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PICA ABM & Conference Wrap Up

November 12 & 13, 2004 were historical days for PICA, as we held our first two-day Annual Business Meeting & Conference. The conference was held at the Universal Sheraton in Universal City, CA.

THREE EASY STEPS TO INCREASE YOUR BUSINESS

Jimmie Mesis, the Editor-in-Chief and Publisher of P.I. Magazine, started off the conference with the startling figure that 90% of private investigators do not have a business plan. From there, Jimmie (everyone calls him Jimmie) provided dozens of steps to increase our business, including a way to make a Good First Impression Last, with a 10-Second Self-Promo.



Ben Harroll (left), PICA's San Diego District Director, presents Jimmie Mesis (right) with a plaque.

INTERVIEWING TECHNIQUES

Jack Trimarco continued the conference describing several interviews of high-profile subjects. Mr. Trimarco described how an interview can be turned into an interrogation depending upon the determination of guilt or innocence at a critical juncture.

Mr. Trimarco areas of expertise included being an F.B.I. Hostage Negotiator, an F.B.I. EXPERTISE Psychological Profiler and a member of the F.B.I. S.W.A.T.



Jack Trimarco (left) is thanked by Steve Wachtel, (right), Los Angeles County District Director, after presenting "How To Get People to Tell You the Truth"

The conference broke for lunch as PICA members and guests networked



Lunch Break at the Sheraton Universal

and visited vendor booths.



President's Message

As we head into the New Year, I'd like to take this opportunity to first thank our outgoing President Ken Shigut for the outstanding job that he has done during the past two and a half years. Ken has taken PICA to place that no one had anticipated we could be in such a short period of time.

As one of the founders of PICA, I am proud and honored to be serving this year as your President. In such a brief period of time, we have collectively built this association to nearly 300 members. We are recognized not only throughout California, but throughout the country. Our membership is now nationwide and growing. PICA will continue to expand its membership, address relevant key investigative issues and serve its constituency.

Your continued commitment to our growth is appreciated. This coming March, we again plan on meeting with legislators in Sacramento.

This legislative day is important for all of us. We invite all of our members to join us to demonstrate to our Senators and Congressmen our sense of professionalism, integrity and commitment. Once the date is confirmed we will notify you. By participating in this legislative day as a significant group, we can more effectively convey our dedicated sincerity.

The Governors Office has asked Chief Giorgi of BSIS to assume the duties of Deputy Director of Bureau Operations for the Department of Consumer Affairs. Chief Giorgi has invited me to sit on his advisory committee for BSIS. I welcome this opportunity to personally voice your concerns in Sacramento.

In the upcoming months, we have exciting plans that I would like to share with you. We are working with an innovative PR firm that is close to placing the finishing touches on an enhanced webpage. This firm is designing a membership

directory so that your contact information can be easily accessed by *name, city, county and specialty*. They are using "meta tags" so that when the public is looking for an investigator in California, the PICA website will hopefully be displayed in the Top 5 listed results of the search engine. This technology will bring us significant professional exposure, and will ultimately generate more business for each of us.

This year we are also joining forces with Jimmie Mesis of PI Magazine and becoming a co-sponsor of the first World Investigators Conference (see ad on page 13) which will be held in Las Vegas from September 21-24. This event will have 40 well-informed speakers, in excess of 50 training sessions, and over 1,000 investigators in attendance from all over the world. The event is scheduled to be held at the MGM Grand Hotel. For more information, contact our conference chair Ken Shigut at czpi@earthlink.net.

At the last board meeting, I appointed two individuals to oversee an education and training committee that will come to fruition this year. Our goal is to work on two informative seminars that will be conducted in Northern and Southern California. Please look for further details in an upcoming issue of the PICA Investigative Reporter and on the Listserve.

My telephone lines are always open to all of our members with any suggestions, comments or complaints. I can be reached at (800) 776-5678. I hope you all have a very happy and healthy New Year.

Best Regards,

Dave Boykoff

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PICA Northern California District News

Meeting Highlighted by an Underwater Investigator

At the November 6, 2004 meeting of the Northern California District, PICA member Gordon R. Holmes gave a short talk about underwater investigations.



Based in Elk Grove, CA, Mr. Holmes has over twelve years of experience with the Drowning Accident Rescue Team, Inc. as a rescue diver and team leader. In addition to underwater investigations, Mr. Holmes has extensive experience in insurance claims, served twelve years as a tax auditor with the State of California Franchise Tax Board and fifteen years with the US Army and Army Reserves. Gordon Holmes can be reached at (916)

947-2334 or
www.GordonHolmesPrivateInvestigator.com.

