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PI'S FOR PRIVACY

STAKE CLAIM

IN SACRAMENTO

By Gary S. Brummond, Editor

With no less than a dozen bills affecting the Professional Investigation industry pending before the California Legislature, PICA members traveled to Sacramento to attend CALI Leg Day 2005.

PI's from all over California ventured to the State Capitol for a "Leg Day" presentation to listen to a summarization of pending bills and become reacquainted with how to speak with Legislators and their office staff.

Although most of the bills focused on Identity Theft, Privacy,

Internet Security and Credit Reports, one bill in particular, AB 26 Re-Authorizing Access to Vehicle Information in the Field, sponsored by Senator Mountjoy, was first on the agenda.

This legislation would provide authorization and user funding for the Department of Motor Vehicles to provide the critical in-the-field access to vehicle registration [VR] and automated name index [ANI] information for licensed private investigators. *(continued to pg 14...)*

PRESIDENT'S MESSAGE

PICA has continued its efforts to value your professional concerns. In the past, when an individual wanted to search the BSIS webpage in order to determine whether a PI was licensed, or if their business location had changed, the search was limited. The search could only be conducted by indexing a business name, not an individual's name. Our Legislative Chair, Dee Modglin, has been extremely effective in

working with Consumer Affairs Director Charlene Zettel. In the near future, an added feature will be included to assist your search efforts. You will be able to research their site by a Private Investigator's name — not just by company. Until this change goes into affect, you are welcome to call BSIS at (800) 952-5210 to conduct your search by name.

(continued to page 2...)

PRESIDENT'S MESSAGE

(continued from page 1...)

CAPPS, the association that represents process servers, recently introduced AB 496 that would preclude, to some extent, PI's from being able to serve process. PICA was successful in its efforts to have CAPPS rescind that bill that would have cost us loss of business.

Earlier this past April, our Past President and Co-Legislation Chair, Ken Shigut, represented PICA at the NCISS Conference which was held in New Orleans. Having high visibility at these conferences enables PICA to be more effective by demonstrating our concerns to NCISS and the industry. As each association introduced themselves, they disclosed the size of their membership. PICA was pleased to learn that we are one of the largest associations in the country. The main issue that faces private investigators is the newly established policy of truncating social security numbers. Ken effectively discussed PICA's strong reluctance to embrace this policy. We will continue to voice our opposition on your behalf, recognizing your objections to this short-sighted policy.

We have had the opportunity to work closely with Bruce Hulme, the Legislative Chair for NCISS. Mr. Hulme is a close friend of PICA and has

attentively listened to our concerns regarding issues that impact us. He has graciously agreed to be the keynote speaker at our upcoming Annual Business Meeting, which will be held at the World Investigators Conference in Las Vegas, in September.

PICA will also be represented at the NCISS Hit the Hill Campaign and Identity Theft Summit, which will be held in Washington DC from July 14-15, 2005. PICA is an active member of NCISS, and as you may know, NCISS is influential in representing PI's nationwide. We would like to invite you to join NCISS at a reduced rate as a PICA member. Your financial support of NCISS is essential. Please consider make a tax-deductible donation to NCISS and sending it in care of Dee Modglin. For further information on joining NCISS at the reduced rate and for making a much appreciated donation, please contact Dee Modglin at (415) 826-3598.

We recently invited CALI's President, and their Legislative Chair to attend an event and a collaborative meeting. The purpose of these meetings was solely to discuss and formulate a plan that would demonstrate to our legislators that our associations are collectively working toward a common goal

Unfortunately, he declined our invitation on both occasions. PICA's commitment is to continue our efforts to serve the PI community in every way possible, including working together with other associations.

We recently mailed out a membership invitation that was sent to all the PI's in the State of California. This invitation was sent to our current members, as well. We thank those of you who are current members for your continued support. If you received an invitation, please pass it on to a non-PICA member. This membership promotion was designed to include 18 months for the price of \$129.00.

Our Annual Business Meeting is tentatively scheduled for September 22, 2005. Our annual elections are quickly approaching. The positions available are the following: President, 1st Vice President, 2nd Vice President and Secretary / Treasurer. We invite you to submit your name if your are interested in running for any of these offices. We enthusiastically encourage you to consider being a part of the PICA Board of Directors. Please submit your name prior to June 23, 2005 if you are interested.

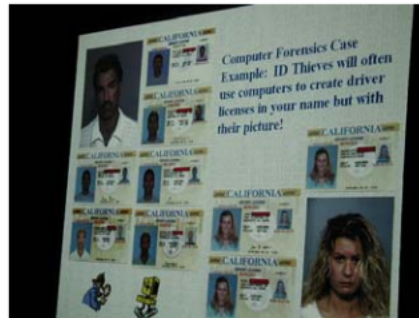
(continued to page 16...)

PICA NORTHERN CALIFORNIA DISTRICT NEWS

The May meeting of PICA's Northern District was held at the Courtyard Marriott in Vacaville. PICA members and guests from throughout Northern California attended.

Kirk Stockham, a computer forensics private investigator from Modesto, gave a multimedia, big screen presentation on how data is recovered from a floppy disk or hard drive. Using leading computer forensics software and hardware, he demonstrated a live data recovery of

an erased floppy disk, similar to what had occurred in the recent BTK serial killer case in Kansas. Kirk later took digital photos of the group, deleted them, and then fully recovered the pictures.



In either case, the data recovery required only a few minutes of computer forensics skills.

Kirk holds the distinction of having been the Modesto PD's forensic expert on the Scott Peterson case. He described what it was like to stand up to a tough cross-examination by the famous attorney, Mark Geragos. The Judge was surprised to learn that what he deleted on his own computer was still there to be recovered. *(Continued to page 9...)*

PICA LOS ANGELES

DISTRICT NEWS

Nelson Tucker, the President & Founder of Attorney Services of Southern California, provided some excellent tips and spoke about attempting difficult serves at the most recent PICA Los Angeles District Meeting held on April 28th.



The next L.A. District Meeting is scheduled for Thurs., June 30th.

