

The PICA Investigative Reporter

The Official Publication of Professional Investigators of California

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Motor Vehicle Accident Photography A Picture is Worth a Thousand Words

How to Properly Take Vehicle Photographs
Getting it Right So It's Useful and Avoiding Trouble

By: Peter Rast, Collision Forensics

We've all taken those photographs of family and vacation scenes, so we probably have a pretty good idea of the basics. Most of us usually take our accident photographs in much the same way. We don't give much thought as to how the camera works or stop to consider the best way to capture information photographically, we merely walk around the scene or vehicle and snap the pictures. We don't give much thought to what's done with our photos other than we know some will end up in court. This doesn't mean that we don't try to do a good job - it's more likely that we probably don't really know what a good job is when it comes to motor vehicle accident photography.

When we take photographs for use in litigation, it's called **Forensic Photography**: *The application of photography to record or document material or circumstances of possible evidentiary value in criminal or civil litigation.*

Implied in that definition is the concept that the photographs taken for use in legal proceedings are timely, relevant, accurate and useful. Of particular interest to the accident reconstruction consultant who examines photos



is the issue of usefulness. In order to provide useful information, photographs of vehicles must be taken in a particular manner. And photographs of accident scenes should be taken systematically.

Accident reconstructionists use photographs to answer specific client questions, provide input for mathematical calculations, form opinions and conclusions, and testify as to the conclusions.

(...continued to page 12)

PRESIDENT'S MESSAGE

As your 2006 PICA President, I would first like to express my appreciation for past president Dave Boykoff. His leadership of this association was an inspiration to me and an example to us all.

This year PICA has been proactive in several areas. We will be introducing a legislative plan encouraging members to meet with their representatives in their respective districts. The idea is to communicate directly with members of the California Legislature, as well as Members of Congress, or their senior staff, on the local level, and on a personal basis.

As a constituent, the needs of the PI industry are reflected in your needs as a business person, and legislators are more than eager to listen. Proposed legislation is coming fast and furious. The issues are ongoing with continual attempts to curtail access to public records. PICA is on the forefront of fighting for our industry.

Education is a continuing theme this year. We will present speakers at our district meetings with topics that are pertinent to the private investigation industry. The speakers we have already presented this year have had an excellent response. We will be holding our Annual Business Meeting and Conference over Veteran's Day this year, November 10 & 11 at the Shilo Inn Suites Hotel in Pomona. The ABM Committee is working hard to provide an affordable and cutting-edge conference.

As PICA President, I have been asked to participate on the BSIS Advisory Committee. The panel is comprised of representatives from all of the industries regulated by BSIS. Together, we will try to improve the Bureau's effectiveness and ability to assist our profession.

The PICA Board has been working hard to update and improve the various systems that are needed to run an association.

We are implementing new procedures and guidelines that will remain in place and make it easier for future PICA Boards. The Board is also actively seeking new benefits for its' members.

Member input and participation is the most essential requirement for a successful association. You may have suggestions that will help us achieve our goals. You may know of special benefits that could be of use to the membership. I can tell you from experience you will personally benefit by becoming involved with our association. It will help you and your business grow in ways you haven't even thought of. I look forward to everyone's input.

Thank you,

Steven J. Wachtel
President



Congratulations!

Rex Bartholome of BBR & Associates in La Costa, CA.

Rex is the winner of the FREE business card ad drawing which will appear in the next issue of the PICA Investigative Reporter.

Next Contest:

The first ten (10) PICA Members to register for the ABM in November will enter a drawing. One of those members will receive a FREE 1/2 page ad (valued at \$100) in the PICA Investigative Reporter ABM Conference Edition.

PICA NORTHERN CALIFORNIA DISTRICT

March 25, 2006 Meeting

By: William F. Stepka

The Northern California PICA District met on March 25th at the Vacaville Marriott Courtyard. After a buffet lunch, Dee Modglin, the PICA Legislative Chair briefed us on the latest legislation. This led to a discussion of the level of security needed for privacy protection of client records in a home office.

Our speaker was Donald Perkins, CFI, VP and Director of Fire Investigations for Fire Cause Analysis. A retired San Jose Fire Captain, he travels the country determining fire cause and helps to prevent future tragedies. He has been involved in over 4000 fire investigations. Those needing his expertise can reach Don at 800-726-5939 or donp@fcfire.com.



The title of the talk was "The DNA of Fire Forensics." "D" represented Dynamics including fuel, ventilation, time and suppression activities. "N" referred to the N in Investigations including investigator qualifications, NFPA 921 Protocol and a systematic approach using the scientific method. "A" was for Analysis including testing of the hypothesis, evaluating the results and final recommendations. A very detailed power point of fire scene photos gave us the opportunity to walk in Don's shoes in several different real life scenarios.

The presentation was enlightening not just on the topic of arson and product failures, but on creative investigative techniques that we all can use in our own firms. It was a great primer on how the careful observation of details can reveal a truth that the more casual investigator might otherwise miss. Often the investigation becomes one of Negative Corpus, where the actual physical evidence is gone and the investigator systematically eliminates all other probabilities until the only possible true cause remains. A truly fascinating and engrossing presentation!

Steve Klinger (left) presents Donald Perkins (right) with a plaque thanking him for a presentation on "The DNA of Fire Forensics."

PICA SAN DIEGO DISTRICT NEWS

May 18, 2006 Meeting

Marc Halcon, President of American Shooting Center, provided his firearms expertise to the San Diego PICA District Lunch Meeting. Marc Halcon is one of our most respected experts on firearms, is a Forensic Firearms Consultant in Homicide cases and owns one of the nicest weapons store and indoor shooting ranges in Southern California. Recently, the American Shooting Center also purchased land in Ramona, California, for a 1,000 yard outdoor target range.

