

# Investigative Reporter

THE OFFICIAL PUBLICATION OF THE  
PROFESSIONAL INVESTIGATORS OF CALIFORNIA

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## PICA Welcomes You to the

### World Investigator's Conference

*PICA's 2005 Annual Business Meeting—MGM Grand in Las Vegas*

With the World Investigator's Conference in Las Vegas sold out, the investigation industry is bracing for this once-in-a-lifetime event. PICA is an Official Co-Sponsor as more than 1,100 investigators descend on this desert oasis known for its bright lights and gambling.



This year's ABM was planned to coincide with the WIC, and will be taking place on Thursday, Sept. 22nd from 6-8pm. Please visit PICA's booth #304 in the Exhibit Hall for directions.

The keynote speaker for our meeting will be Bruce Hulme, the NCISS Legislative Chair. The new 2006 PICA Board of Directors will be sworn into office. Hors d'oeuvres and light refreshments are being provided by PICA and our generous sponsors. Please visit their booths when you walk the exhibit hall and thank them for their support of our association.

## Sponsors of PICA's 2005 Annual Business Meeting



Booth #120



Booth #329

*Tracers Information Specialists, Inc.*

Booth #129



Booth #212



Logan Registration

## PRESIDENT'S MESSAGE

One of PICA's continuing goals is to provide relevant informational seminars that benefit our membership. As we continue to grow, our membership will reach close to 400 individuals and businesses by the end of the year. Many of our members look forward to attending these well constructed seminars that provide insight into our industry.

Northern California's seminar will be held on Friday October 21, 2005 at the Vacaville Courtyard Marriott, located at 120 Nut Tree Parkway in Vacaville. Please note that further information regarding the different subjects and speakers will be provided via e-mail within the next two weeks.

Southern California's seminar schedule provides interesting and educational topics. Thursday November 3, 2005 is the scheduled date. This years speakers include; Jim Kaylor who will be speaking on *Interview Techniques*, Paul Fick, who is an Assistant DA and an expert on *Worker's Comp Fraud*, and Len Newcomb who teaches a class on *Identity Theft*. The seminars will be held at the Best Western located at 3400 Shelby Street in Ontario, CA. 909-466-9600.

Please contact our event coordinator Ann Marie Batesole at [picaevents@earthlink.net](mailto:picaevents@earthlink.net) for further information or to make reservations for either event.

Our recent election results have been announced. I would like to express my appreciation to each of the candidates who ran for office. We recognize their continued commitment to PICA. A special thanks goes to Mindy Gordon, CPA, who has collected the ballots for the past three years and has done an excellent job.

On Thursday, September 22, 2005 we will be holding our Annual Business Meeting which will be taking place at the World Investigators Conference located at the MGM Hotel in Las Vegas Nevada. Our Keynote speaker will be Bruce Hulme, Legislative Chair for NCISS. Complimentary h'ors doevres will be served at 6 pm. Please stop by our booth for the exact room location. Your attendance at our board meetings and this meeting is always welcomed and appreciated. I look forward to seeing you all there.

We have been fortunate to have sponsors that have contributed to our fund to help defray the costs of the h'ors doevres. To date they include Tracers Information Specialists, Logan Registration Services, RJ Court Record Retrieval Services, Intelius and IRB. We welcome further contributions to this fund. Please contact Gary Brummond at [picaeditor@aol.com](mailto:picaeditor@aol.com).

We also have been working to enhance PICA's membership benefits. One probable benefit is a Vision and Dental Group Discount Plan. In the next few weeks you should be receiving further information on this innovative program.

As President of PICA, I have had the opportunity of meeting many interesting people within our industry. Most recently, I met the new Bureau Chief of BSIS, Paul Johnson as well as his Deputy Chief, Robert Puleo. I will be discussing the outcome of my meeting at the ABM on September 22, 2005.

I am looking forward to seeing you at one of our upcoming events.

Best Regards,  
David Boykoff



## PICA NORTHERN CALIFORNIA DISTRICT NEWS

*August 6, 2005 Meeting*

The Northern California PICA District met on August 6th at Pachanga Restaurant in Folsom, CA. Jeremiah J. Scott of Sterling Investigations spoke about, and provide a demonstration



of Technical Surveillance and TSCM. He displayed surveillance equipment and shared some valuable tips on the best equipment to use and the best clothing to wear for the varied conditions.

**Congratulations to Steve Klinger of Klinger Investigative Group, for being named the new 2006 Northern California District Director.**

## PICA LOS ANGELES DISTRICT NEWS

*June 30, 2005 Meeting*

Frank Ritter, an award winning author, nationwide speaker and instructor with twenty-nine years experience as a personal injury investigation specialist, automobile accident reconstructionist, criminal defense specialist and asset search specialist, was the special guest speaker at the June 30th meeting.

Speaking on "Educating Attorneys," Mr. Ritter elaborated on why attorneys need to be educated, why educating the attorney is important to the investigation, and what you need to know first in order to educate the attorney.

*August 25, 2005 Meeting*

The Los Angeles District held its August meeting at Tony Romas in Burbank. There was a good turnout of PICA members, as Len Newcomb discussed the most up-to-day method of

making a living by conducting Identity Theft Investigations. Everyone enjoyed the topic, as it was relatively new to most of us. Len will be teaching a 4-hour seminar on this very important subject in the very near future. Watch the list-serve for important updates.

Unfortunately, nobody chose to step up to the plate and become the next District Director for 2006.

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**PICA ORANGE COUNTY DISTRICT NEWS**

*June 22, 2005 Meeting*

The Orange County District of PICA was treated to an excellent presentation by Andy Spruill from Guidance Software. This software company produces EnCase, a program designed for computer forensics.



Andy spoke about how EnCase was created, and provided some case examples that showed how the software has the ability to pinpoint items during a forensic examination. He also spoke about how we, as licensed investigators, can increase our revenue stream by incorporating computer forensics into our business. Each attendee was provided a demo CD, and most everyone had at least one question related to how they could profit from this information.

*August 18, 2005 Meeting*

The August meeting of PICA's Orange County District was well-attended as we met at Marie Callender's in Fountain Valley. This networking event was quite fun as we learned about the different business niches in the investigation industry, and how to be successful in each.