The following is a list of meeting dates (all on Saturdays) and locations for 2005:

- Feb. 26—San Francisco
- May 14—Vacaville
- Aug. 6—Sacramento
- Nov. 19—San Mateo



PICA Members and guests feasting on dinner at Chevy's in Elk Grove, CA. Special Thanks to Dee Modglin for supplying the picture to the PICA Investigative Reporter.

PICA Los Angeles County District News

Meeting Highlighted by Collecting Gifts for the Needy

Steve Wachtel celebrated his final Los Angeles District Meeting in style as District Director by hosting a holiday dinner on December 14, 2004 at the 94th Aero Squadron in Van Nuys.

In keeping with the holiday spirit, PICA collected gifts for the Immanuel House of Hope in South Central Los Angeles. Immanuel House is a low income housing project, and our gifts helped needy boys and girls from infancy to 16 years of age.

The following is a list of meeting dates for 2005:

- Feb. 24 April 28 June 30 Aug. 25 Oct. 27 Dec. 8

PICA Orange County District News

Meeting Highlighted by High-Profile Attorney Joseph Cavallo

RJ Kirschner was re-elected as Orange County District Director at the Oct. 21st meeting. Joseph Cavallo, Esq., the invited speaker, has been invited to speak to many groups, and has turned them all down. Mr. Cavallo agreed to speak to PICA members because of our professionalism as California Licensed PI's.



Joseph Cavallo addresses the PICA Orange County District Meeting.

The following is a list of meeting dates for 2005:

- Feb. 17 May 19 Aug. 18 Nov. 17

"How to Operate a Home-Based Business as a Mystery Shopper or as a Video Mystery Shopper"

In this 23+ chapter binder, Cliff Lindquist dissects the relatively new field of Video Mystery Shopping. Bored with traditional surveillance and investigations? The \$1.5 Billion dollar industry of Mystery Shopping has been around for decades, and the use of video puts on a new twist because it pays you MORE!

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PICA San Diego District News

Meeting Highlighted by Case Works seminar and Ace Tech

Democracy and Unity are alive and well in San Diego. Individual P.I.'s made their own decisions and came together for the Soup Plantation lunch, fraternity and lots of good information to make money. San Diego PICA members along with a strong showing of both CALI and SDCIA members added up to a total of 26!



Ace Tech can be reached at (858) 565-2677

Ace Tech's \$1,499 DMR (Digital Multiplex Video Recorder) with (4) Four Color Cameras and a Monitor left most P.I.'s excited with the possibilities for their cases. The ability to leave the system in place out in the field or to watch it over your computer at the office stirred creative minds as to the many uses. The feature allowing you to pinpoint an area that you want to trigger recording opens up many possibilities.



Ben Harroll addresses the attendees in San Diego

PICA election resulted with our new San Diego District Director being Mr. Dave Cisek! Congratulations Dave!



Ben Harroll (right), the outgoing San Diego District Director, proudly passes on the new PICA banner to newly elected Dave Cisek (left).

Child Rescue Network's Jodi Breslow found ready volunteers coming forward to help with the joint PICA and CRN effort to be successful in finding missing children around the country.

John Carman, Carman Investigations joined PICA at the meeting. His expertise is in immigration & customs. Welcome John!



Roy Miller of Case Works can be reached at (503) 655-1405 or at www.case-works.com

Roy Miller's Case Works talk was met with a very attentive audience. His 28-minute 1940's P.I. Movie before the talk was funny, nostalgic and informative. Most stayed the extra hour so as not to miss anything thrown out during the Q&A. Every P.I. at this lunch were given the forms needed to have a full 90 days to actually try out the Case Works product. This was total FREE and is Roy's special "PICA Package," worth nearly \$500.

PICA Central Coast District News

Meeting Highlighted by a demonstration of digital technology

The Central Coast District debuted with a bang on Tuesday, January 11th at the El Torito Restaurant in Ventura. A capacity crowd of nearly 40 people helped usher in PICA's newest district. Congratulations to newly elected District Director Dave DeVorre!

Matt Macaraeg, an Independent Film & TV Director and CompUSA's Business Services Consultant in Ventura, provided a demonstration of the latest equipment, essential to the private investigation industry, in cameras, voice recorders, video camcorders, video recognition and photo editing software.

Stay tuned to the PICA List-serve for information regarding the next PICA Central Coast District Meeting.



Dave DeVorre (left, standing) presents Matt Macaraeg (right) with a plaque at the end of his demonstration on cutting edge digital technology

PICA Inland Empire District News

First District Meeting Coming Soon

The first district meeting for the newly created Inland Empire District is scheduled for the near future, so watch the PICA List-serve for more information.