Members in the San Diego District know how to eat lunch, as they struggled with the choices between filet mignon, tender veal, beer battered jumbo shrimp, prime rib, New York Steak, and for the lightweights, Blackened Shrimp Caesar or Grilled Chicken Caesar.

Len Newcomb, PICA's 2nd VP, journeyed all the way from Ventura to the meeting and donated an "Identity Theft Kit," won by Dennis Bamman, P.I., Trinity Investigations.

For schedules regarding local CCW Certification, Krav Maga classes and shooting competitions, please visit www.gotammo.com or call the American Shooting Center at (858) 279-7233.

PICA CENTRAL COAST DISTRICT NEWS

March 23, 2006 Meeting

By: Dave DeVorre

Paul LeGrand (PICA 1st. V.P.) gave a riveting talk on all aspects of surveillance, including how to set up in a vehicle, following a subject, when to drop off and equipment to carry in your surveillance vehicle. He shared some of his war stories with those in attendance and allowed time for others to tell their own personal experiences.

There were 21 attendees with members coming in from San Luis Obispo, Bakersfield, Lake Isabella and Los Angeles.

At the end of the evening, an auction was held for two Identity Theft kits (donated by PICA 2nd. V.P. Len Newcomb) and funds were raised to support the Enrique (Kiki) S. Camarena Educational Foundation.

Paul LeGrand speaking at the Central Coast District Meeting



PICA recognized for Holiday Gift Donations

Dave DeVorre, the PICA Central District Director, was recognized by Ventura County Supervisor Judy Mikels, in an awards ceremony on March 7, 2006. (see photo to the right)



PICA's Central District donated several large bags of toys to the Children's Service Auxiliary 2005 Holiday Program in Ventura County.

By sponsoring a Holiday Gift Drive at the Central Coast PICA Meeting, our donation was added to others, which totaled more than 37,000 gifts. These gifts were provided to approximately 10,500 abused, neglected and abandoned children in Ventura County.



BOARD OF SUPERVISORS
COUNTY OF VENTURA
STATE OF CALIFORNIA

Commends
PICA

For your participation in the
Children's Services Auxiliary 2005 Holiday Program
By sponsoring a Holiday Gift Drive
Your support allowed us to provide more that 37,000 gifts
to approximately 10,500 children.

Thank you for your continued commitment to make a difference in the lives of
Ventura County's abused, neglected and abandoned children.

Presented on this 7th Day of March, 2006


Steve Bennett 1st District


Linda Parks, Chair 2nd District

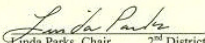

Kathy Long 3rd District

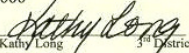

Judy Mikels 4th District

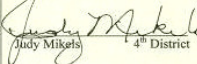

John Flynn 5th District

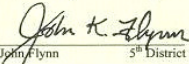



Steve Bennett 1st District


Linda Parks, Chair 2nd District


Kathy Long 3rd District


Judy Mikels 4th District


John Flynn 5th District

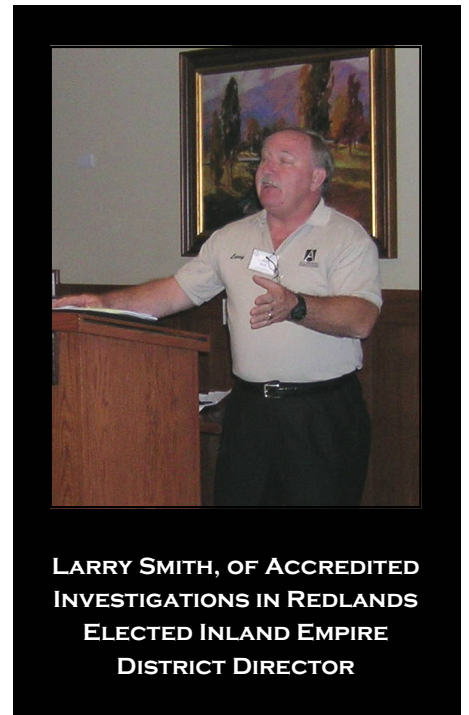
PICA INLAND EMPIRE DISTRICT NEWS

April 19, 2006 Meeting

Featured guest speaker Scott Gregory (shown below) gave an informative presentation on evidence photography at PICA's recent Inland Empire District Dinner Meeting. Mr. Gregory, a former police officer with over 30 years of experience as a crime and accident scene investigator specializes in evidence photography. A group of 30 PICA members and guests listened intently as Mr. Gregory provided a checklist of pointers that any seasoned investigator should use when photographing a scene, including tips on avoiding the most common mistakes. Mr. Gregory, a licensed PI and an active PICA member, was "a CSI before being a CSI was cool."



The evening meeting included the election of a new district director, Larry Smith of Accredited Investigations in Redlands.



LARRY SMITH, OF ACCREDITED INVESTIGATIONS IN REDLANDS ELECTED INLAND EMPIRE DISTRICT DIRECTOR

Our industry changes quickly. Learn the NEW tricks of the trade...

Merlin Online Skiptracing Seminar



800-367-6646

Improve your skiptracing skills.

CALL TO REGISTER!

Become a better skiptracer!

Learn from the convenience of your own office!

No traffic!

No parking issues!

Offered twice monthly, this interactive seminar is 3 hours running from 10 am - 1 pm with 10 minute breaks each hour. Visit Merlin's website for upcoming dates.