**Congratulations to Richard Lane of A-1 Trace International, who was elected the new 2006 Orange County District Director.**

**PICA CENTRAL COAST DISTRICT NEWS**

*August 18, 2005 Meeting*

The Central Coast District of PICA held its' election meeting at Tony Romas Restaurant in Camarillo. Everyone enjoyed the company and the evenings speaker, Jeff Kroll. Mr. Kroll gave us an interesting and insightful presentation on the fraudulent donations of vehicles to charity for income tax purposes. He had photographs of "donations" that would have been better crushed and melted.

Pursuant to PICA By-Laws, an election was held for the position of District Director, and Dave De Vorre, Owner / Qualified Manger of EK BALAM Investigations of Simi Valley, California was re-elected.

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**PICA INLAND EMPIRE DISTRICT NEWS**

*June 9, 2005 Meeting*

Approximately 40 people were in attendance to hear retired Los Angeles County Sheriff's Sergeant James Kaylor speak on interview techniques. His presentation was well received and very educational.

*July 5 & Sept. 2, 2005 Breakfast Meetings*

For those unable to attend the dinner meetings, we have had two breakfast meetings at Carrows in Rancho Cucamonga. Discussions have centered around better ways to network and some of the legislation that is pending that may hurt our profession. No speaker, just a bunch of PI's talking shop. Watch the PICA List-serve for the next breakfast meeting.

*September 9, 2005 Meeting*

Feasting on spaghetti and lasagna from The Old Spaghetti Factory in Rancho Cucamonga, PICA's Inland Empire District

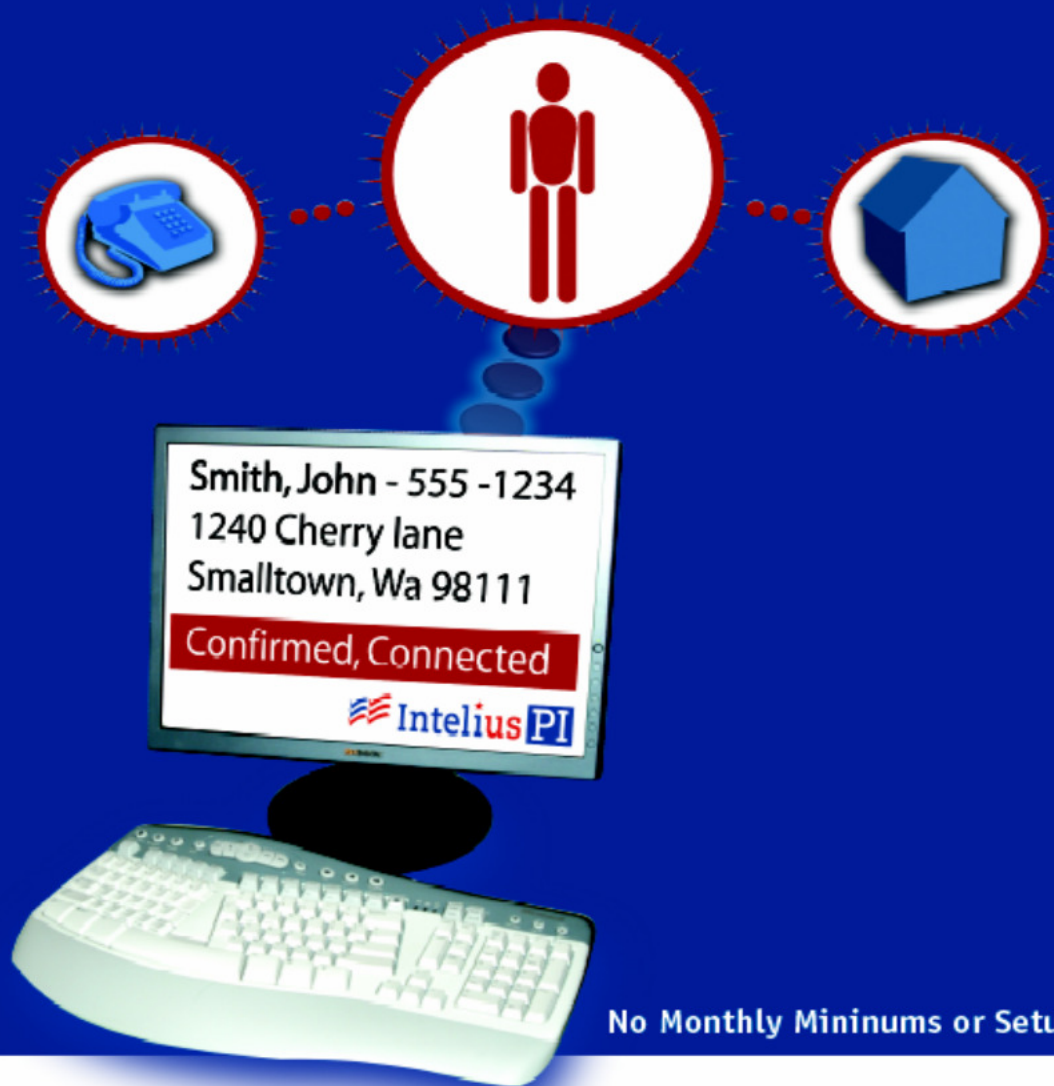


enjoyed a great turnout of nearly twenty

investigators to hear Michael Ingram (pictured above), Chief Investigator and Instructor from the

*(continued to page 6...)*

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## PICA INLAND EMPIRE DISTRICT NEWS

(CONTINUED)

(...continued from page 4)

California Dept. of Insurance, speak about the legal and practi-



Bill Reese (right) presenting Michael Ingram (left) with a plaque.

cal aspects of insurance fraud investigations.

Newly elected 1st Vice President, for the 2006 term, Paul LeGrand drove all the way from Northridge to introduce himself and thank everyone who voted for him. Ann Marie suffered through four hours of traffic to continue her volunteer efforts in organizing the event.

PICA also welcomed two new members who, between dinner and dessert, filled out applications and paid their dues.

This was also election night, with the early returns predicting Bill Reese's re-election. Once the polls closed and the spaghetti stains were wiped off the ballots, Bill Reese won again by a landslide vote.

## PICA SAN DIEGO DISTRICT NEWS

June 30, 2005 Meeting

August 25, 2005 Meeting

The San Diego District Meeting at the Witch Creek Winery was a do-not-miss event. Derrick Roach of Asset Finders presented a powerpoint demonstration on how to locate assets, how to get to those assets and how to find hidden information. Lots of tips on how to expand your business into this very profitable area of our profession. Every attendee was provided with text of the information to take home.