PICA Logo Available for PICA Members

Interested in having the PICA logo on your website? Feel free to call the PICA Business Office at (800) 765-7422, or send us an email, and we would be happy to forward the .jpeg file containing the PICA logo.

PICA ABM & Conference Wrap Up (continued)

With a healthy dose of lunch and networking, there was a buzz in the air as the highly anticipated seminar of Mexican Databases and Investigations was about to begin, and there was standing room only.

MEXICAN DATABASES AND INVESTIGATIONS

Manuel Gutierrez, the Founder & CEO of Interpoint Data Services, inc. (Mexico & USA) gave a stunning presentation on the Mexican Resources available for investigations across the border. As an attendee of this first public presentation to private investigators, Mr. Gutierrez described the different courts in Mexico, how research is conducted by IDS to retrieve Mexican public records, and how these public records are incorporated into a database. Currently, the database contains in excess of twenty million records.



Mr. Gutierrez ventured into some highly sensitive areas of information that that can not be published here, but did speak about Arrest and Incident Report Records, Corporate Filings, Reverse Telephone Directory Information, Locator Files, Birth Records, Civil Court Filings, Fictitious Business Filings, Property Records and News Media Searches.

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PICA's ABM & Conference continued into the late afternoon with another highly anticipated seminar...

MINING THE INTERNET FOR INTELLIGENCE

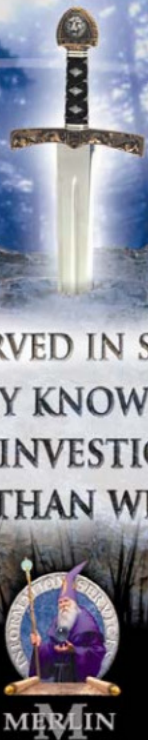
Cynthia Hetherington (below) provided an outstanding presentation on conducting research on the internet. From advanced searches on google, to elion.com and hoovers.com, Ms. Hetherington plotted her way through online sources to find personal information on a high-profile executive. As publisher of the data2know.com internet & online intelligence newsletter, she uses hundreds of web sites and creative methods of searching to find those nuggets of hidden information that can make or break an investigation.



Hetherington Information Services, LLC is based in Haskell, New Jersey.

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 demonstrated this product at the PICA conference. More information can be obtained by phoning Merlin at 800-367-6646.



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PICA ABM & Conference Wrap Up (continued)



Ken Shigut (left), President of PICA, presents Eddy L. McClain (right) with a plaque

PICA's Annual Business Meeting Dinner began with Jimmie Mesis welcoming members and guests, and speaking about the importance of our organization. Jimmie spoke about the importance of supporting NCISS, and then mentioned that of all the professional investigator association newsletters he has seen, the PICA Investigative Reporter is the best he has ever seen!

The Keynote Speaker for the evening was Eddy L. McClain. Mr. McClain



Newly elected PICA President Dave Boykoff (right) presents Ken Shigut (left) with a thank you gift for his service as President of PICA.

spoke about Current Legislative Issues and member involvement in PICA.

Mr. McClain also provided us the honor of swearing in the new PICA Board Members for 2005. At the conclusion of the ceremony, the Annual Business Meeting was conducted and several PICA Bylaws were voted on for revision.



Jimmie Mesis addressing the PICA Annual Business Meeting Dinner

- 2005 PICA BOARD MEMBERS**
- David B. Boykoff—President
 - Steven Wachtel—1st Vice President
 - Ken Shigut—2nd Vice President
 - Gary S. Brummond—Secretary / Treasurer
 - Howard Leader—Los Angeles District Director
 - Dee Modglin—Northern California District Director
 - R.J. Kirschner—Orange County District Director
 - David Cisek—San Diego District Director



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PICA ABM & Conference Wrap Up (continued)

Saturday morning started with a breakfast, which was followed by the next seminar on the Legalities of Tape Recording.

LEGALITIES OF TAPE RECORDINGS

Michael J. Niborski, Esq. Spoke about the Legal Repercussions of Surreptitious Audio Recording in California. He covered the Federal Wiretapping Law, including the Private Right of Action, Prohibited Conduct, Defenses and Criminal Action. Mr. Niborski also covered the California Penal Code, which included the California Invasion of Privacy Act, the Privacy Right of Action, Defenses and Criminal Action. Next he spoke about the Common Law Invasion of Privacy, the Tort of Intrusion into Seclusion and presented three case studies.