PICA ORANGE COUNTY

DISTRICT NEWS

The next PICA Orange County District Meeting is scheduled for June 22, 2005 (Wed.) at 6:00pm. At La Sera 900 W. First Street in Tustin.

Chris Maurer from Guidance Software, makers of EnCase, the software for computer forensics, is the scheduled speaker. Learn about computer forensics and obtain a broad understanding of what your forensics subcontractor is doing when they are working your case.

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- Professional Ethics
- Cyber Forensics
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- Executive Protection
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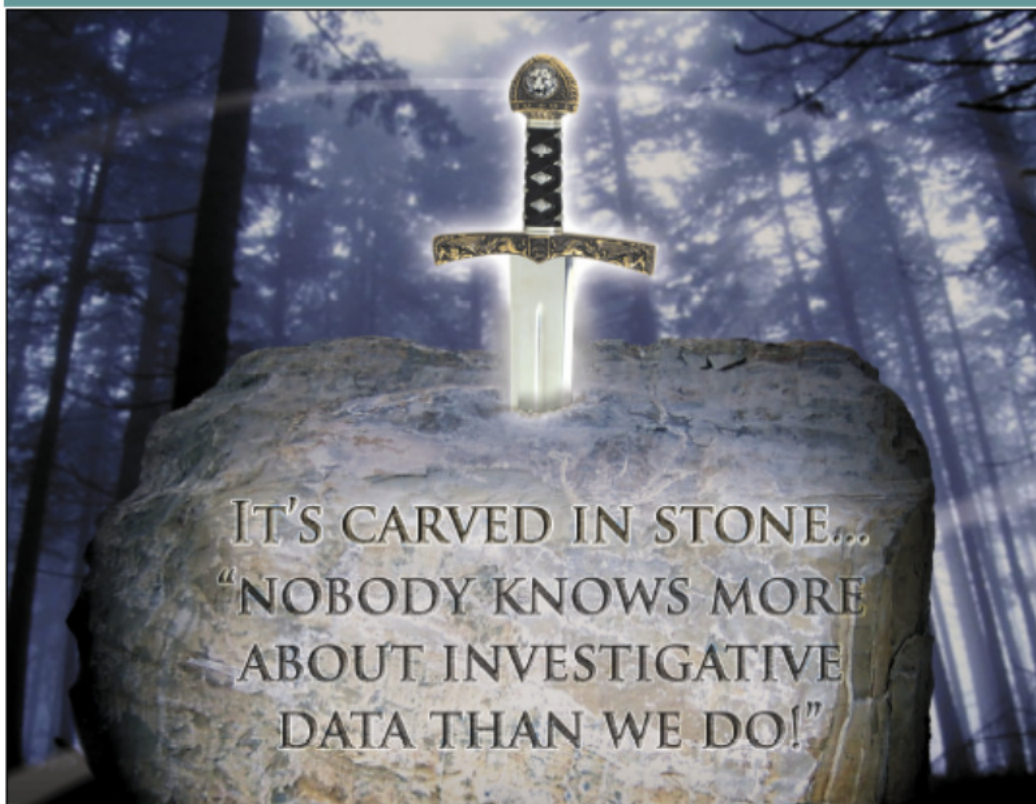


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PICA CENTRAL COAST

DISTRICT NEWS

The PICA Central Coast District held its May meeting on May 26th at Tony Roma's Restaurant in Camarillo.

Roy Miller, CEO of Miller Computer Group, spoke about the need to always be marketing, and provided many ways to achieve success in this endeavor. Roy stated that we are in an industry in which PI's set their own rates. The rates charged should not be dictated by what we think or know our services to be worth, but by the value placed on the services by the client.

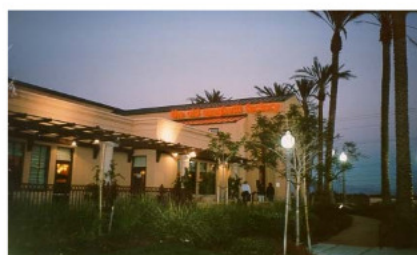
Roy also offered a demo of Case-Works, his case-management software, to all in attendance.



PICA INLAND EMPIRE

DISTRICT NEWS

Thursday, June 9, 2005 at 6:00pm is the next scheduled PICA Inland Empire District Meeting. The Old Spaghetti Factory in Rancho Cucamonga is the venue and \$20.00 is the cost.



Old Spaghetti Factory

11896 Foothill Blvd., Rancho Cucamonga

James Kaylor, a retired sergeant from the Los Angeles County Sheriff's Department, will be speaking on Interview Techniques.

Sgt. Kaylor had 29 years service including such assignments as narcotics, commercial crimes, and auto theft detail. He was one of the department's certified analytical interview instructors and he also taught classes to the ATF and the Massachusetts State Police.

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PICA SAN DIEGO DISTRICT NEWS

The April 7, 2005 meeting of the San Diego District was held aboard the U.S.S. Midway in a spectacular setting for a lunch engagement.

A Resolution of the City Council of the City of San Diego declared this day as “Professional Investigators of California (PICA) Licensed Private Investigator Unity Day” as PICA invited professional investigators from both CALI and SDCIA to attend the event. (see historical document on following page).

In addition to the historical proclamation by the City of San Diego, the special guest speaker was Department of Consumer Affairs Director Charlene Zettel.

To top off the afternoon meeting, all attendees were invited on a self-guided tour of the U.S.S. Midway. This incredible tour took the visitor from the mess hall and the steam rooms

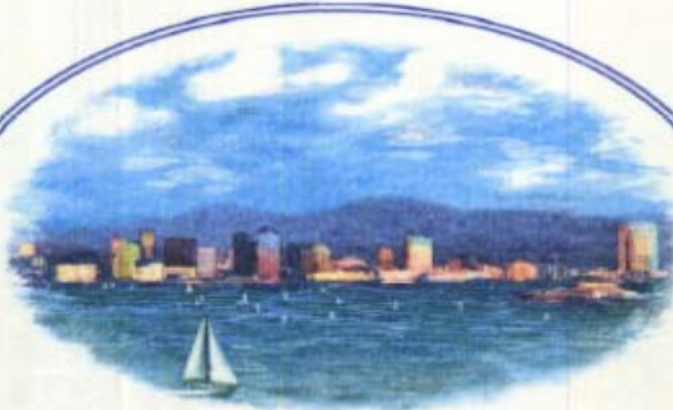
to the flight deck and officers quarters. Wearing a headset, one could relive the many events as told by the actual crewmen who were aboard the U.S.S. Midway when it was at sea.



