

The PICA

Investigative Reporter

THE OFFICIAL PUBLICATION OF THE PROFESSIONAL INVESTIGATORS OF CALIFORNIA

PICA Conference Coming to L.A.

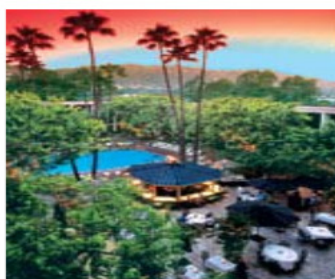
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PICA's Third Annual Business Meeting & Conference will be held at the Sheraton Universal on Friday & Saturday, Nov. 12 & 13.



Professional investigators are often eager to learn new tools of the trade, but yet are frustrated by the lack of educational opportunities available.

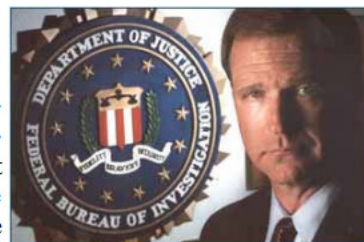
Eight seminars are being offered over a two-day period, highlighted by our Key-note Speaker Eddy McClain on Friday night.

Here is an in-depth look at each of the seminar speakers:

Three Easy Steps to Increase Business

Jimmie Mesis, the Editor-in-Chief & Publisher of P.I. Magazine is a marketing guru. Don't underestimate the knowledge gained from Jimmie as he knows first-hand the pulse of the professional investigator industry.

Jimmie was the recipient of the 2003 Investigator of the Year Award by the New Jersey Licensed Private Investigator's Association.



Interviewing Techniques

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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The Fallacy of a Discount

Have I got a deal for you!!

You are about to hire me to do some work for you. Furthermore, because we both know that you are special and different from anyone else I deal with, I'm

not going to charge you as much as I charge everybody else. Yes, you are going to get a discount! But first, give me a minute to raise my prices, because I certainly can't afford to make any less money than I am making

now. Okay, that's done. Let's get to work, and here comes your big discount.

Does this sound like the way professionals do business? Is this how you want someone to treat you? I doubt it. (continued on page 3)

PICA Northern California District News

The Sept. 2nd meeting of the PICA Northern California District was a luncheon held at the elegant Left Bank Restaurant, which is located in a new development in San Mateo. The guest speaker was Dr. Will Roundtree, a trial consultant with the National Jury Project / West in Oakland, CA. He spoke about his experiences in working with private investigators in developing case themes, jury selection, and how private investigators and

trial consultants can work together to assist attorneys in advocating for their clients. Our members and guests engaged in some spirited discussions about the topic and took an interest in Dr. Roundtree and how he got into the field of trial consulting. In closing, we discussed some of the important legislative issues, such as HR 2971 and that we must continue to strive to keep our rights to have access to credit header information by actively lobbying, writing

letters and continuing to spread the message to other investigators around the country.

NEXT MEETING

Saturday, November 6th

3:00pm

Chevy's

7401 Laguna Blvd.

Elk Grove, CA

\$14 per person

Gordon R. Holmes will be discussing with us his extensive experience as an underwater investigator. RSVP (415) 826-3598



Northern California District Meeting with Dr. William Roundtree

Photo by Dee Modglin

PICA Los Angeles District News

The August 5th meeting of the PICA Los Angeles District was highlighted by Barry Zalma. Mr. Zalma presented stories of how people have attempted to commit insurance fraud, and how he discovered their fraud. He publishes the Zalma's Insurance Fraud Letter monthly and the October 1, 2004 issue is available at www.zalma.com.

The most recent meeting of the Los Angeles District was held on October 13th. Ap-



Barry Zalma, Attorney & Certified Fraud Examiner

proximately 45 people wine and dined on beef, salmon and pasta primavera, topped off with cheesecake for dessert.

Richard Harer of Specialized Investigations spoke to an enthralled audience for the better part of an hour. His tips on running a successful PI business were well received. Congratulations to Howard Leader on his

Election as Los Angeles District Director for 2005.

Interviewed after the meeting, outgoing District Director Steve Wachtel stated 'For me, the best part about last night's meeting was the obvious great time everyone was having, while at the same time receiving valuable career knowledge. This is what PICA is all about. I am so proud to be part of this association. See everyone at the ABM.'