The last segment included Interstate Recording. There was an unresolved question in California, however, as the Supreme Court is currently in review. Case law from other jurisdictions suggest that if a person is recorded in California from out-of-state, then California is the place of injury and California law should apply.

There is also an argument that calls placed across state lines come under federal jurisdiction, and therefore the federal wiretapping statute would preempt any state law.

SURVEILLANCE INVESTIGATION TECHNIQUES

Private investigators who are hired to conduct surveillance are always looking for advice on investigation techniques. With over 30 years of experience in various arenas of law enforcement, Larry Baugher, Jr. was able to enlighten the attendees with the latest in surveillance equipment, starting the surveillance assignment, identifying the subject location, dealing with visual hindrances, setting up the video camera and dealing with nosy neighbors. He noted to be aware of the "Looks" or "Glances" from the subject, and for "sure indications" that you have been "burned."

COMPUTER INVESTIGATIONS

Michael DiMatteo of Inland Computer Forensic Services provided PICA members with an in-depth look into the "autopsy of a computer hard disk drive." Computer Forensics deals with the preservation, identification, extraction and documentation of computer evidence. Mr. DiMatteo went on to speak about IP addresses, which included the use of e-mail headers and online investigations by detailing a specific court case.



Michael DiMatteo presenting "Computer Investigations"

ACCIDENT SCENE INVESTIGATIONS

Frank Ritter, CLI, CII, is an expert auto accident reconstructionist and the author of *Successful Personal Injury Investigations*. Frank 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.



Frank Ritter - Accident Scene Investigations



Ken Shigut (left) presents Michael J. Niborski, Esq. (right) with a plaque.



Larry Baugher of Baugher Investigations presented Surveillance Investigation Techniques

PICA ABM & Conference Wrap Up (continued)

PICA Thanks our Vendors



Ho Jung from Ace Tech Security demonstrated the DMR—Digital Video Recorder and Camera

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Bill West from AMIS-Alliance Marketing & Insurance Services

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PICA ABM & Conference Wrap Up (continued)

PICA Thanks our Vendors



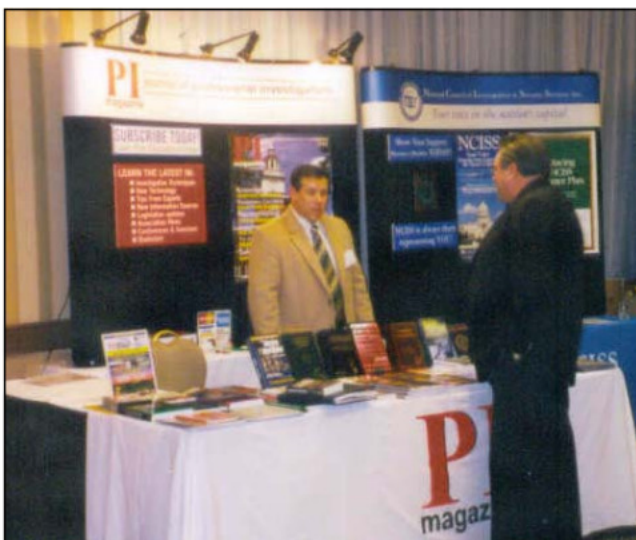
Michelle Woodard (right) from IRB Search and Michele Stuart (left) from JAG Investigations
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Roy Miller—Miller Computer Group
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Jimmie Mesis—PI Magazine & NCISS booths
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Robert Yergy—Yergy Insurance Agency, Inc.
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PICA ABM & Conference Wrap Up (continued)

PICA Thanks our Volunteers



PICA would like to thank Ann Marie Batesole (left) from Triedstone Investigations and Mary Dobson (right) from Mary Dobson Transcription Services

PICA would also like to thank Jodi Breslow from
Child Rescue Network
for the table centerpieces



PICA is proud to be the first Professional Investigator Association in California to be an Affiliated Partner with the Child Rescue Network

2005 COMMITTEE APPOINTMENTS

Legislative Chair—Dee Modglin

Grievances & Ethics Chair—Dave Cisek

Unlicensed Practices Chair—RJ Kirschner

Bylaws Chair—Ken Shigut

Education & Training Chairs—Dave DeVorre

Annual Conference Chair—Ken Shigut

Listserv Moderator—Steve Wachtel

Child Watch Chair—RJ Kirschner

Certificate Chair—Steve Wachtel

PICA Investigative Reporter Editor—Gary S. Brummond

Webpage Chairs—Ken Shigut & Gary S. Brummond

BSIS Good Deed

A PICA Member recently had a very positive experience when they called BSIS and spoke with two very helpful and responsive BSIS representatives.

The Problem?