The seminar includes:

- The big secret of skiptracing
- Search strategies for dealing with truncated SSNs
- A great way to break unlisted and cell phone numbers
- The best way to verify a current address
- And other great skiptracing techniques and tips!

Registration: \$99/person – Space is limited.

Presented by Mike Does, Licensed PI and owner of Merlin Information Services



PICA ORANGE COUNTY DISTRICT NEWS

March 1, 2006 Meeting

Akbar El-Amin of DNA Services of America gave an insightful presentation on how private investigators can create another revenue stream for their businesses by providing services such as infidelity testing, drug testing and more.

Mr. El-Amin provided examples of where DNA samples can be obtained, the procedures for the preservation of evidence, as well as chain-of-custody issues. Many in the audience, for instance, were quite surprised at how affordable it was to conduct a drug test on a hair follicle. With an understanding of how to obtain, preserve and transport biological evidence and the knowledge of the cost structure involved, those in attendance can now speak intelligently to a potential client.



DNA Identification Testing Services include:

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PICA LOS ANGELES DISTRICT NEWS

February 8, 2006 Meeting

The Los Angeles District dinner meeting, held at Genio's Restaurant in Burbank, hosted speaker Attorney Robert Schwartz, a State Bar Certified Criminal Law Specialist who has conducted over 200 jury trials in the last 28 years.



Mr. Schwartz, presented to a group of 33 PICA members, guests and students from the Nick Harris Detective Academy, a seminar entitled, Criminal Case Preparation.

Professional investigators learned specific information and laws to be aware of when conducting both civil and criminal defense investigations including pretrial discovery, sited in California Penal Code 1054.

The evening concluded with the election of a new Los Angeles District Director for 2006. Congratulations to Dale Gustafson from DGA Detectives in Simi Valley!



Paul LeGrand, 1st V.P. and Robert Schwartz

PICA LOS ANGELES DISTRICT NEWS

May 10, 2006 Meeting

PICA’s Los Angeles District hosted an extremely successful dinner meeting at Genio’s Restaurant in Burbank. Dale Gustafson, the newly elected District Director, welcomed over 40 attendees who purchased raffle tickets for a chance to win one of the many prizes donated to help support the National Council of Investigation and Security Services (NCISS) our industries national voice on legislative issues. The donations raised totaled \$125.00.



The educational portion of the meeting entitled, “Winning the War on Terrorism” was presented by two FBI Agents from the Los Angeles Field Office, Intelligence Analyst Erika Wesley and Special Agent Norma Loza.

The agent’s PowerPoint presentation helped the group learn about The FBI Citizens’ Academy, a program developed to provide the community with a better understanding of the FBI, and the Intelligence and Terrorism Alert Network (TITAN) a federal crime reporting network. To learn how to participate visit the FBI Los Angeles website at, <http://losangeles.fbi.gov/>.



Professional Investigators of California
2006 ANNUAL CONFERENCE & BUSINESS MEETING
 “Rolling Back Conference Fee to 2003”
Friday & Saturday - November 10 & 11, 2006

◆ Veteran’s Day Weekend ◆

Shilo Inn Suites Hotel - Pomona, CA

WEBSITE: www.shiloinns.com/california/pomona_hilltop.html

Friday, November 10, 2006

BONUS SEMINARS

- ◆ Study Guide for CA PI Test : **\$35.00**
 - ◆ How to Start A PI Business : **\$35.00**
- Fee Includes Study Material and Vendor Reception*

FREE BONUS SEMINAR

◆ **Covert Tracking Systems**

VENDOR RECEPTION

Hors d’Oeuvres* Dinner*
 Keynote Speaker - ABM

**Included in \$149 Conference Fee*

Saturday, November 11, 2006

Saturday Seminars

Breakfast - Lunch - Snacks

Industry Vendors

Educational Training Certificates

Conference Notebook

EARLY REGISTRATION

\$149.00 PICA Members

\$169.00 Non-Members

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shiloinns.com/california/pomona_hilltop.html

Select: “Check Availability”

Enter: November 10th

Special Code: PICA

Select: “Check Rates & Availability”

Merlin Information Services and IRBsearch Announce Letter of Intent to Merge

New Company will Create Expanded Solutions for Professional Investigators

KALISPELL, MT and TALLAHASSEE, FL., May 31, 2006, Merlin Information Services and IRBsearch, leading providers of public record and proprietary data to professionals for civil and criminal matters, jointly announce the signing of a letter of intent to merge. Terms of the merger were not disclosed.

The merger, which is subject to the execution of a definitive agreement and board approval of each company, provides the opportunity to significantly expand operations into a greater nationwide presence. The combination of Merlin's state of the art data center and development capabilities along with IRBsearch's unmatched person and asset locate products will provide professional investigators with a greater range of products and services.

Edward Eckland, Chief Executive Officer of IRBsearch, stated "This merger combines two highly experienced teams of dedicated professionals who share the same vision, values and goals." Both Michael Dores, the founder of Merlin, and Darrell Goodwin, founder of IRBsearch, are licensed investigators with 39 years of combined investigative experience.

"We are very excited about the opportunities this merger will provide for our customers," said Keith Brown, Merlin's Chief Executive Officer. "The strength of products and services that IRBsearch provides in the investigative industry combined with Merlin's skiptracing products and development capabilities, will truly create a one-stop shop for the markets we serve." Brown continued.

About Merlin Information Services

Merlin Information Services provides access to public record and other databases to investigative professionals who skiptrace, look for assets, run background checks or perform investigative work. Its reputation for high-quality data and flexible search and retrieval software makes Merlin a leader in the public record industry. www.merlindata.com

About IRBsearch

IRBsearch provides access to an unparalleled locate product using a proprietary compilation of billions of records that can be searched in fractions of seconds to provide instant investigative results. IRBsearch has become a leading investigative resource for professional investigators nationwide.

www.irbsearch.com

For additional information, contact Darrell Goodwin at (800) 447-2112 darrellg@irbsearch.com or Joanne Jackson at (800) 367-6646 jjackson@merlindata.com.