Following the presentation the group stayed on to sample (no limit) five different wines, enjoy scrumptious finger food, cookies and sweets and enjoyed an impromptu presentation of a new electronic hard-drive copy and data recovery system.

Folks, no matter what District you are in, these meetings are a great way to learn relevant information and network with your associates. Getting to know your contemporaries is a great way to advertise your special skills, expand your client base and make profitable referrals to specialists in your area when the need arises. Hope to see you at any upcoming meeting.

By: Dave Cisek, SD District Director

San Diego's recent PICA luncheon meeting answered the question: "Is this lunch tax deductible?" Half is, if you are a subchapter S corporation. All of it is if you are a subchapter C corporation and you do a little marketing. Much more was said about the advantage-disadvantage of being subchapter S. And, a subchapter C incorporation requires only 1 person in the Company.

Scott Waage, Attorney at Law gave a riveting power point presentation detailing ways to limit the tax liability of our operations – and our personal taxes. Following the presentation the attendees had a question and answer period that continued for half an hour. Each attendee was provided with a hand-out package filled with tax tips and recommendations. Each attendee was invited to attend the Law Firms monthly tax update (and complementary brunch) meeting held in their La Jolla offices.

There were no new nominations for District Director. David Cisek will continue the post for another year.

The next District meeting is being scheduled for Ruth's Chris Steakhouse on Harbor Drive. Detailed announcements to follow.

# **SIGNAL PIRACY** **Investigators Wanted**

**Saturday, October 1<sup>st</sup> • 9<sup>PM</sup> / 6<sup>PM</sup> PT**



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## PICA Investigative Reporter Spotlight Contest Winner...

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### Are You Working Smart?

#### Is this YOU?

Spending hours each day summarizing recorded interviews and preparing reports? Cleaning up employee or subcontractors' statements and reports, while figuring out how to compensate yourself for these unbillable hours? Then I invite you to contact me. My name is **Susie Wright**. You can have a life away from your office, increase your billable hours, and free yourself from paperwork. Enabling you to focus on your clients, caseload and/or others who work for you. Do what you do best, confident that your reports and statements are being handled by a professional.

### I Want Proof

My father and grandfather are retired State Farm agents. My father taught me this lesson on billing. To determine if you are **WORKING SMART**, **calculate** the number of hours you spend on a specific task, (in the case, preparing reports), and multiply it times your hourly billing rate (e.g. if you are spending six hours preparing a report and are only able to bill your client for two of those six hours, you are losing income for yourself). Maybe you can recoup some of your "unbillable time" here or there on your invoices or use other means — however, wouldn't it be nice not to? I charge one flat rate. You charge over that flat rate and my services becomes FREE to you.

### What Can I Expect From You?

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(...continued page 24)

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## PICA Northern District Member Receives National Award

*Kirk Stockham, President of Stockham Computer Forensics & Investigations, a California Licensed Private Investigation Agency, receives the Timothy Fidel Memorial Award*

June 2005— Guidance Software of Pasadena gave two computer forensics investigators from North California the nationally recognized “Timothy Fidel Memorial Award” for computer forensics investigative excellence. Guidance Software is the number one maker of computer forensics software for civil and criminal cases with an enormous international customer base. The award was named for US Secret Service Agent Timothy Fidel who was best known for modernizing computer forensics investigation standards.

PICA member Kirk Stockham, a computer forensics P.I., and Stanislaus County Sheriff's Deputy L. Wall received the June 2005 award from their computer forensics examinations of several computers seized during the Laci/Scott Peterson case. Both investigators testified in the notorious City of Modesto double-homicide case, after finding large amounts of computer data authored by the defendant Scott Peterson and his victim wife, Laci Peterson.

P.I. Stockham conducted the computer seizures and initial data searches with Modesto Police search warrant teams. Later, with the assistance of Deputy Wall, computer data was further analyzed and presented helping to convict Scott Peterson who is now on death row. There was so much computer data that two computer forensics investigators were used on this very complicated and lengthy investigation.

###

Contact Information:

Kirk Stockham

Stockham Computer Forensics  
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## PRACTICAL THOUGHTS

### ON THE INDIVIDUAL NATURE OF THE TERRORIST THREAT

*To protect against and investigate a threat, we must first understand what the threat is and its characteristics, along with the nature of the individuals we may have to face.*

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

I have modeled the title of this article from a very insightful, small book written back in 1951, "The True Believer, Thoughts on the Nature of Mass Movements," by Eric Hoffer, published by Perennial Classics. Despite the academic sounding title, Hoffer's little classic is a fast, fascinating and an eye-opening read. Along with two other references, I will relate the concepts in this book to Terrorism as a movement, Islamism in particular, and the characteristics and nature of those individuals drawn to such movements.

Hoffer, who died in 1983, wrote 10 books and was awarded the Presidential Medal of Freedom in the year he died. President Eisenhower, in one of the first televised press conferences, mentioned the book, which immediately became a best seller. What is remarkable about "True Believer" is that Hoffer succeeds in being relentlessly nonjudgmental in an incisive analysis of every major mass movement, from Christianity to Communism!

Before we use his method to examine Terrorism, I want to recommend two other

important references for your library. First is "The Terrorist Threat Mitigation Guide," 2004, published by the Chameleon Group, Inc. After a succinct introduction to the nature of that threat, it outlines, in great depth, a very proactive response. A method of situation assessment is designed to predict and categorize the potential for inappropriate, harmful, criminal and/or terrorist behavior. This leads to the deployment of procedures and actions necessary to confirm, reduce and and/or eliminate such threats. (cont. on p. 24)



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## What is the P.I. Museum?

The P.I. Museum is the world's only museum dedicated to finding, acquiring, preserving and displaying historic treasures from P.I. History. Private Investigator Ben Harroll has, for 25 years, collected a vast number of these P.I. Artifacts.

The museum has a very serious research and documentation purpose and goal, yet retains a youthful sense of adventure and wonderment about this endlessly fascinating profession. The museum balances it's collective efforts between the real and the fictional. You are as likely to find an actual letter penned in 1852 by the hand of Eugene Francois Vidocq or a spy camera as you are to find your favorite Dick Tracy collectible.