PICA Orange County District News

Criminal Defense Attorney Joseph G. Cavallo (pictured to the right) will be PICA's special guest speaker for the **Thursday, October 21st** meeting to be held at the Revere House in Tustin. Mr. Cavallo recently completed a very high profile trial, and will address the role of the

investigator from initial contact through trial preparation and trial. The District Meeting will start at 6pm with networking, include an election of the District Director for Orange County for the 2005 term, and conclude with Mr. Cavallo's presentation. Cost is \$30 including tax and gra-

tuity. Members and non-members are welcome. The Revere House (714/543-9319) is located at 900 W. First Street in Tustin, next to the 55 freeway.

Please RSVP to rjkagecy@asyst.net or call RJ Kirschner at (888) 926-8110.



Joseph Cavallo during a trial

Photo by James Bunoan

PICA San Diego District News

San Diego District Meeting Saturday, Oct. 30, 2004

Noon—2pm

"Pay at the Door" - \$5.99

Buffet Lunch

"Healthy All You Can Eat"

Soup Plantation

9158 Fletcher Parkway

La Mesa, CA 91942

District Director Election

CALI & SDCIA

Open Invitation

A special invitation is extended to CALI and SDCIA Members to come for this one. Unity today will help us build strength in numbers for any future legislative battles as well as other issues that are of mutual importance to all professional PI's.

Dave Cisek of Spotcheck Investigations is running against Sal Garcia of 1st Investigative Group for San Diego District Director 2005.

SNITCHED San Diego recently published an article entitled "Niche work if you can get it" in their October 6, 2004 issue. The article exposed several San Diego professional investigators — Ben Harroll, Daniel Libby, Ross Crespy, John Carman and Robert Harris. Here is a link to the article:

www.snitch.com/sandiego/content/20041006pi.htm



Ben Harroll
as featured in the article.

The Fallacy of a Discount (continued from page 1)

There is not, and there should not be, anything called a discount in the investigative field. Pure and simple. How can you afford to make less than what you have carefully determined you need to make? How can you put yourself on sale?

Now, in other parts of the business world, there are such things as "sales." They usually occur in the retail industry, and the only real sales that make sense are very selective. You know, like two days before Christmas, after hundreds of people have bought a particular item at the "regular" price, and the store only has a few left and they want to get rid of them, so they offer a sale. Or it's late September, and someplace like Home Depot still has a couple new lawn mowers, or a couple display mowers that zillions of people have pawed all summer, and now they want to clear them out so they have room to set up the giant artificial Christmas trees. That might count as a real "sale," and qualify as a real discount. But when some-

thing, anything, is discounted on a regular basis, you know that it is not really a bargain, because the appropriate profit margins have already been worked into the price.

Well, Mr. or Ms. Private Investigator, the same situation applies when you offer someone a discount on your investigative services. It's a fallacy. A myth. Bigfoot and the Loch Ness Monster.

My advice to you is not to give anyone a discount. Anyone, ever, not even your biggest client.

Follow the leadership of a long-time successful company like McDonald's: Do you think people ever walk into a McDonald's and ask for a discount on a cheeseburger because they are special? Can you hear the laughter if someone ever tried that? And you don't think your company is more efficient and profitable than McDonald's, do you?

Why not?

Okay, so now that I have made it crystal clear that I am against the concept of a discount, let me explain why.

For one thing, people can see through them, especially when they are contrived. And if they are not forced or artificial, people usually think they are.

But there is a bigger issue, a more serious reason why you should not offer a discount. By offering some client a discount you are telling him, from the very start, that you are open to negotiation on your pricing, both now and forever. So, you get a project from a new client and a few months down the line that person says, "Gee, you gave me a discount last time, and things are still real tight for me now, so I'll hire you again if you can give me the same deal I had last time." Should hiring your investigative company be a "deal?" People deal cards, or they deal in stolen horses. Your services should not be a "deal."

Furthermore, what happens when your client refers you to someone else? If your current and prospective clients have talked, your

PICA now has a
Virtual Office
to assist members.
Dial (800) 765-7422 to reach
the PICA Business Office,
or to send a fax.
www.pica-association.org

Advertising Rates for the PICA Investigative Reporter

PICA Members:
Full Page \$200.00
1/2 Page \$100.00
1/4 Page \$50.00
Business Card \$25.00

Non-Members:
Full Page \$250.00
1/2 Page \$135.00
1/4 Page \$75.00
Business Card \$35.00

Questions regarding
Advertising or Art Copy di-
mensions and proofs can be
directed to the Editor at:
gsbcomm2000@aol.com

PICA Thanks Ben Harroll

Ben Harroll of Gaslamp Investigations, Inc. of San Diego has been PICA's San Diego District Director this year. He is not running for another term so that he may devote more time to the P.I. Museum, of which he is founder and curator. On May 1, 2004, the PICA Board of Directors unanimously voted Ben as PICA's first Historian. As such, he will report annually at the PICA Annual Business Meeting. Ben has been a driving force in making PICA successful in the San Diego area, by not only spreading the word to his fellow investigators, but also by building bridges of cooperation to other PI associations in the area.