PICA Licensed Private Investigator Unity Day

Pictured from left to right...Ben Harroll, PICA President Dave Boykoff and Charlene Zettel (DCA Director) holding official proclamation, PICA 2nd Vice President Ken Shigut and PICA San Diego District Director Dave Cisek.





Resolution of the City Council City of San Diego

PROFESSIONAL INVESTIGATORS OF CALIFORNIA (PICA) LICENSED PRIVATE INVESTIGATOR UNITY DAY

Presented by Deputy Mayor Michael Zucchet

WHEREAS, the citizens of California are being provided quality private investigative services by nearly 10,000 men and women licensed as Private Investigators under the Department of Consumer Affairs through the Bureau of Security and Investigative Services; and

WHEREAS, many of these professionals choose to maintain membership in industry associations so as to continue developing needed skills and to assist state regulators and the legislature in their continuing work of protecting consumers from various means of being victimized such as unlicensed activity, loss of privacy and I.D. theft; and

WHEREAS, the California Association of Licensed Investigators, Professional Investigators of California and San Diego County Investigators Association are highly regarded associations striving to maintain the highest industry standards and affording their members access to many excellent professional development opportunities; and

WHEREAS, PICA Private Investigator Unity Day's "Keynote Speaker" DCA Director Zettle joins with CALL, PICA and SDCIA aboard America's WWII Fighting Aircraft Carrier U.S.S. Midway to support and further this ideal of UNITY among private sector licensed private investigators with California state leaders; and

WHEREAS, April 18, 2005 is LEDGE-DAY in Sacramento and is the annual opportunity for members and leaders of CALL, PICA and SDCIA to inform and educate our state's law-makers without restricting access to information by licensed private investigators; AND

BE IT RESOLVED, by the Mayor and Council of the City of San Diego, that this Council, for and on behalf of the citizens of San Diego, does hereby recognize and commend the exceptional contributions that California Licensed Private Investigators has made to the San Diego region.

BE IT FURTHER RESOLVED, that April 7, 2005, be and is hereby proclaimed to be "PROFESSIONAL INVESTIGATORS OF CALIFORNIA (PICA) LICENSED PRIVATE INVESTIGATOR UNITY DAY" in the City of San Diego.



Diute Murphy
Mayor

Scott P... Councilmember

M... Councilmember

... Councilmember

... Councilmember

... Councilmember

... Councilmember

... Councilmember

Resolution Number _____ Passed and Adopted the 7th Day of April, 2005.

(Continued from page 3...)

This, of course, led to an even deeper technical examination by Geragos.

Kirk stated that this is not a field to move into without significant training, knowledge and expertise. The cost of the basic software, hardware and applications can be over twelve thousand dollars. The examiner needs to be able to defend the training and qualifications in court, explain all of what they know in plain English and be a licensed investigator. They must understand the concepts of disk technology, such as clusters and



sectors, along with the vital importance of forensic copying. Every time a computer is turned on, data is potentially lost. It is necessary that a forensic copy immediately be made of the computer's disk drive and only that copy be used for the examination.

Kirk emphasized the importance of properly screening a computer forensics examiner prior to hiring them for a case.

Proper screening would include an interview as well as verification of completion of the required software training certifications.

Kirk Stockham is on the web at www.hitechpi.net, or can be reached by phone 209-521-7379.

This article was written by PICA member William Stepka.

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PICA Board of Directors Meeting

Saturday, June 11, 2005

**Burbank Police Dept.
(Community Meeting Room)**

272 W. Olive Ave. / Burbank, CA

9:00am—3:00pm

All Members Welcome to Attend

I joined PICA and became involved to make a difference in the professional investigation industry.

It's one of the best decisions I have ever made, as it allows me to use my abilities for the betterment of the profession.

Read about the Board positions at www.pica-association.org and submit your name by June 23rd.

Thanks,

Gary S. Brummond / Editor



THE FORMULA FOR SELLING PRIVATE INVESTIGATION SERVICES

By Jon Felperin & Gary S. Brummond

Robert Louis Stevenson is famous for the quote "Everyone lives by selling something." For the Licensed PI, you must sell yourself as an investigator before you actually investigate.

Unfortunately, most PI's lack a basic business plan to facilitate the selling process in their business. But where in a PI's education is the "business side" of being a PI covered? Many PI's come from public employment or the insurance industry, and the jump from employee to self-employment will catch anyone who is unprepared and ill-equipped.

For those who have studied business administration or marketing, the first thing you learn is to write a business plan!

Selling is only one component of the business plan, and for the private investigator, it's conveying your knowledge and expertise in solving a problem for your potential client.

The formula for selling, then, would be to increase your knowledge through networking, attending seminars, reading trade magazines and books, and so forth. Your potential client is looking to hire an expert in your field to solve their problem, and the professional approach is to become that expert.

Upon developing an expertise in a given subject of investigations, you then must learn to sell that expertise.

Selling is a profession that contains a rich body of

knowledge and requires the ability to communicate. Role-playing is a common communication technique in sales training, and the successful salesperson practices until they reach a comfort level. It is this comfort level that allows the PI to speak intelligently to the prospective client and gain a level of trust that generates the sale.

The other component of the business plan is identifying your prospective clients. Is there a demand for your investigative services? Who creates the demand? As an investigator, step back and look at your business from an outsiders perspective. Your business plan is taking shape.

(continued to page 15...)