PI Industry News

PI Magazine Now Offering Spy Gadgets

PI Magazine owners, Jimmie and Rosemarie Mesis, have announced that they recently acquired StarTechOutlet, a major surveillance and spy gear supply company. As a result, they have now created a new online discount surveillance and spy equipment store appropriately named PI Gear, www.PIgear.com

This new venture is the result of PI Magazine's continual growth and requested by hundreds of subscribers who have asked for the magazine to also carry spy gear in addition to the many books offered online at www.PImagazine.com "We are delighted to now offer equipment in both the magazine and online," stated Rosemarie Mesis, PI Magazine Publisher. "All we have done is give our readers and subscribers what they asked for, affordable and reliable surveillance gear."

The new website, www.PIgear.com is expected to be in operation by early March. "We are currently developing a state-of-the-art website that will feature more than 300 spy gadgets and unique surveillance tools," said Jimmie Mesis who will oversee the new company. "We plan on offering the largest collection of surveillance cameras and equipment at significantly discounted prices." In the meantime, PI's can preview some of the newest and best selling products by visiting the PI Magazine online store at www.PImagazine.com Jimmie and Roe welcome your comments and suggestions to insure that they are able to provide you with the best surveillance gear available anywhere.

SPECIAL for PICA Members:

PICA members will receive \$20 off their minimum purchase of \$100 from PI Gear. Orders must be made by telephone and indicate that you are a PICA member.

Jimmie Mesis

PI Magazine & PI Gear

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Freehold, NJ 07728-7198

Tel: 732-308-3800 (800)836-3088

Fax: 732-308-3314

www.PImagazine.com – www.PIgear.com

Advertising Rates

for the PICA Investigative Reporter

PICA Members:

Full Page \$200.00

1/2 Page \$100.00

1/4 Page \$50.00

Business Card \$25.00

Non-Members:

Full Page \$250.00

1/2 Page \$135.00

1/4 Page \$75.00

Business Card \$35.00

Questions regarding

Advertising or Art Copy dimensions and proofs can be directed to the Editor at:

picaeditor@aol.com

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The Hunt to Bust Pay-Per-View Piracy

By: Gary S. Brummond, *The OC PI*

Six pm on Saturday night, and you begin the hunt. Will your investigative work the previous week pay off? Driving around town you had noticed an advertisement for Pay-Per-View boxing, “are they going to be on my Legal List?” I wondered. Sure enough, they weren’t on The List...a potential hit! My heart starts to race.

As I race toward the location on Saturday night, my eyes are darting back and forth at a feverish pace. If you have to look at a map, you’re wasting time. It’s time to memorize. Where are all the satellite dishes and where are all the televisions sets in the establishment that have a satellite dish? Time is your enemy, and precision is at task.

I skillfully arrive at the first location with my heart pounding, time is 6:00 pm. Are there a lot of cars in the parking lot? That is a good sign. Can you hear music coming from the establishment, or does it sound like the television is turned way up? Casually, and with a purposeful walk, I approach the door. Some have security guards, some don’t. Look like your thirsty and taking your time, you’ll blend right in. Unless, of course, you’re Caucasian (like me) and you are entering a Mexican, Asian or a Philippino bar. Even then, they are watching the fight, not looking at you.

A quick scan of the room reveals three televisions, all of which are showing boxing. The blue canvass of the boxing ring often gives it away. “I’ve got to get close enough to a television to see who’s fighting, note the round number, and observe the color of their trunks,” I think to myself. As I stand there watching the fight unfold, I casually glance around and count heads, take mental notes about the layout, and look for the capacity sign. I am also paying close attention to the door, “has anyone come or gone since I arrived? Take note.”

If possible, I get on my cell phone, call my voicemail and record everything. This is potential evidence. After talking on the phone for a minute or so, and depending upon the situation, I have a small digital camera / video camera that I can use to covertly videotape at least one minute of the fight broadcast. Constantly observing my surroundings, and having collected all of my data on the inside, I begin to leave. If I have left my cell phone on, I then pretend to talk to someone as I leave. It’s funny, but people don’t want to bother you when you are talking on a cell phone!

I casually walk out of the establishment and immediately look for license plates of vehicles in the vicinity. I need six license plates. Every situation is different, but if I am

unable to obtain the covert video necessary to prove my case, I look for windows and open doors that enable me to zoom in with a video camera from the outside. Sixty seconds of distinguishable video, that’s all I need.

Is it worth it? On the hunt to bust pay-per-view piracy, you can make up to \$400 per location, and you are always paid within 30 days. My personal best was five locations busted in one night, but I know of one investigator who busted more than twelve.

If you are interested in adding pay-per-view piracy to your investigations, please contact Ms. Atzi Camarena, at the Law Offices of Thomas P. Riley, P.C. at (800) 590-5511.

SIGNAL PIRACY
Investigators Wanted

Saturday, May 6th • 9 PM ET / 6 PM PT

THIS IS HOSTILE TERRITORY

DE LA HOYA vs. MAYORGA

DANGER ZONE

SUPER WELTERWEIGHT CHAMPIONSHIP

PLEASE CONTACT:
Ms. Atzi Camarena, Director Of Investigations
LAW OFFICES OF THOMAS P. RILEY, P.C.
One California Plaza, 300 South Grand Avenue,
Suite 2670, Los Angeles, CA 90071
Phone: (800) 590-5511 Fax: (866) 242-8905
E-mail us at: TPRLA@att.net

PICA Member News Releases

PICA Member Rick Mills

(PRWeb) January 25, 2006, Kent Hulsey of San Diego was charged on June 14, 2005 with sexually assaulting a 14-year-old girl at the Del Mar Fairgrounds in San Diego, where he was an employee of a vendor. San Diego Case No. SCN196135.