When going to the BSIS website to check on a Licensed Private Investigator, it seems that the negative sounding term DELINQUENT was being shown under "status" next to Fictitious Business Name for some of the more senior P.I.'s with four-digit license numbers. This sometimes resulted in a client asking the P.I. why he or she was DELINQUENT!

The Solution?

This entire field of information was deleted from the BSIS website because it is no longer needed and was a hold-over from long ago. Now, anyone checking won't be asking any P.I. why they are DELINQUENT.

The BSIS Hero's?

Donna J.—Secretary—She is handling matters of all sorts since Deputy Chief Sherrie-Moffett Bell took another position in state government and Chief Giorgi moved over to DCA recently.

Claudette T.—Companies Licenses Dept.—She has been solving problems for eleven years now. The kind of BSIS representative who is leading us towards a better BSIS.

The Result?

A PICA member simply having showed the initiative to question the BSIS as to why this was happening resulted in two BSIS Hero's responding to a long-overdue action that benefit's the entire Private Investigative fraternity in California.

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- Executive Protection
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- Process Serving
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For Details and Registration go to: www.2005WIC.com or Call: 800.836.3088

PICA Historian's Annual Report

The 2004 year provided PICA and the P.I. Museum, as well as the investigative profession it works to inform, educate and entertain, with many new and positive successes that can now be shared with all of those P.I.'s who are interested in their professions own unique "history."

I am proud to give these examples and to list some stand-out individuals, as well:

PICA Historian Ben Harroll was appointed to serve as PICA's Official Historian. This is another example of PICA's excellent leadership into the 21st Century for the profession while recognizing the lessons to be learned from recognizing the preserving our rich and colorful history.

Donations have been generous to the P.I. Museum and include those deserving of special mention and a big thank you:

VIDOCQ MEMOIRS—four volumes in leather bindings printed in 1828-1829. Donor was Vinnie Parco Intercontinental Investigations, Inc. out of New York.

MERLIN—1893 Thonwood Detective 4x5 Plate Camera; near mint condition. Donor was Mike & Jordonna Dores who, along with their great staff, are known as the P.I.'s best data choice.

Stoelting Polyscribe Polygraph Instrument (circa 1970's). Donor was Nic Smith of Adverus and out of Laguna Beach, CA.

San Francisco Police Detective Pocket Watch, Chain and Watch Fob (circa 1880's) and engraved "Edward Byram". Donors were the following generous PICA members: Steve Wachtel (Mission Hills, CA), Dee Modglin (San Francisco, CA), Mark Wilson (San Diego, CA) and John Grogan (thePIGroup).

BSIS Historical Records & Documents (circa 1940's through 1978). Donors / Lenders BSIS Chief Steve Giorgi & BSIS's Historian Noreen DeKooring. Note: All were scanned for the P.I. Museum.

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

In closing, I am very happy to say that both PICA and the P.I. Museum are excited to be looking ahead for even more opportunities for us all at the World Investigator's Conference coming up in Las Vegas this September; go to <http://www.2005wic.com> for all of the information.

Fraternally,

Ben Harroll

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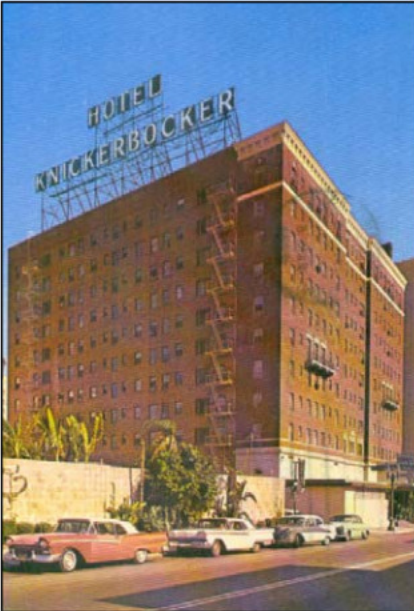
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There was a time when some PI's were known as "Hotel Dicks". Well, this badge (below) is a throw-back to that era and the PI Museum is lucky to have found it. The postcards convey the "look" of the period



that we believe would have been around the 1950's, 1960's and beyond.

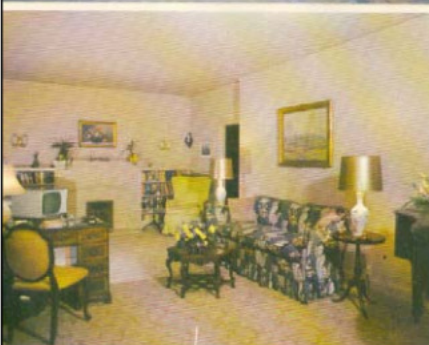
There are links that

these items have to a long-time Seattle Police Detective (now departed) named Harvey Skaret. He is known to have worked with well-known Seattle PI Jerry Poth,

who I often see at WAD conferences.