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Local Private Investigator (and PICA Member) Receives Award

Rick Mills, President and CEO of I.F.R.S. Group, Inc., a California Licensed Private Investigation Agency, receives the Garden Grove Police Associations Citizen of the Year Award

(PRWEB) April 12, 2005—Rick Mills, President and CEO of I.F.R.S. Group, Inc., a California Licensed Private Investigation Agency, received the Garden Grove Police Associations Citizen of the Year Award at an awards banquet held in Garden Grove, California, on Saturday, April 9, 2005.

Rick Mills was nominated by Detective John Gatine of the Garden Grove Police Department for his assistance in locating one of Garden Grove's Most Wanted, Edward Chapin, "The Wizard", in Mexico.

Edward Chapin, a major methamphetamine manufacturer in the Garden Grove area, had fled to Mexico after being released on \$100,000 surety bond. After months of investigation, which included investigating erroneous reports of Edward Chapin having been killed by the drug cartel in Mexico, I.F.R.S. Group, Inc., and its lead investigator, Rick Mills, positively located Edward Chapin deep in Mexico where he was manufacturing methamphetamine and reportedly teaching others how to manufacture it. This informa-



tion was passed on by Rick Mills to Detective Gatine and the F.B.I.

Edward Chapin was finally reported

by the Mexican authorities and arrested at the border by the Border Patrol. He is currently in custody in Orange County Jail and his trial is set to begin in May 2005.

"If it was not for Rick Mills, Eddie Chapin would still be in Mexico", said Detective John Gatine.

###

Contact Information:

Rick Mills
I.F.R.S. Group, Inc.
Www.ifrsgroup.com
(800) 291-8891

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SOCIAL ENGINEERING *By: William Stepka, CPP, William F. Stepka & Associates*

Social engineering is considered by some to be an advanced form of Pretexting. It is much more comprehensive in breath and scope and can include elements that we traditionally associate with espionage. It is the manipulation of targeted individuals and companies to gain access to secured areas to do harm. When well executed, the bad guys uses bits and pieces of information to get more, and so on, until he appears to be someone who belongs in the environment he is attacking. He becomes invisible in plain sight.

Let me give an example of a penetration test that was done by Ira Winkler, author of "Spies Among Us." He and an associate started with surveillance of the main company entrance and decided to go directly past the central reception in the middle of the large lobby. In the morning rush they appeared focused on cell phone conversations while staying over 15 feet away and ignoring the receptionist as they walked by.

In an empty conference room they called on the internal phone system for the office that makes badges. When he got reception / security, Winkler pretended to be the CIO and asked for badges for two contractors. The guard, trying to be helpful, the key weakness that social engineers exploit, asked if they

needed computer room access!

They had access to the entire network, with administrative rights in less than two hours! Later, they used the badges to get in after-hours, found a key to the CEO's office, and planted a fake bug. Giving the appearance of belonging was half the battle.

When the staff is only focused on being helpful, or at the other extreme completely indifferent, the danger of attack is extremely high. I will give some brief ideas to get us started on the path to security awareness. It is important to realize that this is a path and the higher the potential risk the more it must be traveled!

Protection begins with true environmental awareness, not just the guard force, but for reception, help desks, call centers and at some basic level for the entire workforce. The most basic concept to install is that of JDLR, Just Doesn't Look Right. As Sherlock Holmes said to Watson when he had an idea of the number of steps up to their famous 221 Baker Street residence, "You see, but you do not observe!" Learning to observe and listen for what is not normal in an environment is an acquired skill. Training is required to do it well.

For the investigator coming in after an incident as occurred, it is important to know how to ask the right questions. Have there been any new people around you lately? Did you recently meet someone at a nearby restaurant who seemed very interested in your work? Is the dumpster secured and is everything that goes in shredded? When you were using your laptop at Starbucks, did someone seem to be looking over your shoulder occasionally? How are the badges issued, who does it, and what qualifies for what level of access? With the right questions we can start to make the invisible, once again visible!

PICA Southern California Training Seminar

Thursday—August 4, 2005

Inland Empire—Ontario Airport

Workers Compensation Fraud

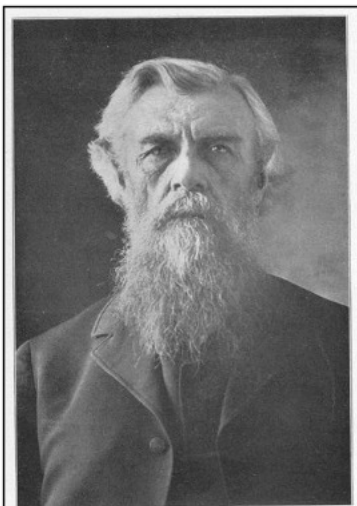
**By: Paul Fick, Riverside Deputy
District Attorney**

Interview Techniques

**By: Jim Kaylor, L.A. County
Sheriff's Dept (Retired) Certified
Analytical Interview Instructor**

Reprinted from "Princeville Telephone"
of January 30, 1902.

In 1861, the year that the civil war broke out, there came to be a great demand for horses and mules for government service. Throughout the country they were brought up by the hundreds to supply this demand, and a ready market was found at various points where buyers paid a good price and asked no questions. This condition of things made it easily possible to market horses taken clandestinely, and soon the country became infested with gangs of horse thieves who worked cooperatively and systematically until their illicit practice had grown into a lucrative business. Everywhere horses were stolen and made away with, and the confusion attending the numerous sales and shipments at that time, together with the assistance of parties interested in the theft, made it easy for the culprit to market his ill-gotten possessions and escape without detection.



S. S. Slane
First President of Old Settlers' Union of Princeville and Vicinity
Born August 30, 1834



(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.

Moved by the spirit of mutual dependence and believing that in united action was the only efficient safeguard against such an emergency, five of the prominent men of the town of that day quietly met together in August, '63, to consider some feasible way of banding themselves into an organization for mutual aid and protection.