I.F.R.S. Group, Inc., private investigators based in La Mirada were hired by the defense to investigate the case. Within a few weeks investigators from I.F.R.S. Group, Inc. had uncovered information that proved that the San Diego District Attorney's Office had "over charged" Mr. Hulsey, the incident did not happen as the victim and her mother had reported it to the police.

Rick Mills, President of I.F.R.S. Group, Inc. said, "The evidence we uncovered included the background story of the victim and her family, as well as other compelling evidence that the police and DA's office had either ignored or not found."

Instead of conducting an investigation the San Diego District Attorneys office was relying on the results from the DNA, which they were sure was going to come back positive to their suspect, Kent Hulsey. The DNA eventually came back and there was none.

Because of the evidence gathered by I.F.R.S. Group, Inc. during their investigation, the San Diego District Attorney's Office decided not to proceed with the case, but to offer Mr. Hulsey a plea bargain of simple battery with three years probation.

So, he went from potential seven years in prison down to three years probation.

Mr. Rick Mills, President of I.F.R.S. Group, Inc. said "we come across so many of these criminal cases where our client, the defendant, is not guilty or at least not guilty of the charges charged, that is why it is so important that defendants in criminal cases and their attorneys hire competent criminal defense investigators."

NEW MEMBER

John Patrick Demny

John Patrick Demny
Private Investigations

La Quinta, CA 92253

760-485-0874

JohnPDemnyPI@aol.com

Specialties: Criminal,
General, Surveillance,
Workers' Compensation,
Workplace.

ACTIVE PI 24025

Motor Vehicle Accident Photography

(...continued from page 1)

As with any evidence, if it's not gathered correctly, it will be of limited use and any opinions and conclusions drawn will be suspect.

"The truth of the matter is that more significant information is accessible through proper investigation than can be obtained through any other avenue of study." John I. Coe, MD, Chief Medical Examiner Emeritus, Hennepin County Medical Examiner's Office, Minneapolis, MN.

Photographs are true and accurate depictions of the objects photographed. Photographs capture detail, often detail that might escape the eye on first examination. After some period of time passes, photographs are likely to be the only visual evidence of something of legal significance. It is incumbent on each of us that take photographs to do so methodically and knowledgeably so the result is of maximum utility to our clients.

Accident photos are unique because of the information that can be gleaned and the uses to which that information is put. For example, if photographs are taken properly, accident reconstruction consultants can take measurements from them, some of which become input to cumbersome calculations. We can compare measured damage on two vehicles and draw conclusions about the consistency of damage, i.e., was damage on one vehicle caused by impact with the other. Or, using a technique called photogrammetry, we can make measurements of such things as evidence location and skid marks from photos. And if the picture is good enough, we can take measurements of crush damage, the damage caused by cars colliding, and make fairly good estimates of impact speeds.

But, we can't do any of the above if photographs taken by investigators are inadequate. If they're inadequate, investigators haven't done their jobs and their clients, insurance companies

and lawyers, are not well served. In this article we will discuss ways to take useful photographs of vehicles. We'll also touch on scene photographs. We will not talk about the mechanics of photography such as focal lengths, f stops, shutter speeds, depth of field, etc., but will assume knowledge of such things. We will, however, discuss 35mm vs. digital photography a bit.

WHY YOU **MUST** DO IT RIGHT THE FIRST TIME

- Reasonable decisions about important issues such as causation, negligence, liability, and criminal responsibility can only be made if the evidence, including photographs, is good enough.
- Vehicles are repaired or salvaged fairly soon, days or weeks after the accident.
- Evidence disappears.
- You may not recognize an accident as fraudulent when you first see it.
- Fraud may not be evident for months or years after a claim or suit is filed.
- Once fraud is suspected, the accident scene becomes a crime scene, then it's too late.
- Memories begin to fade immediately and the mind plays distorted tricks.
- Road crews and other evidence eradication teams change the scene
- **YOU CAN'T DO IT OVER IF THE SUBJECT MATTER IS GONE OR HAS BEEN SIGNIFICANTLY ALTERED**

(...continued to page 13)

Motor Vehicle Accident Photography

(...continued from page 12)

What Are Photographs?

A photograph is a two dimensional representation of a three dimensional scene or object - it's more like a map. And, this two-dimensional map of a three-dimensional scene is taken from a single vantage point - the camera angle. It provides little dimensional information unless the photo has been taken in a particular manner and contains certain pre-positioned devices. You can't step into a photograph with a tape measure, but if the photograph was taken properly, you can do the next best thing.

When we look at photographs, our minds play a subtle trick and make us think we're looking at a scene with depth, i.e., three dimensions. If it's important to show two people know each other or someone is mowing the lawn when they say they can't, dimensional relationships aren't of concern. But if it's important to know how fast a car was going, how far it traveled after impact, skid mark lengths, location of damage, location of evidence, and details sufficient to produce a diagram, a properly taken photograph may overcome poor or non-existent measurements. We could take measurements from two dimensional depictions, the photographs, and produce another two dimensional depiction, a scene diagram. But, to be able to do that, we need to compensate for the two-dimensional deficiencies of the photograph. The following method does so.