P.I. MUSEUM

FIRST PUBLIC APPEARANCE

The PICA Investigative Reporter is also pleased break the news that the first public appearance of the P.I. Museum will take place in September 2005 at the World Investigator's Conference to be held in Las Vegas, Nevada.

On behalf of the PICA Board of Directors and the entire PICA Membership, thank you, Ben, for your time and devotion in preserving the history of the professional investigator.



(Ben) Benjamin R. Harroll, PI #7085

Founder & Curator

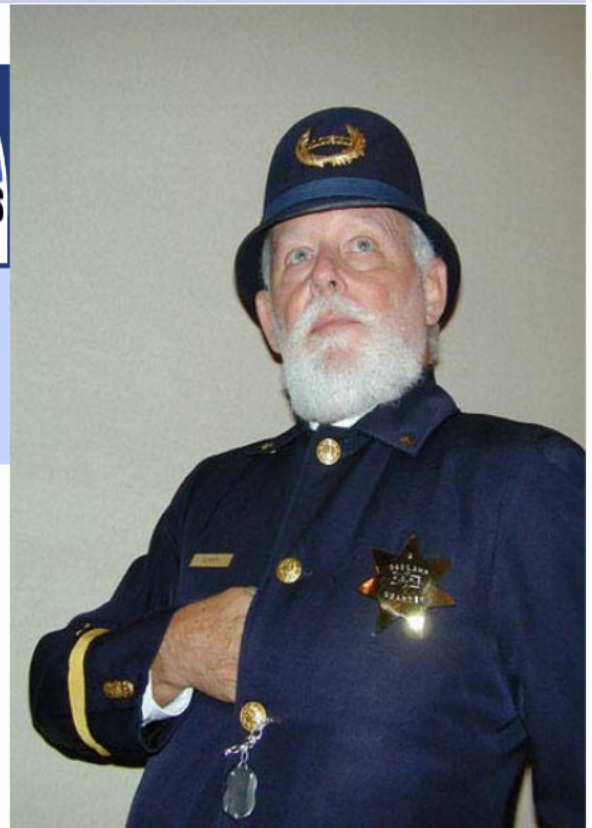
www.pimuseum.com

(619) 239-6991

The P.I. Museum was founded in 1978 and operates on the generosity of other Private Investigators, Interested Parties and Mr. Harroll's personal interest and financing.



SEPTEMBER
22-24, 2005
LAS VEGAS, NV USA



Pictured above
Ben Harroll, dressed in an 1890's uniform



Pictured to the left
Ben Harroll in the P.I. Museum

PICA Conference Coming to L.A. (continued)

(continued from Page 1)



Mexican Databases & Investigations

For the **FIRST TIME EVER**, Manuel Gutierrez of U.S. Interpoint Data Service will be speaking on Mexican Databases & Investigations. Mr. Gutierrez is a licensed Private Investigator in Mexico, and has worked for many years in Mexican Intelligence. With offices in Guadalajara, Ciudad Juarez, Culiacan, Mazatlan, Hermosillo, Tepic & Tijuana, Mr. Gutierrez promises to strengthen your knowledge of investigations as soon as you cross the southern border.

Offered exclusively through Interpoint Data Services, they are the only Mexican database information provider of it's kind in the US.

Mr. Gutierrez has successfully conducted numerous undercover operations into both major illegal drug operations and investigations involving corruption of public officials.

Among his many awards for services he values highly the "Public Service Award" presented to him by the FBI for his successful work on Major High Profile International Criminal Investigations.

Mining the Internet for Intelligence

This presentation is a thorough "how to" explanation demonstrating how your private lives and public information are available through websites as well as "Invisible" 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.

Hetherington Information Services, LLC
data • information • knowledge
We b



Legalities of Tape Recording

Michael J. Niborski, Attorney & Author, from Michael J. Niborski and Associates in Los Angeles, will discuss the Legalities of Tape Recording.