Here is how a Seattle newspaper's "Faces in the City" article described Mr. Skaret.

"A big guy—6 feet 5 inches and 250 pounds—with a razor sharp sense of humor and a mischievous twinkle in his eye. Harvey Skaret always reminded us of a small boy with a 'who lit off that firecracker?' grin."



(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.



The PI Museum always is mindful that behind every item in the collection are real men and real women. Many are now gone. It's the stories about them and their lives as Detectives and Private Eyes that give a deep emotional context to the items that make up the physical museum.

The items then become symbols for the integrity and hard work done daily by all Private Eyes both gone and still living. That is why one day we will have a PI Museum Hall of Fame; a place to allow families and friends to remember and honor the individual's contributions to all of us still living and attempting today to follow in their footsteps, and to live up to their standards and examples.



NEW PICA MEMBERS

Edward G. Robison	Ramona, CA
Le Ann Carrie	Ventura, CA
Ed Santiago	Encino, CA
Emmanuelle Richard	Los Angeles, CA
Milan N. Baucham	Los Angeles, CA
Lori Nelson	Moreno Valley, CA
Rick Mills	Buena Park, CA
Gordon R. Holmes	Elk Grove, CA
Robert S. Fuller	Sacramento, CA
Patrick L. Baird	Granbury, Texas
Hamlet Tarbinian	Canyon Country, CA
John Carman	La Mesa, CA
D.J. Fitzgerald	Downey, CA
Russell Koogler	Roseville, CA

Thomas Taylor	Long Beach, CA
Todd Taylor	Chatsworth, CA
Philip Tyner	Oxnard, CA
Richard Thomas	Ojai, CA
Michael McCormick	Santa Clarita, CA
William M. Pruitt	Sacramento, CA
Victor Alaniz	Pasadena, CA
Willie Brown	Rosamond, CA
Dennis Bridwell	Sherman Oaks, CA
Dan Beall	Manteca, CA
Leonard M. McCarthy	Westminster, CA
Robert Y. Casey	Oxnard, CA
Paul Dryman	Thousand Oaks, CA
Eddie Payne	Long Beach, CA



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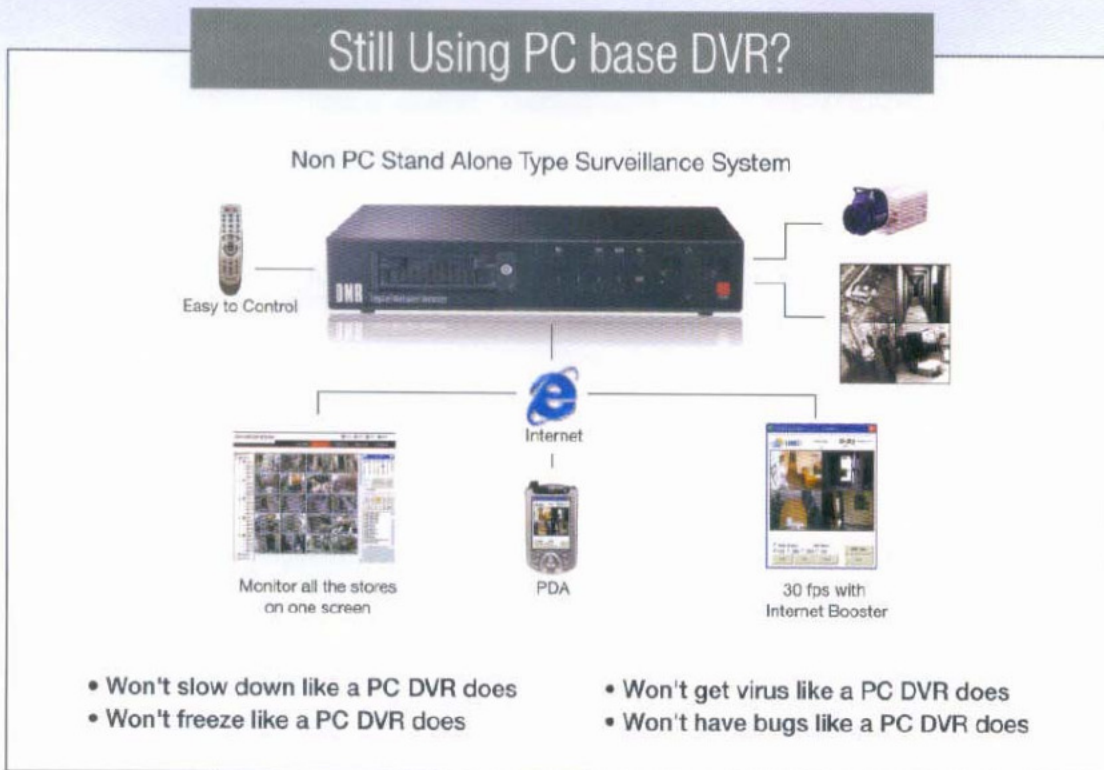