A Method for Taking

Useful Vehicle Photographs

If you follow this procedure as closely as possible each time you take photos of vehicles involved in a collision, chances are very good you will capture all the important information, even if it doesn't seem important at the time, and provide a means to extract dimensional data.

Before you start, check your camera's date and time imprinters, set them to the right date and time. Put no more than one vehicle or one scene on a roll of film, even if you have to use more than one roll of film.

1. First, take an identification photograph of the vehicle (or scene).
 - Use an 8 1/2 x 11 pad, note identifying information on the pad, and place the pad near a license plate - front (preferred) or rear.

This view should also be the last exposure on each roll of film. This will identify the roll and the subject matter, and the beginning and end of the photo sequence.

2. Next, take the same photograph of only the vehicle without the pad.

Some attorneys will claim the presence of the pad has altered the evidence - courts have accepted that argument and thrown out photographs.

3. Then, starting with the vehicle front, placing a measuring device vertically against the side of the vehicle being photographed:
 - Take one photograph of each of the four sides of the vehicle. Figure 1. This is often called "The Basic Four."

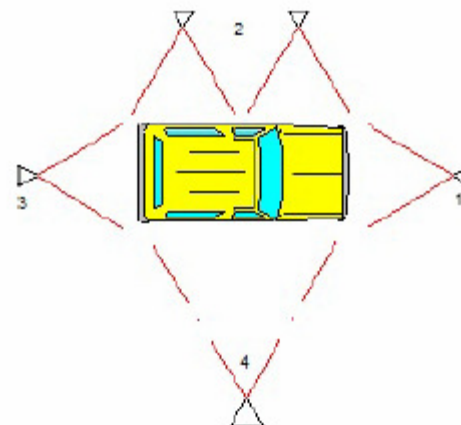


Figure 1

(...continued to page 22)

Eugene Francois Vidocq

(1775-1857)

The World's 1st Private Detective

Eugene Francois Vidocq was an 18th century French crook-turned-cop who was a confidant of at least two famous contemporary French writers and in inspiration for many others around the world.

Victor Hugo based not one but two characters in **Les Miserables** on Vidocq - both *Jean Valjean* and *Inspector Javert*. Honore Balzac's character *Vautran*, in **Pere Goriot** was also modeled after him.

Vidocq's legendary crime-solving reputation was also lauded in Poe's **Murders in the Rue Morgue** and in Herman Melville's **Moby Dick**.

The fugitive in Charles Dickens' **Great Expectations** was also inspired by Vidocq's real-life exploits.

Vidocq's life story is amazing. As a fugitive from French justice, he first offered his services as a police spy and informer. Later, he became so successful at catching criminals that he was named the first chief of the Surete, in 1811.

Vidocq eventually directed a force of 28 detectives, all of whom were also former criminals.



Eugene Francois Vidocq is considered by historians and those in law enforcement to be the father of modern criminal investigation. Monsieur Vidocq:

- introduced record keeping (a card-index system), criminalistics, and the science of ballistics into police work;
- was the first to make plaster-of-paris casts of foot/shoe impressions;
- was a master of disguise and surveillance;
- held patents on indelible ink and unalterable bond paper;
- and founded the first modern detective agency and credit bureau, Le Bureau des Renseignements.

After he resigned from the Surete, Vidocq published **Memoires**, a book which became a best-seller in Europe and firmly established him as the world's greatest detective.

Vidocq's regard for his fellow man also was legendary. He was a philanthropist who helped the poor and abandoned in Paris. At the same time he was pursuing the guilty, he was also freeing the innocent.

Vidocq's personal character, coupled with his skills as an investigator, are the source of The Vidocq Society's inspiration for solving crime and helping others.

Today, the Vidocq Society uses Vidocq's methods and approaches to investigate unsolved murders. The Vidocq's Society's 82 members (one for every year of Inspector Vidocq's life) come from 17 states and 11 counties. Visit www.vidocq.org for more information on this fascinating organization.

Source: Vidocq Society—The Life of Monsieur Vidocq

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. Memberships are available for Individuals, as well as the categories of Patron's Circle, Founder's Circle and Sponsor's Circle.

(Ben) Benjamin R. Harroll, PI #7085

Founder & Curator

www.pimuseum.com

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The P.I. Museum is a regular feature in the PICA Investigative Reporter. Please contact the editor for reprints.

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FEDERAL LEGISLATIVE/REGULATORY UPDATE

Federal Identity Theft Legislation Pending

By: S. Pierre Paret

The Acme Detective Agency (703) 836-0333

Recently, there has been a lot of activity in Washington on issues that may affect the private investigation and security industry, and much of it can be confusing. Legislation, regulations, subcommittee and committee hearings, mark-ups, media coverage, parliamentary maneuvers, public perception, and politics combine to create this confusion.

At present, however, it all really boils down to two major issue areas that could significantly impact our industry: identity theft and phone records. Rather than detail the status of various bills, this article will provide a big-picture overview and outlook on these issues.

Identity Theft and Information Security Breaches

Background: Several high-profile instances of hacking and illegitimate access to consumer information (ChoicePoint, LexisNexis, etc.), combined with a proliferation of unregulated internet vendors offering consumer background information on anyone to anyone, has resulted in a significant number of bills being introduced on Capitol Hill. Although abuses by licensed professionals have been rare, many of the bills introduced to address these issues would eliminate or greatly reduce our access to personal identifier information, which can play a critical role in our work. In early April, the Department of Justice released a report on identity theft in 2004 that showed 3% of U.S. households had reported being a victim of some form of identity theft, with total economic losses projected at \$3.2 billion.