## How You Can Help

We invite you to partner with the P.I. Museum. You can do this through your financial contributions in support of the museum's vision. Of course, we're always looking for items to add to the collection as well. Think about what's out there right now just waiting to be discovered and preserved for the future. Contact the museum if you have some item of potential historical value.

***[www.pimuseum.org](http://www.pimuseum.org)***



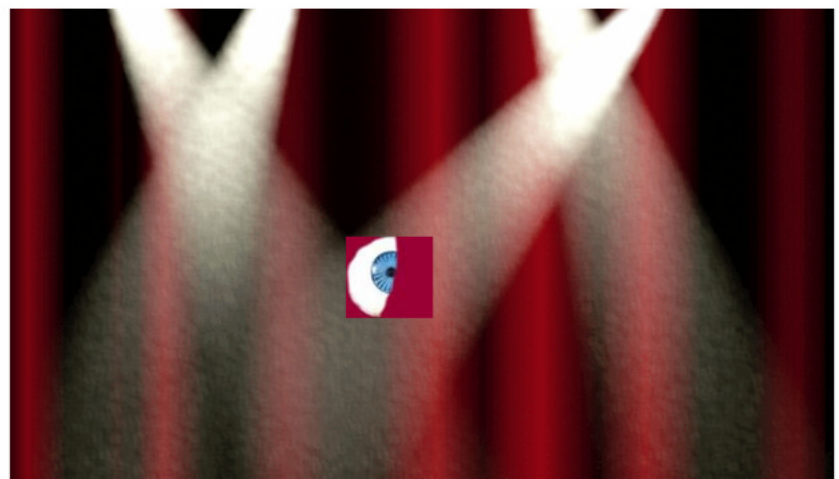
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Founder & Curator \* [www.pimuseum.com](http://www.pimuseum.com) \* (619) 239-6991

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 **FIRST EVER** public showing of the P.I. Museum will take place at the World Investigator's Conference in Las Vegas on September 22, 2005. This online version of the PICA Investigative Reporter is providing the only "sneak peek", as the P.I. Museum introduces a new web site, a new logo, and a new membership program to the more than 1,100 PI's in attendance.

Introducing the **NEW P.I. Museum...**



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Specialties: Service & Industry

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## Getting the Most Out of Your Digital Photo

*By: Paul LeGrand, Northridge Investigations*

### Bringing out detail in your digital photo & video images

Photographs are often the most powerful pieces of evidence introduced in a civil court battle. With professionally presented images in hand, your client's legal counsel may even be able to obtain a fair settlement agreement and avoid a costly court battle completely. Evidence photographs are used in other venues as well, including worker's compensation, threat management, and a host of other investigative situations. Your excellent photographic skills can go a long way to get your clients the results they need, but sometimes, even the sharpest, best exposed photo images will need software techniques.

We'll use a threat management / protective intelligence case as an example. Your unknown subject shows up in a 2003 Ford Explorer. You're waiting across the street, and with your digital SLR camera and a 400mm lens, you're able to get a sharp, slightly underexposed shot shown in figure 1.



Figure 1

Once you get back from the field, copy the entire set of photos directly to a CD, without making any alterations whatsoever. Label, date & sign the CD, and put it in your secure evidence storage area.

Next, open up a working copy of the file in your computer's image editing software. We're using Adobe Photoshop CS here, but the process is similar in PaintShop Pro or other image editing programs. Typically, you'll need the full version of the program. Light versions like Photoshop LE or Elements have limited image enhancement capabilities.

Let's see if we can read the VIN number off the door sticker and identify whose vehicle it is.

Start by rotating and cropping the image (image>rotate canvas> 90° CCW) and crop the image. If you're using a PC, you can hit the C key to select the crop tool, then pick the lower left and upper right corners of the factory VIN sticker, right click your mouse, and select crop. Now you should have a grey, fuzzy picture of just the VIN sticker that probably has been trimmed down to about 270x240 pixels, depending on how tightly you cropped it (figure 2.)



Figure 2

## Getting the Most Out of Your Digital Photo *(continued)*

Before we can bounce up the images' resolution, we'll want to open up the levels dialogue box (control-L, or image>adjustments>levels.) Find the set of sliders below the histogram and darken the image by sliding the black input level cursor over to the left edge of the bell curve. Now slide the white input level cursor over to the right edge of the bell curve (figure 3.) See how the image comes alive! Photoshop can also do this automatically (shift-control-L, or image>adjustment>auto levels,) but in many cases you'll get better results doing this critical step by hand.

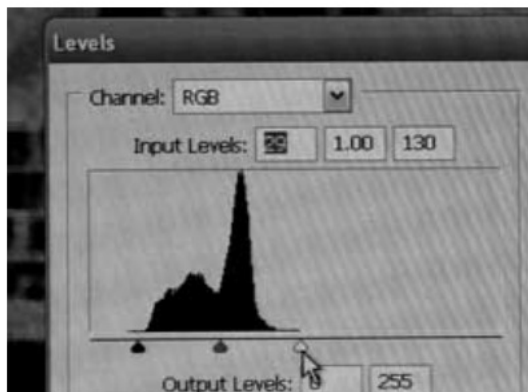


Figure 3

Your image is now cropped and optimized. Now it's time to res it up! Open the image size dialogue (image>image size.) Change the pixel dimensions to a width figure about 20% larger (270 pixels to 324.) The height figure will update automatically as long as the "constrain proportions" pickbox is checked off. Resample the image several times if needed, bringing the resolution up about 20% each time.

The final phase of the project is sharpening the image using the oddly named "unsharp mask" tool (filter>sharpen>unsharp mask.) Set the amount to 175%, the radius to 3.0 pixels, and the threshold to 0. These settings aren't cast in stone, they're merely starting points. You can look at the preview pane in Photoshop while you make adjustments and see what looks best for your individual image. With a little adjustment, you should be able to get a readable VIN number off the door sticker that, combined with a database search, might put a name

to your suspect (figure 4.)