When is it legal, when is it not? California is a two-party state, but what if a witness calls you for a telephonic interview, and they do not disclose their location? Are beeps required during the conversation? Is your witness required to provide consent prior to beginning your conversation?

With so many questions, you will want to find the truth so you don't ruin the case.



Surveillance Investigation Techniques

Larry V. Baugher, Jr., of Bauer Investigations specializes in surveillance cases involving Workers Comp and Personal Injury Fraud. Currently serving the areas of Ventura, Santa Barbara and San Luis Obispo Counties, Mr. Baugher uses a Sony 8 Digital Camcorder.



Mr. Baugher will discuss Surveillance Investigation Techniques. What type of equipment to use, how to follow your subject without drawing attention, and what's going to happen to that videotape after it leaves your hands.

(continued to page 6)

PICA Annual Business Meeting & Conference

2 Breakfast Meals
2 Lunch Meals
Banquet Dinner
Snacks

Continuing Education Certificates
Conference Notebook
\$249.00 PICA Members
\$289.00 Non-Members

Sheraton Universal Hotel

333 Universal Hollywood Drive
Universal City, CA 91608

(next to Universal Studios & City Walk)

PICA Group Room Rate \$139.00 per night

Hotel Room Reservations: (888) 627-7186

Driving?

\$8 for all-day self-parking w/validation

\$12 for overnight self-parking

Flying?

\$16 for Super Shuttle from Burbank Airport

PICA ABM Hotline & Website

(800) 765-7422

www.pica-association.org

Three Easy Steps to Register

1. Fill out application
2. Pay by credit card or check
3. Fax application to (800) 765-7422

Checks can be mailed to:

PICA Business Office
14622 Ventura Blvd., #426
Sherman Oaks, CA 91403

The Fallacy of a Discount (continued from page 3)

new client also immediately expects to obtain your services at a discount. Sure, they may have heard good things about your abilities, but they probably heard even better things about how much you charge. In fact, your new referred client might even be expecting to get you to lower your prices even more. (Just shoot me now! I don't want to ever deal with that situation!)

As you can see, the issue is not so much that you are giving a discount, but that you have set a policy of how you will do business. In any business, some things you do, some you don't, and you have very clearly defined those areas, including the issue of price.

I've said this before and it needs to be repeated here: you have to be willing to look your client square in the eye, tell him what your price for your services is, and hope he flinches. (If your client doesn't flinch, then you have left money on the table. If he too readily agrees to pay your price with no hesitation – no flinching – then he was probably willing to pay more.) Now if your price is fair and fine with you, I'm not suggesting that you gouge your client. It's not about charging as much as you possibly can. It's about charging a fair price without getting into the mode of immediately offering a discount.

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(310) 745-0949 Fax

If your client is not willing to pay your fee for services, you have to be willing to turn around and walk out the door.

Your practice of not offering a discount must also be applied down the line, evenly and in all circumstances. What happens when it is time to raise your rates? When you do, you need to raise them for everyone, across the board, big client as well as little client. And if

you get a client who calls you up to whine, whine, whine about it, then that's the kind of client you want to get rid of anyway.

Someone may not like your unwillingness to lower your rate, but he will respect you for being firm and honest. He may not like you, but that's okay, because you're not shopping for friends, you're trying to generate business.

Businessman, Not Hero

One of the major problems I see time and time again among investigators is that they want to be liked, they want to be the good guy (or gal), they want to be the knight in shining armor. They get into this business for the wrong reason. Oh, not that there is anything wrong with being a nice person. I'm not suggesting that you go out and steal candy from children, push old people down a flight of stairs, or throw a dog in front of a moving truck. (If you want to throw a cat in front of a truck, however, that's different.) And you can and should and must be an ethical business person. But you've got to first be a business person, and the purpose of being in business is to make money. Otherwise it's just a hobby.

It's not a hobby when you are billing your time, and billing it accurately and completely. (continued to page 9)

PICA Conference Coming to L.A. (continued)

Computer Investigations

Michael A. DiMatteo is a retired San Bernardino County Sheriff's Dept. Detective specializing in computer investigations. He has conducted over 150 computer forensic investigations relating 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.

In 1994, Mr. DiMatteo began investigating Internet-related crimes, conducting hundreds of investigations relating to the sexual exploitation of children. He 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.