These men were William P. Smith, Solomon Bliss, Charles Beach, Vaughn Williams and S.S. Slane. From an account which they found in a Knoxville paper, of an organization similar to what they wished to perfect, they got some desired information and drew up a constitution and by-laws. They then set to

work to secure secretly more members, as they had not enough to fill all the offices called for by the constitution. These were soon secured, and a board of officers was immediately chosen. And thus the mutual aid and detective association, which we now know as the T. D. & M. A. A., had its beginning.

For a complete history, go to

www.usgernet.org/usa/il/county/stark/books/handrvolil/.

Special thanks to Michael J. Crawford, Head Early History Branch, Dept. of Navy—Washington DC



T.D. & M.A.A. Badge 133

Princeville, Ill.

(continued from page 1...)

Upon conclusion of the presentation, we were assigned to groups of three to five investigators, and immediately walked across the street to the Capitol.

For the next several hours, each group visited their home legislators office either by simply walking in the door and introducing themselves, or from a pre-scheduled appointment. Each legislator that I visited was extremely cordial and very much appreciated our visit.

This one-on-one interaction with a legislator from your district is the key to make certain they vote appropriately on legislation that will affect your future revenue stream as a professional investigator.

After visiting with several legislators and then meeting



Riverboat Dinner Cruise

for lunch inside the Capitol, the groups boarded a bus which drove

about a mile to Old Sacramento. At this point, we all boarded a riverboat and enjoyed a dinner cruise along the Sacramento River.

During the dinner cruise, there were several invited guests from the Dept. of Consumer Affairs who expressed their appreciation to those in attendance, and each group was invited to speak about their day at the Capitol. As the cruise ended and the last group presented their report, we disembarked for the drive, fly or walk home.

New PICA Members

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FEDERAL LEGISLATIVE/REGULATORY UPDATE

Congress Focuses on Identity Theft Legislation

By: S. Pierre Paret

The Acme Detective Agency

Media attention arising from the ChoicePoint / LexisNexis issue has continued to make identity theft and access to personal identifier information a hot issue on Capitol Hill. Ongoing revelations of new security breaches and data have fed into the legislative and media frenzy regarding this issue, resulting in numerous bills being introduced in both the House and Senate.

Many of these bills, though well intentioned, would have serious impact on the private investigation and security industry. Efforts to educate lawmakers continue, by individuals, PICA and other state associations, and NCISS at the national level. Although it is difficult to project the outcome of this important public policy debate, the one thing that is virtually certain is that Congress will take some sort of action.

NCISS has continued to lead the fight against harmful legislation in Washington, and is in the process of launching additional efforts to advance the best interests of the private investigation and security industry. A key effort is highlighting the role of industry in preventing fraud, identifying and locating wit-

nesses, tracking down missing persons and heirs, securing evidence, performing due diligence, investigating claims, and assisting identity theft victims.

Last month, NCISS representatives also met with several senior officials of the Federal Trade Commission to discuss data access issues. The meeting provided a forum for frank discussion and exchange of ideas, and helped provide the FTC with a better understanding of why personal identifiers are important to our industry, and how access by investigators is beneficial. The FTC is one of the federal agencies with primary responsibility for identity theft.

Rep. Clay Shaw (R-Florida), who was one of the primary proponents of identity theft legislation last year which would have had a negative impact on the investigation industry, has

also reintroduced his bill, H.R. 1745. The chart on page 17 provides a summary of bills currently pending in Congress that could impact PICA members.

Although the increased prominence of the identity theft issue on Capitol Hill has resulted in a far greater likelihood of legislative action, this attention will also result in greater deliberation and more diligence as Congress considers the various bills put forth.

Members can help by writing to their federal representatives, supporting PICA efforts, and joining NCISS if not already a member.

If you have any questions or comments regarding issues addressed in this article, please feel free to contact the author, Pierre Paret, at 703-836-0333. Mr. Paret is a member of the NCISS Legislative Committee and Chairs the Legislative Committee of the Professional Investigators and Security Association (PISA).

PRESIDENT'S MESSAGE


(continued from page 2...)

If you are interested in a District Director position, the elections are held at each district meeting at or around 30 days prior to the Annual Business Meeting. Please check with your district director or refer to www.pica-association.org to determine when the district meeting will be held. Meetings in each district are also always

posted on the PICA list-serve.

If you have any questions or concerns, please contact me at 818-718-8000. We welcome your comments.

With Warm Regards,
Dave Boykoff
President



MERLIN

Merlin Information Services has been in the business of providing public record information to businesses since 1991. A large percentage of our customer base is comprised of licensed private investigators. There has never been a reported instance of misuse of Merlin's data by a private investigator and we are confident that the data we sell to investigators is used for legitimate and crucial investigative purposes.

Merlin believes that private investigators should have the same access as law enforcement and governmental agencies to public record and proprietary data that includes personal identifying information.

Merlin Information Services
 215 South Complex Dr.
 Kalispell, MT 59901
 800 367 6646
 406 755 8568 Fax
 www.merlindata.com

PI
Letters of Support from
Information Service
Providers

“There has never been a reported instance of misuse of Merlin's data by a private investigator...”

“Intelius is not aware of any report of misuse of the information that we supply to licensed investigators.”



500 108th Avenue NE - Suite 1660
 Bellevue, WA 98004
 P: 425.474.6100 - F: 425.976.6190

May 17, 2005

To Whom It May Concern:

Intelius, Inc. is a public record aggregator and has been in business since 2003. Intelius has been working with licensed private investigators and other professionals in the legal community from our company's inception. Intelius is not aware of any report of misuse of the information that we supply to licensed investigators. We believe that the information that Intelius provides is a core element to the success of licensed investigators and this information should continue to be available to private investigators for legitimate purposes.