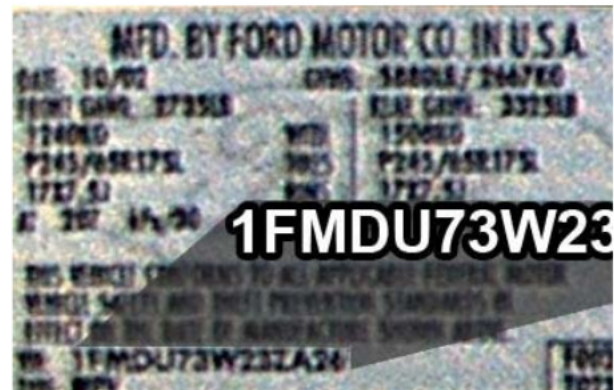


Figure 4

The same technique seen here can also be used to sharpen .jpeg images captured from videotape. Video images are made up of 60 interlaced fields. Your camcorder actually records a set of 30 odd numbered fields, then goes back a fraction of a second later to record 30 even numbered fields. Because of this, still photos of moving objects will have a blurry "sawtooth edge." In order to fix the problem, your image editing program has to throw out half the fields, interpolate the data, then generate a set of replacement fields. Using Photoshop CS's de-interlace tool (filter, video, de-interlace) you can get rid of the blurry edges in a few mouse clicks. After that, follow the same sequence shown above: First crop and rotate the image as needed. Second, optimize the image using the levels tool. Third, bounce up the resolution about 20% at a time. Fourth, sharpen the image using the unsharp mask tool.

Several companies make aftermarket plugins that do the job quicker or better, but if you have a digital camera or camcorder, a computer, and an image editing program, you can get going right away.

*Paul LeGrand, Owner of Northridge Investigations, can be reached at (818) 768-8583 or [www.northridgeinvestigations.com](http://www.northridgeinvestigations.com).*

## FEDERAL LEGISLATIVE/REGULATORY UPDATE

### Federal Identity Theft Legislation Moves Forward

By: S. Pierre Paret

*The Acme Detective Agency (703) 836-0333*

There have been several important developments relating to identity theft legislation, including several bills moving forward that would be harmful to the private investigation and security industry. The National Council of Investigation and Security Services (NCISS) has continued a major effort to combat provisions in this legislation that would have significant impact on our industry. NCISS sponsored an Identity Fraud Summit in Washington in mid-July, which featured speakers from the U.S. Justice Department, the Secret Service, the FTC, and other agencies. Several members of PICA participated in both the seminars and the “Hit the Hill” grassroots lobbying effort. NCISS has also added a public and media relations component to this effort, which has yielded some excellent positive coverage.

As noted previously, many of the bills designed to combat identity theft would have a serious impact on the private investigation and security industry by limiting our access to personal identifier information. Although our industry has not been implicated in any of these major data security breaches or identity theft scandals, legislative provisions to tighten general access would restrict or eliminate our ability to use these critical tools for legitimate, appropriate purposes. This has been one of the key messages of the NCISS effort on Capitol Hill and in the media.

#### **Harmful Bill Passed by Senate Committee**

In late July, the Senate Commerce Committee unanimously pass S. 1408, the “Identity Theft Protection Act.” This bill would severely limit or eliminate access to personal identifier data by the private investigation and security industry. Action

by the Commerce Committee on this bill has sparked interest in legislation pending in other committees, in part due to jurisdictional and “turf” issues. S. 1332, the “Personal Data Privacy and Security Act,” introduced by Sen. Specter, is also moving forward.

One factor that will impact the broader debate on this issue is that various bills have been introduced that deal with several different but related issues (see following chart). One major issue, for example, is identity fraud notification. When the ChoicePoint story broke in the media, California’s existing statutory notification requirements seemed prescient, and several states (through a joint letter from several state attorneys general) began to develop similar legislation. Federal legislation requiring notification of consumers at risk of identity theft or fraud took on new life, in part because even the information brokers have had to be supportive, preferring a single federal standard to trying to comply with fifty different state standards. Virginia, for example, was actively considering such legislation, but is to some extent waiting for possible federal action. This is one of the provisions NCISS supports. Some of the federal bills would only address the notification issue, while others include other elements, such as a prohibition on the sale of Social Security numbers, provisions to allow consumers to provide corrections or explanations, provisions to improve data security, and provisions that would require consumer approval prior to release or sale of personal identifier data.

When Congress returns from its August recess, it will have a few the remaining months in to deal with a number of priorities that will demand its attention, including appropriations and the confirmation hearings for John G. Roberts, nominated to the Supreme Court.

*(...continued to page 20)*

## FEDERAL LEGISLATIVE/REGULATORY UPDATE (CONTINUED)

Nevertheless, identity theft / fraud is a good political issue and some form of legislation is likely to pass before the House and Senate adjourn in the fall. NCISS, PICA, PISA, and other organizations will continue efforts to minimize the potential impact on our industry.

<b>FEDERAL LEGISLATIVE ISSUES</b>			
<b>BILL NUMBER</b>	<b>TITLE</b>	<b>SPONSOR</b>	<b>STATUS</b>
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
S. 1326	Notification of Risk to Personal Data Act	Sen. Sessions (R-AL)	Pending in Judiciary Committee
S. 1332	Personal Data Privacy and Security Act of 2005	Sen. Specter (R-PA)	Placed on Senate Calendar
S. 1408	Identity Theft Protection Act of 2005	Sen. Smith (R-OR)	Ordered reported by the Committee on Commerce, Science
H.R. 1745	Social Security Number Privacy & Identity Theft Prevention Act of 2005	Rep. Shaw (R-FL)	Pending in Energy & Commerce, Financial Services, &
H.R. 3140	Consumer Data Security & Notification Act	Rep. Bean (D-IL)	Pending in Financial Services Committee
H.R. 3374	Consumer Notification and Financial Data Protection Act of 2005	Rep. LaTourette (R-OH)	Pending in Financial Services Committee
H.R. 3375	Financial Data Security Act	Rep. Pryce (R-OH)	Pending in Financial Services Committee
H.R. 3501	Consumer Access Rights Defense Act (CARD) of 2005	Rep. Carson (D-IN)	Pending in three committees

## SUDDEN IMPACT

### An Inside Look at Lobbying Congress & Learning About Identity Theft

*By: Gary S. Brummond, Editor*

On behalf of PICA, I had the privilege of flying to Washington D.C. in mid-July, with Dee Modglin (PICA's Legislative Coordinator), and joining NCISS at their "Hit the Hill" Campaign and Identity Theft Summit. We were there to persuade our Members of Congress to the PI viewpoint on current legislation.

Prior to embarking in our lobbying effort, the attendees gathered in a conference room at the Westin Embassy Row to discuss the strategy for the day. During this meeting,

I was introduced by Bruce Hulme (Legislative Committee Chairman for NCISS) and as PICA's Secretary /



Treasurer, presented a check for \$500. As the meeting adjourned, we all gathered in small groups and headed outside to grab a taxi for our drive to Capitol Hill.