Mr. DiMatteo will be going undercover on the internet, via a live demonstration, to demonstrate the ability to catch this crime in action.

Accident Scene Investigations

Ross Crespy, owner of Gold Shield Intelligence Agency based in Lakeside, California, will speak on one of his specialties, Accident Scene Investigations.

Having served in the United States Navy for over twenty years, Mr. Crespy became a California Licensed Private Investigator in the year 2000, and has since specialized in

Accident Scene Investigations and DUI Defense Investigations.

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.



President's Message

EDUCATION NEVER STOPS

I've been a PI now for 19 years and have operated my own successful PI business for the past 14. To say the least I've learned a lot over the years, however, one thing remains constant: The need to continually educate myself concerning this profession.

I know that if I can arrange a face-to-face interview with a client,

I have a 99% of landing the case and subsequently landing him or her as a new client. It's not because I have movie star looks or wear designer suits. I believe it is because of the depth of



areas of Private Investigation that I practice. By staying on top of the latest laws and techniques I impress and relax my client so that, in their mind, I have attained the credibility necessary for them to entrust me with their case. Additionally, this knowledge also affords me the opportunity to suggest additional investigation that obviously adds to my bottom line.

Investigation and Legal articles, conferences, seminars, lunch and dinner get-togethers with knowledgeable and experienced Investigators and Attorneys have all added to the constant and accumulated knowledge I need to best represent my client's interests.

Education is one of the main reasons why I became involved with the birth of PICA to begin with. (continued to page 8)

John Grogan

*Polygraph
Examiner*



(818) 883-6969

John Grogan & Associates
GroganPolygraph.com

CONFERENCE REGISTRATION FORM

MAIL OR FAX form with payment to: PICA 14622 Ventura Blvd., #426, Sherman Oaks, CA 91403 **FAX:** 800-765-7422

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* (<i>Attach Application</i>)	# _____ x \$ 99.00 = \$ _____

* (Valid through December 31, 2005)

Enclosed: Check number _____ made payable to PICA in the total amount of: \$ _____

Credit Card Payment: VISA or MasterCard Expiration Date: __ / __ / __

Credit Card Number: _____ Total Amount: \$ _____

Name as it appears on the credit card: _____

Billing address for credit card: _____

Payment Authorization Signature: _____

PLEASE MARK YOUR MEAL PREFERENCE:

MEAL PREFERENCE: # _____ Chicken Entrée # _____ Beef Entrée # _____ Vegetarian Entrée

☐ Member ☐ Non-Member ☐ New Member

☐ Member ☐ Non-Member ☐ New Member

Name: _____
Company: _____
Address: _____
City State Zip: _____
Telephone: _____
E-mail: _____

Name: _____
Company: _____
Address: _____
City State Zip: _____
Telephone: _____
E-mail: _____

President's Message

(continued from page 7)

As I met with and spoke to the original founders of this organization, the idea of continually educating one's self and forming an association that would aid and promote education was repeatedly talked about and emphasized.

The Board and I have strived to put on educational and useful local district meetings as well as the Annual Business Meeting & Conference.

The past conferences have always been successful and we have received many compliments on both the quality of the speakers and the conference as a whole.

I can honestly and proudly inform you that this year's ABM/Conference will be the biggest and best ever! On November 12th and 13th, Friday and Saturday, at the Sheraton Universal Hotel in Universal City, CA, we are hosting the first two full-day conference. The attendees at last year's San Diego Conference suggested a two-day conference. We took these suggestions to heart and are going all out for this one.

Attendees at this year's conference will have the opportunity to be educated and instructed by eight excellent speakers plus receive inspiration and insight from our Key Note Speaker, Eddy McClain. The fields of investigation that will be explored range from Surveillance Tips, to the Legalities of Tape Recordings and resources available to conduct Mexican-based investigations. Additionally, Jimmie Mesis, Editor-in-Chief and Publisher of P.I. Magazine will be providing marketing tips to help us "mom and pop" business owners become even more successful.

This is an excellent opportunity for you and your staff to network, increase your knowledge and become inspired!

Thank you,

Ken Shigut,
President

Annual Business Meeting Notice

Article VI of the Bylaws for the Professional Investigators of California Association, which were ratified by the membership on February 28, 2003 in Sacramento, California, state that the Annual Business Meeting will be noticed to all members in the pre-conference edition of the PICA Newsletter.