Sincerely,

Edward Petersen
 Senior Vice President Sales & Marketing
 Intelius
 500 108th Avenue NE
 Suite 1660
 Bellevue, WA 98004

FEDERAL LEGISLATIVE ISSUES

BILL NUMBER	TITLE	SPONSOR	STATUS
S. 29	Social Security Number Misuse Prevention Act	Sen. Feinstein (D-CA)	Pending in Judiciary Committee
S. 115	Notification of Risk to Personal Data Act	Sen. Feinstein (D-CA)	Pending in Judiciary Committee
S. 116	Privacy Act of 2005	Sen. Feinstein (D-CA)	Pending in Judiciary Committee
HR 220	Identity Theft Prevention Act of 2005	Rep. Paul (R-TX)	Pending in Government Reform and Ways and Means Committee
S 500	Information Protection and Security Act	Sen. Nelson (D-FL)	Pending in Commerce, Science & Transportation Committee
S. 751	Notification of Risk to Personal Data Act	Sen. Feinstein (D-CA)	Pending in Judiciary Committee
S. 768	Comprehensive Identity Theft Prevention Act	Sen. Schumer (D-NY)	Pending in Commerce, Science & Transportation Committee
HR 1080	Information Protection and Security Act	Rep. Markey (D-MA)	Pending in Energy & Commerce Committee
HR 1078	Social Security Number Protection Act of 2005	Rep. Markey (D-MA)	Pending in Energy & Commerce and Ways & Means Committee
H.R. 1263	Consumer Privacy Protection Act of 2005	Rep. Stearns (R-FL)	Pending in International Relations and Energy & Commerce Committees
H.R. 1745	Social Security Number Privacy and Identity Theft Prevention Act of 2005	Rep. Shaw (R-FL)	Pending in Energy & Commerce, Financial Services, and Ways & Means Committee

NCISS CONFERENCE REPORT—NEW ORLEANS

By: Ken Shigut, 2nd Vice Pres.

As you may or may not know, I traveled to New Orleans to represent PICA at the NCISS annual conference.

I want to recognize PICA Member Joseph O'Melia of JW O'Melia & Associates for attending the conference.

It is my strong opinion that it is absolutely essential that PICA send a representative, every year, to the NCISS Conference. NCISS is respected by politicians and major PI legislative players, from across the nation, are involved in this association.

The fact that PICA attends is huge for our legitimacy.

CONFERENCE NOTES

Thursday, March 31, 2005

(I would estimate approximately 50 attendees at the conference)

I handed to Bruce Hulme, the NCISS Legislative Chair, our member's donations to the NCISS Legislative Fund. He thanked me and later publicly recognized and thanked PICA, and noted that we were one of the few that brought donations to the conference.

The next NCISS Conference is scheduled for Sarasota, FL—February 4-6, 2006. The proposed location for the 2007 NCISS Conference is Minneapolis, MN.

Legislative Committee Reported:

At least 50 bills were introduced dealing with privacy issues. 45 bills dealt with Social Security Numbers.

Bruce Hulme stated that we can't fight all bills that affect us, but that Senator Feinstein's bills are of specific concern. He also stated that NCISS can work with some of the bills, however, others will require additional lobbying to get them changed.

Larry Sabbath, NCISS's lobbyist, stated that we oppose Senator Feinstein's Privacy Act of 2005 because it is too broadly worded with respect to access to credit headers and social security numbers. Sabbath stated that they are monitoring bills as they move through committees, but that a major problem arises when amendments are made to the bills while the bill is "on the floor," with no advanced notice provided. Sabbath further stated that the next letter writing campaign will consist of informing legislators of exactly what we do, and who we serve, with the information we have access to.

Hulme suggested that individuals meet with their local legislators. During the meeting, educate both the legislator and their staff on the issues at hand, and provide a hard copy of the NCISS Press Release.

Friday, April 1, 2005

Francie Koehler, Brian McGuinness (newly elected NCISS President) and Bruce Hulme presented a seminar on "Effective Lobbying Strategy." They were aided from the floor by their lobbyist, Larry Sabbath.

- We should try to get our stories and comments published in newspapers, more so than submitting press releases. *The Legislators are impressed with this and this method gives our voice legitimacy.*
- When you meet with Legislators and / or their staff, make the meeting short and to the point. 1) *Who you are* 2) *Why you're there* 3) *What is your issue.*
- If you are a constituent of that legislator, make it known. *You have much more credibility with them if you are a constituent.*
- You should know who is opposing your bill. *Do your homework to identify the opponents and make your arguments against them with your Legislator.*
- Relationships with the Legislator's office staff or aids are sometimes better than with the Legislator directly. *The office staff are often more accessible and many times (continued to page 19...)*

NCISS CONFERENCE REPORT—NEW ORLEANS

(continued from page 18...)

more knowledgeable because they do the research.

- Always be clear and succinct as possible.
- Follow up your visit with a complimentary letter. Compliment the office staff you dealt with during your visit, as they will ensure the Legislator receives your letter.
- Legislators would rather have anecdotes and stories as examples, rather than statistics.

Saturday, April 2, 2005

State Advisory Board Meeting—Out of 44 state PI associations who are members of NCISS, only 15 or so were represented and in attendance.

Each state identified their methods for dealing with unlicensed practices.

Choicepoint and IRB had requested that PI's send them letters with examples of how the use of full Social Security Numbers was helpful, or critical, to our cases. On the same note, they are also requesting letters as to the type of requests PI's have turned down dealing with Social Security Numbers, phone records, banking information, etc.

LocatePlus, QueryData and Merlin are information providers that are not truncating (as of April 5, 2005) Social Security Numbers to PI's at this time, though Merlin appears poised to do so soon.

LexisNexis and Choicepoint are major credit header and social security number providers that have mandated that those information brokers that purchase from them must truncate SSN's.

There will be an NCISS State Associations meeting at the World Investigator's Conference in Las Vegas in September 2005.

Robert Townsend stated that we should change our terminology for better public consumptions and public relations. Instead of Social Security Number, call it a "Unique Personal Identifier." Instead of a Credit Header, call it a "Unique Identifier."

PICA Member

Spotlight Contest

The August issue of the PICA Investigative Reporter will include a half-page article about one PICA member, and their business, chosen at random.

To enter, simply email your contact information to picaeditor@aol.com.