I have lived in Fullerton, California area for all of my 36 years of life, and had never met my local Congressman — Representative Ed Royce. This was about to change. I had requested a personal meeting with Congressman Royce in early June, via email with his office. In this email, I explained that I wanted to provide an additional perspective of proposed privacy legislation from the PI's point-of-view, and wanted to discuss the possible "unintended consequences."

Congressman Royce sat down with Dee Modglin and myself in his office, and intently listened to our concerns regarding the proposed privacy legislation and the unintended consequences that would result from enacting it. In the discussion,

which included two staffers and several other PI's from our group (Jim Zimmer, David Williams and his wife), he began to see the necessity for licensed PI's to be provided an exemption with regard to any legislation concerning identity theft and consumer privacy protections. He was convinced. While we were in his office, Congressman Royce (pictured as his desk) got on the telephone

to his network of contacts and argued our case. This strategy session lasted for more than thirty minutes, yet left a lasting impression. This was a **SUDDEN IMPACT**.



Among the more important Congressional appointments made prior to our trip involved Senator Feinstein's office. Dee Modglin had arranged a meeting with Montserrat Miller, Counsel for Senator Feinstein. Since Dee and Ms. Miller had communicated on prior occasions, the intent of the meeting was to continue the dialog and get a feel for Senator Feinstein's receptivity to an exemption for licensed private investigators in the privacy legislation she was sponsoring.

Near the end of our meeting, Dee pulled out of the NCISS-provided folder some literature we had been delivering to Congressional offices all day. When presented with the one page version of Senator Feinstein's bill, with a copy of the text of the exemption NCISS was seeking on the other side, Ms. Miller stated, "I haven't seen that."

*(...continued to page 22)*

## SUDDEN IMPACT

### An Inside Look at Lobbying Congress & Learning About Identity Theft

(...continued from page 21)

With an often constant change of staffers and aids, we were lucky enough to provide *the exact wording for changes in proposed legislation*, at a perfect time with the Senator was amenable to it. This was a **SUDDEN IMPACT**.

Although the bill was eventually dropped, as Senator Feinstein's priority turned to passing her bill that would require all states to notify victims of compromised privacy data, which included Social Security Numbers, it was learned that Senator Feinstein would take into consideration adding the exemption language to any future proposed bills.

The entire day of the "Hit the Hill" Campaign was spent visiting Congressional Members from California, and providing education from the Licensed PI's perspective. Each visit provided invaluable insight, and also created an opportunity for future communication. This future communication is vital as Congress slowly learns to seek out the possible "unintended consequences" of proposed legislation.



Group picture with  
Congressman Ed Royce

### IDENTITY THEFT SUMMIT

The following day of the two-day event featured the NCISS Identity Fraud Summit, also held at The Westin Embassy Row. Five different seminars were held throughout the day for the purpose of educating the professional investigator. Jon McDowall of the Fraud Resource Group spoke about the emerging trends in identity frauds, including how best to protect your identity and creating your own vulnerability assessment. Tom Sadaka, a Former Special Counsel from Florida explained how the current infrastructure allows the crime of identity theft to happen. Michael Levin, an Assistant to the Special Agent in Charge of the Criminal Investigative Division of the Secret Service provided incredible insight into how the Secret Service had to evolve into using a different law enforcement model for the information age.



Betsy Broder, Assistant Director of the Federal Trade Commission, explained how the FTC handles consumer complaints regarding identity theft, and how the agency doesn't even talk about prevention, only about how to deal with the theft after it happens. Jonathan Rusch, a prosecutor from the US Department of Justice, reviewed numerous cases involving the DOJ criminally prosecuting individuals charged with identity theft related activities.

(...continued to page 23)

# SUDDEN IMPACT

## An Inside Look at Lobbying Congress & Learning About Identity Theft

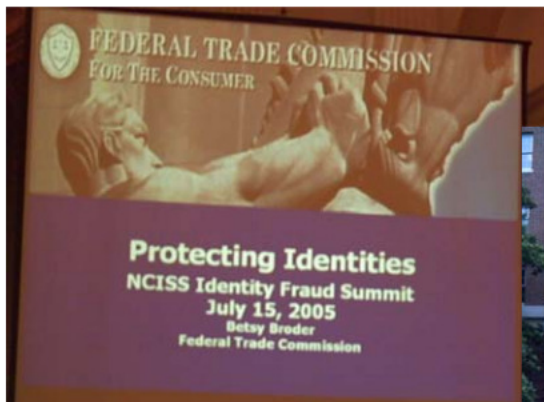
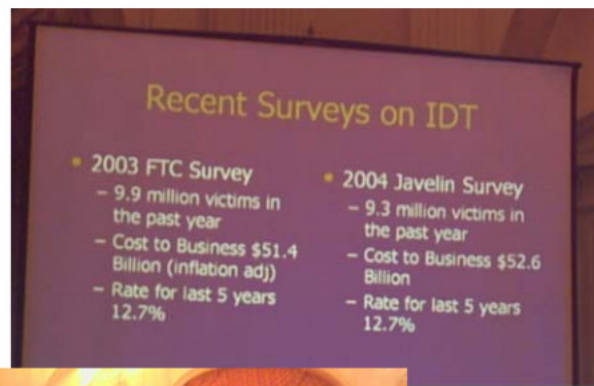
(...continued from page 22)

### IDENTITY THEFT SUMMIT

The last portion of the Identity Theft Summit was a panel discussion regarding Identity Fraud-related Legislative Initiatives. Chaired by Francie Koehler (Legislative Chair-NALI), panelists Betsy Broder, Robert Ellis Smith (Privacy Times), Brian McGuiness (President-NCISS) and Bruce Hulme (NCISS Legislative Committee Chairman) gave an enlightening discussion on the topic, as well as an extensive Q&A session from the attendees.

From a personal point-of-view, I enjoyed the entire event and viewed it as a tremendous success. I was proud to represent PICA, NCISS and the entire investigation industry as I walked the Halls of Congress with my fellow professional investigators. Even more than the event itself, meeting other licensed PI's from around the country and networking with each other will provide dividends for years to come.