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Federal Legislative / Regulatory Update

The 109th Congress has convened in Washington, so there is no Federal Legislation news or Regulatory Updates to report yet.

[Forwarded from Bruce Hulme, Investigations Legislative Chairman for the NCISS Legislative Committee](#)

The Electronic Privacy Information Center has sent a letter, dated December 16, 2004, to the Federal Trade Commission requesting examination of information brokers use of credit headers. It is suggested that investigators review this document at:

[Http://www.epic.org/privacy/choicepoint/fcraltr12.16.04.html](http://www.epic.org/privacy/choicepoint/fcraltr12.16.04.html)

This is a long document which will serve as a precursor of privacy advocates' attempts to push through their agenda in the 109th Congress that will affect our profession. Although much of the document concerns ChoicePoint, the positions of EPIC are consistent with their past attempts to close our profession's access to personally identifiable information and shield derogatory information concerning the subjects of our investigations.

Our thanks to Tamara Thompson and Francie Koehler for the heads-up on the existence of this document. NCISS will continue to take the necessary steps to protect our profession's present access to credit header information. On behalf of NCISS, I also wish to thank all of you that helped defeat the Clay Shaw bill that would have denied our continued access to such sources. Your many letters to the various congressional committees reviewing Shaw's bill and your financial contributions during 2004 played a great part in our achieving this legislative victory. Your continued support and hopefully your efforts in increasing membership of NCISS and our legislative war chest will achieve the same results in 2005.

Information concerning NCISS membership or offering financial assistance to the NCISS Legislative Committee to refute the positions of organizations such as EPIC can be obtained by contacting NCISS at (800) 445-8408, or nciss@verizon.net or www.nciss.org or just mailing your check in any amount to the NCISS Legislative Fund, 7501 Sparrows Point Blvd., Baltimore, MD 21219.

The National Voice of the Private Investigation and Security Professions

THE REPORT

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NCISS is The National Voice of the Private Investigation and Security Professions industry.

If you are a member of PICA, it is also important to be a member of NCISS. PICA Members have a special rate of \$99 for 2005 NCISS membership.

California Legislative / Regulatory Update

The California Legislature reconvened in Sacramento on Monday, January 3, 2005.

This year, as we did last year, PICA will be coordinating a "Legislation Day" at the Capitol. Watch the PICA list-serve for more details.

PICA List-serve

Are you receiving your PICA list-serve e-mail? Not sure? Send an e-mail to pica_association@yahoo.com and if it bounces back, you're not on!

Recently, a PICA member was asking about Digital Voice Recording Preservation. Fortunately, PICA member Kirk Stockham is an expert in the field. Here is his reply:

"One preserves the witness statement with a digital recorder....by making the recording! I think what is being asked is what one should do with the original recording. The attorneys or others paying for the case may have policies or procedures regarding audio recordings, and those should be followed.

Otherwise...The PI should mark and date the device on which the recording was made...a CD, cassette, floppy disk, hard drive, memory stick. Play some or all of it back to make sure the recording happened before letting the witness go. If the recording person knows what computer files are and how a digital recording turns into a computer file, then that computer file should be documented. Computer files have those dates and times, and file sizes, and can be stored a long time "read only" on an optical disk...a CD. Best practice to make the copies from a CD, where all digital recordings should end up.

Once a digital recording is recorded onto a CD, it's locked in, and can be copied many times without alterations. Don't make any changes to the recording, ever. When someone asks this question they are really thinking too hard and are unsure if "computer technology" evidence is more special or has a different set of rules. The same old rules apply, except on many cases a Computer Forensics Expert is required to find, evaluate, store, copy, and present computer evidence. The PI entering into an investigation using digital equipment, including digital voice recorders, is obligated to learn and master the concept of computer files, digital evidence, and saving data without alteration. Save that original recording and make as many copies as needed. It's that simple. There's really no difference in handling voice recordings in almost any format, just make sure the original was not altered. What's nice about making copies of a digital recording is that copying digital media has no degradation problem. The 10th or 100th copy of a digital recording will be as fresh and clear as the original. However, in some instances, people involved in the case want to see and examine the original recording."