The drawing will be held at the July Board of Directors meeting

Professional Investigators of California

Annual Business Meeting

Thursday—September 22, 2005

MGM Grand Hotel—Las Vegas, NV



NCISS NEWS FROM FLORIDA

Fellow Investigators:

For the first time in history, corporate representatives of several major competitive data providers came together for the benefit of private investigators. This special event took place on Tuesday, May 24 in Boca Raton, Florida at the offices of ChoicePoint.

The database companies and their representatives included:

Choicepoint—Marco Piovesan, VP, Business Services

Choicepoint—Quinn Thomas, VP, Public Filings

Choicepoint—Aaron Rubin, PI Customer Advocate

Insight America—Michael Smith

IRB Search—Tom Gardner

Merlin Information Services—Mike Dores

Merlin Information Services—Keith Brown

Pretrieve—Paul Bunting

Tracers Information Specialists—Terry Kilburn

Tracers Information Specialists—Dale Kilburn

The investigative profession was represented by:

Brian McGuinness—President NCISS, Leg Committee NCISS & NALI

Robert Townsend, CLI—National Director, NALI, Leg Committee NCISS & NALI

Francie Koehler—Legislative Chair NALI, Leg. Committee NCISS & CALI

John Eppick—CALI Legislative Chair

Mark Murnan—FALI Legislative Committee

PI Magazine—Jimmie Mesis, Editor-in-Chief

Defaultlink—Angela Becker

Investigator & Data Provider Roundtable for Consumer Privacy

This unprecedented 'by invitation' event was initiated by ChoicePoint, who also bore the expenses of the meeting. Several others were invited to attend, but for various reasons they couldn't attend. Several Privacy Advocates invited were already committed to heavy travel calendars and could not adjust on short notice. They have expressed a willingness to actively participate in future meetings of this group. The purpose of this meeting was designated to discuss several key

issues, especially those dealing directly with information availability for private investigators, while maintaining the personal privacy of innocent peripheral consumers.

The main issue discussed was that of the potentially devastating effects to the PI industry that could permanently result in restricted access to social security numbers, driver's license numbers, and dates of birth. There is a serious and present threat that complete credit header information, including current and previous addresses could also be eliminated by anticipated legislation, as well.

It would be impractical to detail everything discussed during this marathon, spirited 8 hour meeting, but this posting will attempt to cover the main issues discussed.

TRUNCATING OF SOCIAL SECURITY NUMBERS

The data providers present have all initiated a process to insure that every client is who they say they are, and that they are a legitimate business. When questioned as to why data providers require banking information, they responded that it is no different than applying for credit. Many investigators run several hundred or thousands of dollars in searches per month

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NCISS NEWS FROM FLORIDA

(continued from page 20...)

the providers also want to insure that the applicant is a legitimate business.

Several data providers have also requested that applicants produce the names of client references. The data providers all agree that this information is used solely for the purpose of establishing the legitimacy of the applicant and is never used for any other reason. In fact, all stated that using this information for any other purpose would be unethical and they wouldn't risk the financial liability of using this information as a means to develop clients.

The data providers acknowledged that they use third party companies to conduct the site surveys and that they are well aware of problems that have occurred by these contractors in the past. As a result, the re-credentialing process by these outside companies has been modified for consistency.

LICENSED PI'S VERSUS PI'S FROM NON- LICENSING STATES

All of the data providers agreed that it is much easier to credential PI's in states where PI's are issued a license by a state regulatory agency. Even in states that license PI's, the data providers have had problems verifying license information

with the licensing authority as they claim they are protecting the privacy of the license holder.

In states where PI licensing does not exist, PI's will have to submit to much higher requirements to insure that they are in fact, a legitimate business. The fact that a PI operates out of their home is not grounds for denial. However, all PI's must prove that they are a legitimate business entity with all the proper business licenses required by their respective states. The

Investigator & Data Provider Roundtable for Consumer Privacy

data providers expressed their concerns and expectations that legislation could very well limit access to personal identifiable information (PII), e.g. SSN, DOB, DL#, contained in their reports only to state licensed PI's.

CONDUCTING SEARCHES WITH TRUNCATED SO- CIAL SECURITY NUMBERS

The investigators expressed their concern and needs to maintain access to untruncated socials. It was demon-

strated that full socials are needed to execute writs, wage garnishments, and verification of military, college or university degrees, as well as access to criminal history and many other vital areas of information that can only be searched with a complete social security number.

The data providers all recognized the information needs of the investigators and also expressed their desire to continue supporting the profession with approved necessary data and future programming.

CREDIT HEADERS AND SOCIAL SECURITY NUMBERS

All in attendance agreed that those individuals outside the profession have a very poor understanding of what a credit header is and that the term "credit" conjures up the perception that PI's are trying to access complete credit reports. The roundtable attendees unanimously agreed that the term "credit header" should no longer be used and replaced with the term "Locator Files" since that is actually what the search systems are doing. In addition, it was agreed that the term "social security number" should be replaced with "Unique Personal Identifier" or "UPI."

(continued to page 22...)

NCISS NEWS FROM FLORIDA

(continued from page 21...)

While this may be nothing more than semantics to us, it helps to reduce the panic and overreaction by the public. We encourage all within our profession to get away from the term “credit header” and start using “Locator Files.” Much of the data provided to PI’s on a search is the result of data aggregation from hundreds, if not thousands of sources.

ACCOUNTABILITY & LIABILITY

The data providers all agreed that private investigators must act responsibly and be held accountable for every search they conduct. The investigators must also show caution when providing clients detailed search results. Data providers will hold all investigators accountable for every search they conduct and immediately discontinue service to any PI who re-sells reports by just copying the retrieved data on to their letterhead. Data from a search is to be used as an investigative tool and not sold in its raw form. All of the data providers stated that their contracts with the PI’s clearly state this and that not only will those violating the contract be terminated, they can also anticipate civil litigation. It was also suggested that investigators should maintain errors and omissions insurance and this could very

well become a requirement in the future by data providers to qualify for re-credentialing.

DATA PROVIDERS COMMIT TO PI MARKET

All of the data providers in attendance committed to supporting the PI profession and supporting all legislative efforts to educate Congress as well as the consumer. The data providers agreed to develop a closer relationship with NCISS.