As Editor of our industry-leading newsletter, one of my goals is to stay on the front line of the PI industry by attending and reporting back to the membership on how these events effect each of our businesses. When financially feasible and when the PICA Board of Directors approves, the PICA Investigative Reporter will stand on the front lines for you.



## Are You Working Smart?

*(...continued from page 8)*

If I cannot answer your questions, I will do my best to network you with someone who can.

**Wright's Typing Company** uses State of the Art digital audio software you can upload directly on my website. Even if you have not tried using digital records yet, information on my website will assist you in obtaining information to see if it is right for your company.

## PRACTICAL THOUGHTS ON THE INDIVIDUAL NATURE OF THE TERRORIST THREAT

*(...continued from page 10)*

A method of questioning is developed which accepts a threat as "infinite and intangible" and utilizes the point of view of the Terrorist and his method of operation to detect, validate or refute suspicious indicators. The Chameleon Group offers two day trainings in this, Israeli-based method. It is a very powerful toolset for any investigator.

The other book is "The Terrorist Recognition Handbook, A Manual for Predicting and Identifying Terrorist Activities," 2003, by Malcolm W. Nance from Lyons Press. This is an all-purpose introduction and summary of the Terrorist Threat. Major sections are as follows: Know the Terrorist, Identify the Group and Cells, Detection of Key Activities and Predicting an Attack. Practical, well illustrated, factual, encyclopedic -- it is the best one volume introduction in print.

What Hoffer offers beyond this, is the deeper background to achieve the understanding to make full use of these tools. According to Hoffer, mass movements begin in regions of weakened governments and in times of significant dissatisfaction with the status quo. The Middle East is such a region today. In a realm of weakening Dictatorships, lowered economic expectations and failed

dreams, going back centuries, Islamism has found fertile ground for explosive growth! Instead of looking to individual responsibility, to rise from failure, religious fanaticism is used as a tool to mold the frustrations of the masses into hatred toward a perceived or manufactured enemy. Regional governments and media both promote this, in a concerted effort to side step responsibility for, or attachment to, the present.

For example, Saudi Arabia promotes its state religion, Wahhabism, throughout the world and has sect members among the US Army Muslim Chaplains. Mohammed Ibn Abdul Wahhab founded this movement in the 1700s to purify Islam, overthrow "impure leaders" and establish Shari'ah or Muslim law.

Ironically, Osama bin Laden is replicating this process in his dissatisfaction with "impure" Saudi leaders. His Wahhab is Sayyid Qutb of the Brethren or Muslim Brotherhood, whose book "Milestones" was banned after advocating mandatory Shari'ah Law upon the entire planet through violence. They will save us through our own destruction! That so many in the Middle East have a favorable opinion of bin Laden is a testament to that level of dissatisfaction with the status quo, of which Hoffer writes.

Hoffer states that these movements generate, in the adherent, a readiness to die (proof of its worth to ourselves and the world) and a proclivity for united action. They breed fanaticism, enthusiasm and fervent hope, while demanding a blind faith and a single-hearted allegiance. By generating and exacerbating frustration they help to convert through the promise of spectacular change – now or in the hereafter.

As with al Qaeda (The Base), these are not usually the destitute but must be extremely discontented. Through "the feeling that by the possession of some potent doctrine, infallible leader, or some new technique they have access to a source of

*(continued to page 25)*



## PRACTICAL THOUGHTS ON THE INDIVIDUAL NATURE OF THE TERRORIST THREAT

*(...continued from page 21)*

irresistible power” great control is exerted. Individual hope is exchanged for a selfless life of enhanced self-esteem. It seeks to infect people with a disorder (sin of the infidel or the Islamic apostate) so that it can then offer itself as the cure! Those seeking escape from the self are given hope and a home.

It is important to note the historical patterns of Mass Movements usurping the weak and the indecisive, be they individuals or governments. When a response to a challenge is not fully met, they gain power and followers. They seek weakness and use it as building material to survive. Witness the gain in power of the fanatics of Fallujah, when they were allowed to stay in that protected city. Always, words must be immediately followed by the stated action or it is better to have said nothing. Blackhawk Down in Somalia was used to the utmost as an al Qaeda recruiting tool.

Those greater geo politics go beyond our discussion, but serve to highlight the difficulties in dealing with Mass Movements. The general concepts do apply equally to investigators who deal with cults or other fringe groups. As it has been stated over the centuries, we must choose to know our enemies in order to defeat them. It is in choosing to seek that educated understanding that allows us to protect our clients and proactively investigate. Only then, can we resolve whether a suspicion is an actual threat!



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## Annual Business Meeting ByLaw Proposal

In accordance with ByLaws for the Professional Investigators of California Association, adopted by the Board of Directors on October 10, 2002 [Glendale, California] and last amended by the Members on November 12, 2004 [Universal City, California], Article XIV states that proposed amendments [to the PICA ByLaws] be published in the PICA Investigative Reporter with the Board of Directors' recommendations prior to the Annual Business Meeting.

### ARTICLE VI - ANNUAL BUSINESS MEETING

3. ~~Twenty Five (25)~~ **TWENTY (20)** members shall constitute a quorum for the Annual Business Meeting.

#### BOARD RECOMMENDATION: PASS

**ARTICLE VIII – ELECTIONS** 1. Any qualified Active member in good standing for one year immediately prior to the Annual Business Meeting, shall communicate his desire to the Election Committee to run for any elected office. ~~Such communication must reach the Election Committee no later than 60 days prior to the date set for the Annual Business Meeting.~~

#### BOARD RECOMMENDATION: PASS

### ARTICLE IX - BOARD OF DIRECTORS & OFFICERS

(Proposed new section & language)

Section 10: All Officers and Members of the Board of Directors shall have the duty to prohibit unlicensed private investigators from being recognized, hired, and/or used as presenters, speakers, special guests, lecturers, consultants, instructors, experts, advisors, contributors, and/or writers of any Official PROFESSIONAL INVESTIGATORS OF CALIFORNIA ASSOCIATION publication, event, meeting, conference, or gathering. Officers and Directors shall require the submission, in writing, of resumes and/or CURRICULUM VITAE by all such persons listed in this section for review and determination of private investigator licensing requirements from any federal, state, or local government. Such persons to be recognized, hired, and/or used as listed in this section shall be asked to show any and all government required license or licenses for their stated profession or field of expertise prior to being recognized, hired, or used as stated in this section. When State of California licensing laws have jurisdiction all Officers and Members of the Board of Directors shall also use the California Private Investigator Act, including section 7521 of the Business and Professions Code, as the rules for determining when an unlicensed investigator to be recognized, hired, and/or used as stated in this section is required to be licensed. All private investigator license violations shall be submitted to Unlicensed Practices Committee for further investigation.