New PICA Members

<u>Name</u>	<u>City</u>
Andy Marcoux	Dublin, CA
John Fay	Crescent City, CA
Royce McFadden	Hollister, CA
Raymond Terheyden	Clayton, CA
Robert Duff	Costa Mesa, CA
Debra Allen	Newport Beach, CA
Scott Purcell	Chino, CA
Jeanne Callaway	Moreno Valley, CA
David Fechheimer	San Francisco, CA
Joseph O'Melia	Huntington Beach, CA
Michael Schulhof	Agoura Hills, CA
William Milligan	San Diego, CA
Mark Mireles	San Diego, CA
Dan Portuguese	San Diego, CA
David Hollenbeck	San Diego, CA
Robert Edward Duncan	Sacramento, CA
Mark Regan	Marysville, CA
Sally Parry	Los Angeles, CA
Farzin Noohi	Garden Grove, CA
Ron Gibbons	Chino, CA
Robert McGuckin	Temecula, CA
Pamela V. Martin	Menlo Park, CA
Robert Montgomery	Port Hueneme, CA
Claude D. Ammons III	Upland, CA
Natalia Garcia	San Diego, CA
Jim Goodrich	Rocklin, CA
George Swink	San Diego, CA
Chris M. Wright	Anaheim, CA
Theodore Encinas	Santa Ana, CA
James S. Clauson, Jr.	Long Beach, CA
Sean B. Menahem	Woodland Hills, CA
Deborah Hopkins	Upland, CA
John DeMarr	Irvine, CA
Gordon R. Holmes	Elk Grove, CA
David L. Browning	Lake Havasu, AZ
John P. Kolbach	Rapid City, SD
George M. Newman	San Diego, CA
Carl M. Williams	Emeryville, CA
John S. Blackburn	San Francisco, CA
David C. Williams	Huntington Beach, CA

PICA Election 2004

All PICA Members have been sent a ballot with designations for President, 1st Vice President, 2nd Vice President and Secretary / Treasurer.

To be counted, your ballot must be received no later than **5:00pm on October 25, 2004.**

The Fallacy of a Discount

Not giving a discount also means billing your client for all of your time. When you are doing anything for that client, keep detailed records of exactly what and how long it took you, and bill him for that time. New computer case management software enables you to easily create a time management tracking system for your work on any and every case. Because I can assure you, if you do not capture the time spent on a project when you do it, you will never go back and capture it later.

Now, having advised you against ever giving a discount, I will say that there is one situation in which you could consider offering someone a discount, and that is when you have a cold, calculated reason to do so. If you give a discount, it needs to be the exception, not the rule. Generally that means as part of a specific marketing tactic with a particular client, and I need to know up front how long it will be before I get that lost money back in my pocket.

Maybe you have not been able to get any more work from a potentially lucrative client for some time, so you send him a one-time, limited time only discount certificate on his next case, but only within the next three weeks. He already knows you're good because he has used you before, and you just want a strong message for thrusting yourself back in front of his eyes. Short-term, definite marketing purpose! Getting back to the McDonald's marketing system: they may choose to offer a discount on a particular food item for a particular period of time, but it is all designed as part of a master plan to get you in the door and to buy something else. It is not their routine way of doing business, and it should not be yours.

I have gone the discount route in my career in the past, and I can tell you that it doesn't pay. So save yourself some time, money, and grief, and learn from my mistake. No discounts.

For further information, you may contact Roy Miller at 503-655-1405, 10774 SE Highway 212, Clackamas, Oregon 97015-9164, or Roy@case-works.com

MILLER
COMPUTER GROUP

Solutions for Litigators & Investigators

Annual Business Meeting Notice

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:

A. **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.

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. (continues on page 11)

Federal Legislative / Regulatory Update

A number of legislative developments that could have a significant impact on PICA members have occurred during the past few months.

Harmful Identity Theft Bill Moves Forward

H.R. 2971, the *Social Security Number Privacy and Identity Theft Prevention Act*, which would eliminate private investigation and security industry access to Social Security number and credit header information, was approved by the full House Ways and Means Committee by a unanimous 33-0 vote on July 21. Earlier, in June, the House Ways and Means Committee's Subcommittee on Social Security (chaired by Rep. Shaw) held a hearing on this legislation. The National Council of Investigation and Security Services (NCISS) presented testimony in opposition to the specific provisions (Sections 107 and 108) of the bill. On July 15, Rep. Shaw's Subcommittee held a mark-up session on H.R. 2971, and made several changes to the bill, though these changes do not reduce the negative impact the bill would have on the security and private investigation industry. NCISS is actively working to combat this legislation. NCISS has asked that members of affected organizations such as PICA write to their federal representatives regarding this bill. For more detailed information, PICA members should visit www.nciss.org. The momentum of H.R. 2971 is alarming and merits your immediate attention.

