." It is now a text in colleges from coast to coast. Mr. Ritter is also a vendor at this convention and will be offering *Successful Personal Injury Investigation* at a very substantial discount to convention attendees. The book retails for \$179.95. It is also on CD-ROM, which also retails for \$179.95, or the buyer can get both the book and the CD for \$199.95. However, for the PICA convention, the book will sell for \$129.95, which is a 40% savings off retail. The CD ROM will also be a 40% discount at \$129.95, or BOTH can be purchased for \$161.95, which is 10% less than either sells for separately, and 23% off their COMBINATION retail of \$199.95. This is a savings of \$197.95, or 53% off the cost of purchasing the book and the CD SEPARATELY at full retail, which is \$359.90! Also, with the purchase of either the book or the CD-ROM comes FREE! consultation from me on any cases.

### Keynote ABM Speaker—Eddy L. McClain



As a private investigator for 48 years, Mr. McClain is also extremely involved in national governmental relations and has been instrumental in the authoring of legislation for the Fair Credit Reporting Act and other key legislative issues. He is considered an expert in the field of insurance fraud, undercover investigations and surveillance.

**PICA Annual Business Meeting  
& Conference**

2 Breakfast Meals  
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Total PICA Members Attending Dinner & Seminar :	# _____ x \$249.00 = \$ _____
Registering After November 1, 2004:	# _____ x \$279.00 = \$ _____
Total Non-Members Attending Dinner & Seminar :	# _____ x \$289.00 = \$ _____
Registering After November 1, 2004:	# _____ x \$299.00 = \$ _____
Total Individuals Attending Friday Dinner Only:	# _____ x \$ 65.00 = \$ _____
Total PICA New Members Annual Dues* (Attach Application)	# _____ x \$ 99.00 = \$ _____

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## Annual Business Meeting Bylaw Proposals

Article XIV of the By Laws for the Professional Investigators of California Association, which were ratified by the membership on February 28, 2003 in Sacramento, California, state that proposed amendments [to the PICA Bylaws] be published in the PICA Newsletter with the Board of Directors' recommendation prior to the Annual Business Meeting.

Proposed Amendments submitted by Robert J. Kirschner are as follows:

**Fiscal Impact:** The Secretary / Treasurer reports there will be no fiscal impact by implementing any of the proposed PICA Draft 2004 Bylaw Amendments.

### AMENDMENT #1

**Purpose:** Change membership classifications to insure that ACTIVE members must be California State BSIS "Qualified Managers" and create an additional Student membership classification.

### ARTICLE III—MEMBERSHIP

§ 1. As a condition of membership all members agree to abide by the Bylaws, any Standing Rules if adopted by the members including all amendments to the Bylaws approved by the Members.

§ 2. The ACTIVE, ASSOCIATE, ~~[STUDENT,]~~ SERVICE and INDUSTRY MEMBERS in good standing as of the first day of the first Annual Business Meeting of the PROFESSIONAL INVESTIGATORS of CALIFORNIA Association, will be known as CHARTER MEMBERS of the PROFESSIONAL INVESTIGATORS OF CALIFORNIA.

§ 3. Membership classifications are as follows:

**ACTIVE MEMBER.** Individuals licensed by the State of California *[as a Qualified Manager]* to practice the profession of Private Investigator and residing in the State of California shall be eligible to apply for ACTIVE membership. In the case of a partnership or corporate license, the partner or corporate officer designated by the partnership or corporation *[who is a Qualified Manager]* would be eligible to apply for membership in the Association; however, all individuals who continue to hold an individual license would remain eligible for membership in this Association. The membership is taken as an individual and is not transferable. Only ACTIVE members shall have the right to vote and hold office.