Kirk Stockham
Computer Forensics Investigator/Instructor
Stockham Computer Forensics & Investigations
CA PI Lic. #23914 www.hitechpi.net

New California Security Guard Training Law Impacts PI's as Well

The good news is that California security officers are now the best trained in the nation. The bad news is that the drastic increase in training hours since July 1, 2004 (AB 2880), from three to 40, is already making the previous guard shortage worse, and the issue of who is to pay for the increased costs still has not been addressed.

The effects of AB 2880 especially impact PIs who carry firearms and/or contract out bodyguard services, for these two groups are required to be licensed under current BSIS regulations, although there is some gray area.

As some PIs also contract guard services, we will look at the impact of this new law, and outline some of the possible opportunities for new business that may arise in the future.

AB 2880 was sponsored by Assembly Member Edward Chavez and was signed into law on September 25, 2002, by Governor Gray Davis.

Security Guard Training Requirements AB 2880 increased the requirements from three hours to 40 hours of required training for security guards, and an eight-hour refresher course every 12 months after completing the 40-hour course.

Senate Bill 2880, chapter 886 of the Statutes of 2002 changed the training requirements for registered security guards in the Private Security Service's Act. Business and Professions Code sections 7583.6 and 7583.7 increased the training requirement from three (3) hours of Power to Arrest (PTA) training to eight (8) hours of PTA prior to the submission of a guard application for registration.

The new law requires the guard, upon receipt of their guard registration, to complete an additional 16-hours of training within the first 30 days and an additional 16 hours within the first six months of the receipt of their guard registration.

The new law also requires licensed private patrol operators (PPOs), commencing January 1, 2005, to annually provide each registered employee with eight hours of specifically dedicated review or practice of security guard skills. PPOs must maintain an accurate and current record of proof of completion of the required annual practice and review training.

Moreover, commencing July 1, 2005 the new law will require a registered security guard to certify (during his or her time of renewal) that he or she completed the 32-hour course.

Since January 1, 1997, California law has required active duty peace officers who work armed as security guards, or as armed contract PIs, to possess a guard registration, or a PI license, AND an exposed firearm permit issued by BSIS.

There is a little gray area here for PIs when it comes to bodyguard services. A bodyguard is a security guard. Therefore, only a PPO may contract to specifically provide a bodyguard service. However, a PI who has a contract with a client, may provide a bodyguard service to the client if that service is peripheral to an on-going PI contract.

Under the B&P Code, security guards and bodyguards are the same, and are covered by the same laws. A bodyguard is a security guard. The laws, rules and regulations that apply to security guards apply to bodyguards.

If a security guard who works in civilian clothes with a concealed weapon must possess a guard card and exposed firearm permit, and either possess a Concealed Firearms Permit (CCW), or be an honorably retired peace officer with an endorsement to carry a concealed weapon, or be an active duty peace officer, then a bodyguard who works in civilian clothes with a concealed weapon must possess a guard card, an exposed firearm permit and either possess a CCW, or be an honorably retired peace officer with an endorsement to carry a concealed weapon, or be an active duty peace officer.

Thus the new AB 2880 requirements are likely to affect PIs as well. More compliance training means increased costs and fees. Previously, a three hour Powers to Arrest course cost \$30; today, the 40 hours run upwards of \$400, and that doesn't include the two or three hundred dollars in licensing fees and background check costs.

Security Guard Training Requirements AB 2880 increased the requirements from three hours to 40 hour of required training for security guards, and an eight-hour refresher course every 12 months after completing the 40-hour course.

And now for the good news. Beginning in 2005, new legislation is being introduced that will subject all proprietary guard staffs to the same or similar training requirements and background checks. The 9/11 Federal Bill recently signed into law includes a provision for allowing private companies access to FBI fingerprint checks, paving the way to eliminate many unsavory characters from working as security officers or bodyguards. The end result of this should be an increase in the market for contract services of all kinds, and any ancillary needs related to the hiring of previously unlicensed people. This should be a bonanza for PIs in the future.

Since over 85% of all the Critical Assets in the US are in private hands, it was only a matter of time until the security guard training issue was addressed. Contract and proprietary security combined comprise an army of over 400,000 strong to help wage the battle of increased public safety. In many ways the new regulations will benefit all. And for PIs, there may also be some silver lining in some of those clouds.

Jon Felperin is Director of the Center for Law Enforcement and Security Training based in Northridge, CA. You can reach him through his Website at www.acareerinlawenforcement.com or by calling (818) 407-0121.