By: S. Pierre Paret

CALIFORNIA STATE ALERT

On Tuesday, September 14, 2004, Senator Diane Feinstein introduced S-2801, the Social Security Number Privacy and Identity Theft Prevention Act of 2004. This bill is an exact replica of Rep. Clay Shaw's HR 2971 that would eliminate access to SSN's and credit headers.

Members from several California PI Associations, including PICA, have joined together and met with Senator Feinstein's office in San Francisco, Los Angeles and San Diego. PICA's Legislative Chair Dee Modglin attended the San Francisco meeting and encouraged Senator Feinstein's office to eliminate only those portions of the legislation which negatively affect private investigators. While Ben Harroll, PICA's San Diego District Director attended the San Diego



Members from PICA, CALI, NALI & NCISS inside Senator Feinstein's office building in San Diego (October 12, 2004)

meeting to discuss the same issues.

Other Identity Theft Bill Signed into Law

The President on July 15, 2004, signed into law H.R. 1731, the Identity Theft Penalty Enhancement Act, which strengthens criminal penalties for identity theft. This legislation would not have a negative impact on the security and investigation industry. This legislation, now codified as Public Law 108-275, creates a new crime of "aggravated identity theft," and would enhance other penalties.

Bill Number	Title	Status/Outlook
S. 153	<i>Identity Theft Penalty Enhancement Act</i>	Passed Senate 3/19/03. Pending in the House Judiciary Committee
S. 223	<i>Identity Theft Prevention Act</i>	No action. Pending in the Senate Banking, Housing and Urban Affairs Committee
S. 228	<i>Social Security Number Misuse Prevention Act</i>	Pending before full Senate (placed on Legislative Calendar on 1/29/03)
H.R. 637	<i>Social Security Number Misuse Prevention Act</i>	No action. Pending in the House Judiciary Committee.
S. 745	<i>Privacy Act of 2003</i>	No action. Pending in the Senate Judiciary Committee.
H.R. 858	<i>Identity Theft Penalty Enhancement Act</i>	No action. Pending in the House Judiciary Committee.
S. 1301	<i>Video Voyeurism Prevention Act of 2003</i>	Passed Senate 9/25/03. Reported by House Subcommittee 3/30/04. Ordered reported by full House Judiciary Committee 5/12/04.
H.R. 1543	<i>Civil Rights and Employee Investigation Clarification Act</i>	Language from this bill, introduced by Rep. Pete Sessions, formed the basis for Title VI of H.R. 2622, which was signed into law 12/4/03.
H.R. 1731	<i>Identity Theft Penalty Enhancement Act</i>	Passed House and Senate, signed by President 7/15/04. Became Public Law 108-275.
H.R. 2405	<i>Video Voyeurism Prevention Act</i>	No action. This is the House companion measure to S. 1301. Both this bill and S. 1301 are pending in the House Judiciary Committee.
H.R. 2622	<i>Fair and Accurate Credit Transactions Act of 2003</i>	Passed House and Senate, signed by President 12/4/03. Became Public Law 108-159.
H.R. 2633	<i>Identity Theft Protection and Information Blackout Act of 2003</i>	No action. Pending in four House committees.
H.R. 2971	<i>Social Security Number Privacy and Identity Theft Prevention Act</i>	Passed House Ways and Means Committee 33-0 on 7/21/04. Pending in two other House committees.

Annual Business Meeting Notice (continued from page 9)

[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.]

⊖ *[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.*

⊖ *[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.

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.

PICA Collaborates with Child Rescue Network to Aid in Locating Missing Children!

Child Rescue Network is a newly formed organization dedicated to helping to prevent abductions through distribution of safety products such as photo id cards. This program provides safety rules and FREE photo / fingerprint ID cards for parents to have of their children. Child Rescue Network will distribute safety rules to help teach children how to recognize and react to potentially dangerous situations.

At the last board meeting of the Professional Investigators of California (PICA) held in Los Angeles, California, it was announced that PICA will be heading up a team of investigators to work in conjunction with Child Rescue Network to solve cases involving the abduction of children.