#### BOARD RECOMMENDATION: FAIL

**Northern California Educational Seminar**  
 Friday, October 21, 2005  
 Courtyard by Marriott-Vacaville

**COMPUTER FORENSIC INVESTIGATIONS**

Kirk Stockham, Licensed Private Investigator  
**Kirk Stockham**, a retired Modesto Police Department computer forensics investigator, has handled hundreds of cases, both as a police officer and as a licensed computer forensics investigator. Kirk will demonstrate how evidence was recovered on the Scott Peterson and BTK serial killer, cases.

**SEMINAR HIGHLIGHTS**

- How to Preserve Data
- How Data is Recovered
- Digital Evidence Photography
- Electronic Discovery

**WORKERS' COMPENSATION FRAUD**

Linda A. Wayne, Deputy District Attorney  
**Linda A. Wayne** is a Deputy District Attorney most recently assigned to the Solano County District Attorney's Workers' Compensation Insurance Fraud Unit. She has been a prosecutor for sixteen years and worked in insurance defense for a private law firm for seven years.

**SEMINAR HIGHLIGHTS**

- Elements of the Crime
- Videotaping Strategies
- Red Flags Fraud Indicators
- Preparing Cases for Prosecution

**INFORMATION DISCLOSURE LAW & TAX DEDUCTIONS AND IRS AUDITS**

Gregory A. Broiles, Esq.  
**Gregory A. Broiles**, an attorney in private practice in San Jose and an Enrolled Agent admitted to practice before the Internal Revenue Service, assists clients with resolution of tax controversies and maintains an active interest in issues regarding cryptography, privacy, and information disclosure law.

**SEMINAR HIGHLIGHTS**

- Freedom of Information Act
- Privacy Act
- California Public Records Act
- PI Tax Deductions & IRS Audits

**EDUCATIONAL SEMINARS LOCATION and INFORMATION**  
**\$49.00**  
 Per Person for Each Location

**NORTHERN CALIFORNIA**

Friday, October 21, 2005  
 7:30 a.m. to 6:00 p.m.

**Courtyard by Marriott**  
 Vacaville, California  
 120 Nut Tree Parkway  
 Vacaville, California 95687  
 707-451-9000

- Workers' Compensation Fraud
- Computer Forensic Investigations
- Information Disclosure Law
- P. I. Tax Deductions & IRS Audits

**Bureau of Security and Investigative Services**

Private Investigator Laws & Regulations  
 BSIS Bureau Chief, Paul Johnson  
 Enforcement Manager, George Paddeck

**Provided: Morning & Afternoon Refreshments**  
 Lunch & Beverages

**SOUTHERN CALIFORNIA**

Thursday, November 3, 2005  
 7:30 a.m. to 6:00 p.m.

**Best Western Inn Suites Hotel**  
**Inland Empire Room**  
 3400 Shelby Street  
 Ontario, CA 91764  
 909-466-9600

- Interview Techniques
- Workers' Compensation Fraud
- Identity Theft

**Provided: Continental Breakfast, Beverages**  
 Snacks, Lunch is on your own

**Questions and Information**

800-765-7422 ~ [picaevents@earthlink.net](mailto:picaevents@earthlink.net)

**Southern California Educational Seminar**  
 Thursday November 3, 2005  
 Best Western Inn Suites Hotel

**INTERVIEW TECHNIQUES**

James Kaylor, Retired L.A. County Sheriff  
**James Kaylor**, a retired Sergeant from the Los Angeles County Sheriff's Department with twenty-nine years of service, was one of the department's certified analytical interview instructors, teaching specialized interviewing techniques to other departments.

**SEMINAR HIGHLIGHTS**

- Building Trust
- How to Read Body Language
- How to Obtain Information
- Practical Role Playing

**WORKERS' COMPENSATION FRAUD**

Paul E. Fick, Deputy District Attorney  
**Paul Fick**, a Riverside County Deputy District Attorney has served as a prosecutor for fourteen years. His focus for the last three years as a D.A. has been workers' compensation insurance fraud and white-collar crime prosecution.

**SEMINAR HIGHLIGHTS**

- Types of Workers' Compensation Crimes
- Identifying the Elements of the Crime
- How to Conduct an Investigation
- Interfacing with the D.A.'s Office

**IDENTITY THEFT**

Len Newcomb, Licensed Private Investigator  
**Len Newcomb**, a private investigator with twenty-three years of experience in law enforcement, has an extensive background in assisting identity theft victims while interfacing with local law enforcement. Len is also a course instructor at Ventura Community College.

**SEMINAR HIGHLIGHTS**

- Preventing Identity Theft
- Reporting the Crime
- Working with Law Enforcement
- Helping Clients Repair the Damages

## PICA's 2006 BOARD OF DIRECTORS

## PICA "FREE DINNER" DISTRICT MEETING PROMOTION

President	Steven Wachtel
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 Visit our website, [pica-association.org](http://pica-association.org), [events] to locate a district meeting, bring this card to the meeting and if you **JOIN AT THE MEETING...**

**DINNER IS ON US!**

**Free Dinner**

Membership Chairman:  
 Len Newcomb: 805-639-0572  
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 Ann Marie Batesole: 818-249-1732

Professional Investigators of California  
 Phone: 800-765-7422  
 E-Mail: [picaevents@earthlink.net](mailto:picaevents@earthlink.net)  
 Website: [www.pica-association.org](http://www.pica-association.org)

Expires: 12/31/2005

**PRESENTED BY**

### Professional Investigators of California In Service Training for the Private Investigative Industry Educational Seminars

**Northern California  
 Marriott—Vacaville  
 October 21, 2005**

**Southern California  
 Best Western—Ontario  
 November 3, 2005**

Name: \_\_\_\_\_ Company: \_\_\_\_\_  NoCal  SoCal  
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 Cost of Each Seminar is \$49 Per Person Per Location  Payment by Check #: \_\_\_\_\_ Total Amount Paid: \$ \_\_\_\_\_

Credit Card Payment by:  VISA  MasterCard Expiration Date: \_\_/\_\_/\_\_  
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