Investigator & Data Provider Roundtable for Consumer Privacy

The data providers all agreed that restrictive legislation is inevitable and that they want to protect all consumers and their private personal information, yet provide approved data to investigative clients who have a legitimate need to access the data.

SUMMARY

The roundtable attendees agreed that there are three major areas that must be dealt with and anticipated:

- 1) Pre-Legislation:
 - A. We must do everything and anything that we can do before proposed legislation is enacted. PI’s and data provider companies are committed to a massive lobbying effort to educate our legislators on the ill effects of truncating data to licensed investigators. However, it appears that Congress will have no choice but to pass legislation that controls data providers and the information they make available...to anyone, including PI’s.
 - B. We need to find and promote ways to protect consumer’s Personal Identifiable Information (PII), e.g. SSN, DOB, DL #, yet be allowed permissible access. Investigators must be able to prove that PII is essential to conducting investigations in both criminal and civil matters and that PI’s shall hold PII confidential and in a responsible manner.
 - C. Insight America has funded a white paper on the effects of data truncation and/or elimination of Locator File data in everyday commerce. This report may not be completed for several months, but will be made available upon completion.

(continued to page 23...)

NCISS NEWS FROM FLORIDA

(continued from page 22...)

D. An outline of “Best Practices” should be developed by both the professional investigators and the data providers to detail guidelines everyone can use for acceptable uses of information, dissemination of PII, and maintaining PII in a confidential manner.

2) New Legislation:

Data providers must start now to program their systems to anticipate legislation and still continue to provide investigators with reliable searching mechanism that continues to link subjects in a manner that differentiates individuals with similar names.

3) Post-Legislation:

- A) What restrictions will be imposed upon the data providers and the private investigators?
- B) What information will remain available?
- C) Will we lose complete access to private personal information?
- D) Will we be able to get an amendment on new regulations?

CONCLUSION

Everyone at the roundtable agreed that the meeting was a success and that the data providers learned more about the investigator’s needs and the investigators learned that the data providers are actually data aggregators. They acquire data from thousands of sources and then aggregate it into a simple report that investigators can use. In many cases, the data providers are restricted by the information providers they purchase or

Investigator & Data Provider Roundtable for Consumer Privacy

license data from (e.g. state DMV, credit bureau’s, etc.). In other cases, the data providers are also restricted by permissible uses (e.g. GLB, DPPA, FCRA, etc.), as well as a desire to protect consumer privacy.

It was agreed that this roundtable would continue in Washington D.C., on July 13th, in conjunction with the NCISS sponsored “Hit the Hill” lobbying campaign and ID Fraud Summit to be held on July 14-15. Every PI in America is in-

vited to Washington D.C. to join us, voice our position, and show Congress that PI’s provide a very necessary service to the public.

It is also important that you support NCISS with your financial donations and by writing letters.

The key of our success in this major battle is quite simple...PLEASE DO SOMETHING OR WE WILL HAVE NOTHING.

Please visit www.nciss.org and show your support.

Respectfully submitted to our colleagues,

Jimmie Mesis, PI Magazine, Editor-in-Chief

Brian McGuinness, NCISS, President

Robert Townsend, NALI, National Director

Francie Koehler, CALI, NCISS, NALI

John Eppick, CALI Leg Chair

Mark Murman, FALI Leg Chair

See you at the World Investigators Conference, www.2005wic.com.

NCISS NEWS FROM LOUISIANA

Letter from NCISSNEWS

Investigators,

I am pleased to announce that Louisiana HB 45, which would require licensed private investigators to check in with the police or sheriff before beginning any investigation, has been deferred and made a Study Resolution until the next legislative session. The majority of representatives on the Commerce Committee were either opposed to the bill or questioned the language and constitutional merit of the bill. Rep. Wooton, who sponsored the bill for the Louisiana Sheriffs Association (LSA), voluntarily asked that it be deferred and made a Study Resolution after meetings with members and non-members of LPIA, LSA, and representatives on the Commerce Committee.

This could not have been done without the group efforts of investigators throughout Louisiana and the United States. Thank you all for devoting your time to mailing, faxing and emailing letters, contacting representatives, and attending the Committee meetings at the Capitol. This shows that there is strength in numbers and when we all work together we can accomplish anything.

This is not the last time we will hear of this bill and I'm sure there will be others that will

threaten our profession. The LSA has a lot of pull in the Louisiana Legislature and they will continue to fight for what they think is another way...and another...and another.

We will need to continue to come together and fight this and other legislation by contacting our representatives, clients, and other investigators in order to educate them and make them aware of what is happening. I also recommend being courte-

**“With strength
in numbers, PI’s
working
together can
accomplish
anything”**

ous, respectful, and cooperative (to the extent of the law) if approached by law enforcement when conducting a surveillance or any other investigation.

I will also be posting a list of the individuals that went to the Capitol and assisted with HB 45 and HB 51. During the time that I was present, I may or may not have acknowledged everyone in the midst of everything going on and I do not want to forget anyone. If possible, I

would like everyone that came to the Capitol to drop me a brief email.

Regards,

Robert M. Garcia

LPIA President

Centanni Investigation Agency

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[Editors Notes:

As you can see from this letter, an Act of Legislation can change EVERYTHING. When a bill is proposed in California affecting our industry, PICA's Legislative Committee is on it. When a bill is proposed in Washington D.C. affecting our industry, NCISS's Legislative Committee informs PICA's Legislative Committee, and we are on it.

Show your support of our industry and volunteer 30 minutes per week to becoming educated on the issues, learning about your representatives in Sacramento and Washington D.C., and firing off a letter, fax or email in support.

The PICA website...www.pica-association.org lists the pending legislation on the State level, www.nciss.org lists the pending legislation on the National level, and your representatives can be found by clicking on <http://www.conservativeusa.org/megacongress.htm>.

An earlier article in this issue of the PICA Investigative Reporter highlighted the “selling” of private investigation services. Use the same approach, determine your prospects, and “sell” your legislator on issues that affect you as a professional investigator!]