Status and Outlook: Public awareness of this issue and general support among lawmakers make the likelihood of some legislation addressing one or both of these issues likely this year. In a sense, legislation on this topic has not yet passed *because* of its popularity – too many bills have been introduced and they are now jockeying for momentum.

Several bills are moving forward and passage of some form of legislation is highly probable. The National Council of Investigation and Security Services (NCISS) is working diligently to try to eliminate or minimize the negative impact of these bills. One option is some form of exemption for our industry, such as that included in the Driver Privacy Protection Act (DPPA).

Phone Records and Data

Background: Extensive media coverage related to this issue has also resulted in significant legislative and regulatory attention. This data is often procured through fraud and pretext and is subsequently sold to the general public through Internet sites. A highly publicized instance in which the records of former presidential candidate General Wesley Clark were obtained by a blogger from an Internet site for \$89.95 has fueled the issue. There is also a widespread belief among decision makers, the general public, and even many private investigators that this sort of data should be private and protected. The legality of obtaining such records under current federal law is unclear, but the FCC and FTC are currently investigating and Congress is also moving forward with several bills. In late April, the House of Representatives unanimously passed H.R. 4709, the “Telephone Records and Privacy Protection Act.” NCISS held meetings with key staff, who indicated that the language limiting access to confidential information in this bill would not prohibit securing of phone number and address data.

Status and Outlook: Although many in our industry do not use this sort of data, the danger has been that legislative reaction could prohibit access to simple telephone number and address information. In the context of debate on this issue, some have questioned the use of pretext in *any* situation. NCISS issued a position statement opposing the acquisition of telephone or cellular records by pretext or any unlawful method and opposing the sale of such data to the general public. In any case, either legislation and/or regulations are likely to pass that eliminate access to most information derived from landline and cellular accounts.

FEDERAL LEGISLATIVE/REGULATORY UPDATE (CONTINUED)

Researcher Faces Federal Charges for Fraudulently Obtaining Credit Report

An employee of the Democratic Senatorial Campaign Committee will be prosecuted for obtaining the credit report of a Maryland Republican candidate for the U.S. Senate. A story in *The Washington Post* on March 16, 2006 on this matter cited sources claiming that the report was acquired using the candidate's Social Security number, which was obtained from a public court document. The staffer reportedly has pleaded guilty and will have a misdemeanor charged dropped after a year if she provides 150 hours of community service and does not commit any other offenses.

If you have any questions regarding any of these issues, please contact S. Pierre Paret of the Acme Detective Agency (Washington D.C. and Virginia) at (703) 836-0333.

NCISS "Hit the Hill" Campaign and Board Meeting

PICA Investigative Reporter Editor Gary Brummond and PICA Legislative Coordinator Dee Modglin will be representing PICA at the NCISS "Hit the Hill" lobbying campaign, September 13-15, 2006, in Washington D.C.

Last year's trip in July broke new ground as we met personally with Congressman Ed Royce as well as with a key staffer in Senator Diane Feinstein's office (see the September 2005 issue of the PICA Investigative Reporter, pages 21-23, available at www.pica-association.org).

We cordially invite you to join us for this event. For more information, please visit the NCISS web site and let us know if you will be attending.

Details of the conference will again be featured in an upcoming issue of the PICA Investigative Reporter.

From the PICA List-serve:

Dateline: May 25, 2006

Legislation that would prohibit "spoofing" was recently offered by Representative Joe Barton of Texas. HR 5126 the "Truth in Caller ID Act of 2006," by amending Section 227 of the Communications Act of 1934 (47 U.S.C. 227) would have made it unlawful for any person within the United States to cause any caller identification service to transmit misleading or inaccurate call identification information.

I am pleased to advise that yesterday Chairman Barton's House Energy and Commerce Committee amended the spoofing bill, HR 5126. They added language to make clear that the prohibition will apply only for those "with intent to defraud or cause harm". This is a favorable exemption for our profession's purposes.

The NCISS Legislative Committee has been actively working on dozens of bills pending in Congress and seeking exemptions in bills that if passed will adversely affect our profession



For information on joining the National Council of Investigation and Security Services (NCISS) go to www.nciss.org or phone 1-800-445-8408. Contributions to the NCISS Legislative may be sent to NCISS Legislative Fund - 7501 Sparrows Point Blvd., Baltimore, MD 21219

Thank you,

Bruce Hulme
NCISS Legislative Director
Email: specialinvestigations@worldnet.att.net

CA STATE LEGISLATIVE/REGULATORY UPDATE

The Divorce Case

Fighting to maintain public access for PI's

By: Gary S. Brummond, Editor

As a licensed investigator, have you ever reviewed the contents of a divorce file? Existing law (CCP Section 124) provides that court proceedings shall generally be public, and that records may only be sealed by establishing an overriding interest that overcomes the right to public access, among other factors.

As the PICA Legislative Committee monitored legislation in Sacramento, there was no reason to be concerned with SB 1015 [Murray], as it was introduced on February 22, 2005 entitled "vehicle pursuits." Then, on July 5, 2005, the bill was re-written and given the title "Office of Homeland Security." Basically, anything related to "vehicle pursuits" was crossed out and replaced with "homeland security." I guess if they weren't careful, the homeland security people would be doing the vehicle pursuits. After three revisions to this bill, on February 16, 2006 Senator Murray crossed out everything related to "homeland security" and gave it a new title, "Dissolution of marriage: financial declaration."

The bill stated, "existing law permits a party to request that documents listing or identifying the parties' assets and liabilities be sealed in specified family law proceedings, including dissolution of marriage. This bill would extend those provisions to include documents listing or identifying the parties' income or expenses, permit those records to be sealed or redacted, and make related changes."