## Annual Business Meeting Bylaw Proposals (continued)

B. **ASSOCIATE MEMBER.** Individuals residing outside of California and not licensed in California, who, in his own jurisdiction, is qualified under the respective laws or regulations to operate as a Private Investigator shall be eligible to apply for ASSOCIATE membership. ~~ASSOCIATE members can also be students of a recognized Private Investigations Training Academy who sign an intent to take the Private Investigator's exam upon completion of the required hours for on the job training.~~ ASSOCIATE members can also be investigators who for the past three years have worked and are presently working directly for a lawyer and/or law firm licensed by the State Bar. Associate members can also be a person whose exclusive employment is investigation, i.e. in-house insurance investigators, full time law enforcement and fire department investigative personnel. *[ASSOCIATE members can be members of partnerships and officers of corporations, who are not Qualified Managers.]* An ASSOCIATE member shall have all the rights and privileges of the Association with the exception of the right to vote or hold office.

*[C. STUDENT MEMBER is defined as a student of a recognized Private Investigation Training Academy who signs intent to take the Private Investigator's exam upon completion of the required hours for on the job training. A STUDENT member shall have all rights and privileges of the Association with the exception of the right to vote or hold office and must identify themselves in any correspondence as a STUDENT member.]*

C. *[D]. LIFE MEMBER, ACTIVE and ASSOCIATE* members who have reach the age of seventy (70) years who have been dues paying members for 20 consecutive years shall be entitled to a waiver of all regular dues.

D. *[E]. SERVICE and INDUSTRY.* Any individual who provides services and/or material related to the investigative industry is eligible to apply for Services and Industry membership including but not limited to Registered Process Servers, Attorney Services, Information Brokers, and Paralegals.

*[§ 11. Membership classification adjustments resulting from 2004 Bylaw Amendments shall become effective upon adoption at the Annual Business Meeting.]*

### AMENDMENT #2

**Purpose:** Change the name of the official journal of PICA to the "PICA INVESTIGATIVE REPORTER."

§ 9. The Official Publication of the Association shall be known as the "~~PICA NEWSLETTER~~" *["PICA INVESTIGATIVE REPORTER."]* It shall be published and distributed to all members no less than semi-annually.

## Annual Business Meeting Bylaw Proposals (continued)

### AMENDMENT #3

**Purpose:** Create an Inland Empire District, comprised of investigators residing in San Bernardino and Riverside counties.

§ 2. The member districts shall consist of: Northern, Central Valley, Los Angeles, Orange County, *[Inland Empire]* & San Diego areas. The Board of Directors may increase or decrease the number of districts from time to time as needed by a majority vote of the members as dictated by the geographical needs of the Association.

Proposed Amendments submitted by Ken Shigut are as follows:

#### ARTICLE V MANAGEMENT

§ 2. The member districts shall consist of Northern, Central Valley, Los Angeles, Orange County, *[Inland Empire]*, and San Diego areas.

#### ARTICLE VIII—ELECTIONS

§ 2. Election of officers by vote of the Active members shall be by way of secret balloting. The Secretary shall cause the official ballot to be printed and mailed to all Active members 45—60 *[30]* days prior to the date set each year for the Annual Business Meeting. Any Active Member may write in his vote for any qualified candidate for his own choosing for any office. The date for the return of ballots and the manner and means of tabulating and recording the votes shall be fixed and determined by the Board of Directors.

#### § 3. SECRETARY TREASURER:

The Secretary-Treasurer shall keep an accurate account of the minutes of annual meetings of the Association and all meetings of the Board of Directors; receive and answer all communications addressed to the Association and perform other duties as directed. ~~The Secretary shall be responsible for the publication of the annual Membership Directory.~~

Proposed Amendments submitted by Ben Harroll are as follows:

#### ARTICLE III—MEMBERSHIP

§ 3. C. (a) PICA will recognize and formally honor members who have maintained and supported our beloved organization for twenty-five years by awarding such an act of unique generosity and selflessness to our profession the highly respected and fully deserved status of “Life Member.”

Thereafter which, the now designated “Life Member” will no longer be obligated to send in the PICA annual dues fee. Further, each “Life Member” will be invited to attend all official PICA meetings and events without any duty or further obligation to pay for member registration fees or meals. PICA’s Life Member’s are truly special.

PICA will, from time-to-time, pay additional respect and otherwise acknowledge to all current members that each “Life Member” has contributed to PICA in as full and complete a way as is possible through such a long period of support. The manner of paying additional respect and acknowledgement may take different forms as is deemed appropriate by either the then existing PICA Board of Directors or the current “Life Member” District Director.