The only exception to this bill was found in Section 2024.6 (g) of the Family Code, which was amended on March 9, 2006 as "nothing in this section precludes a law enforcement or government regulatory agency that is otherwise authorized to access public records from accessing unredacted pleadings." This bill went through four different revisions in an Assembly Committee, the last one

on April 25, 2006. Although there is a five-step litmus test, the first test is if there exists an overriding interest that overcomes the public's right of access to public records. If the five-step litmus test is successful, the court shall order redacted from a pleading all of the following information regarding a party to the pleading: social security numbers; home addresses; banking information; annual salaries; income and net worth.

The end result...on May 11, 2006, this bill was placed on inactive file on request of Assembly Member Emmerson, where it remains to this date.

In 2004, the Legislature approved a broader bill that required judges to seal entire divorce records at the request of a spouse. However, a state appeals court struck down the law after the California Newspapers Publishers Association, the Los Angeles Times and the Associated Press challenged it.

On April 3, 2006, during a visit to Assemblywoman Lynn Daucher's Sacramento office (I am her constituent), her initial response to the bill was positive, however, she agreed that there could be "unintended consequences" of the bill. As a licensed professional investigator, I explained, redacting information in a public record has the potential of harming the public's right to know in the future. If licensed professional investigators, however, are provided an exemption to view the original filings, it would preserve that public right., as well as the privacy of the spouses.

Whether it be issues of access to public records, the labyrinth of methods to quell identity theft, or the outright assault on the sale of social security numbers via database providers in the investigation industry, educating our legislators through personal visits to their home offices, as well as to their offices at the Capitol has far-reaching affects. You might also look up your legislator's website, place their office number in speed-dial of your cell phone, and voice your opinion. You'd be surprised how happy they are to hear from you.

Querydata Joins Tracers Information Specialists, Inc.

Spring Hill, Florida, April 1, 2006 Querydata joined the Tracers Information Specialists, Inc. family of online information providers.

Along with the same great information products customers will now also receive access to the industry's best customer support team. Some changes will include lower prices and a wider range of information products.

US Mail:

Tracers Information Specialists, Inc.
4538 Commercial Way
Spring Hill, FL 34606

Phone/Fax:

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Toll Free Fax: 877-723-2691

Website: www.tracersinfo.com

E-mail: info@tracersinfo.com

Website: www.querydata.com

E-mail: support@querydata.com

PICA BOARD MEETING:

All PICA members, in good standing, are eligible to attend all business meetings of this association.

The next meeting of the PICA Board of Directors is scheduled for 9:30 a.m., Saturday, July 15, 2006 at the Burbank Police Department's Community Meeting Room, 200 N. Third Street, Burbank, CA 91502. Parking is available in the PD parking lot on E. Orange Grove Avenue.

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Motor Vehicle Accident Photography

(...continued from page 13)

- Take these photographs at right angles to the sides and at the height of the door handles.

Figure 2. Maintaining right angles in these photos is important: this is what allows accurate measurements from photographs.

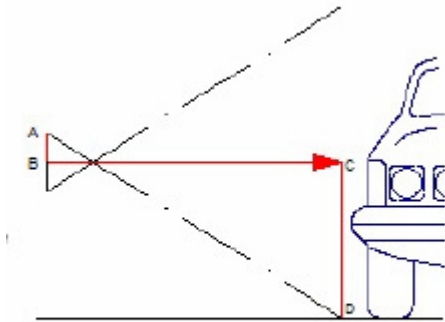


Figure 2

Why is the idea of right angles so important? A bit of trigonometry answers the question. The line AB represents the film plane in the camera. If the line BC, the view through the lens, is at a right angle to the side of the vehicle, AB will be parallel to line CD, the side of the vehicle. If this relationship exists then AB, although not the same length as CD, is proportional in length to CD. The same is true of any feature on the side of the car that might be photographed. The feature can be measured on the film and compared to the measuring device you put on the side of the car and the actual length of the feature of interest can be determined because of this proportionality. If AB is not parallel to the side of the car (the picture isn't taken at right angles), the ability to measure is compromised. If a side can't be taken with a single shot, break it up.

- To get the correct camera height each time, stand a yardstick next to the door handle, grasp it just below the level of the door handle and

hold it; when you take the photos, rest your camera on your hand.

- Next, in the same sequence as the Basic Four, take one photograph of each corner starting with one of the front corners—also at the height of the handles—and toward the center of the vehicle. Figure 3. This sequence relates to damage on one side that might result from impact on another side.

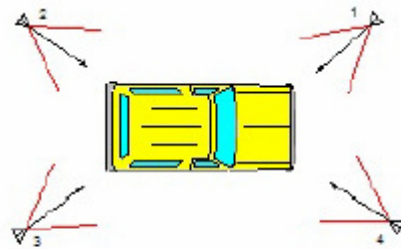


Figure 3

- Some recommend a third series of photographs, lateral photographs. Figure 4. These can be useful to show misalignments, so you might add them to your series.

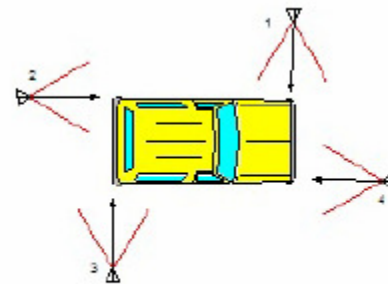


Figure 4

- It can be helpful to take photographs of a vehicle from above to show crush damage profiles. This can also show how vehicles made contact.

(...continued to page 23)

Motor Vehicle Accident Photography

(...continued from page 22)

7. Take close-ups of ALL the damage on the vehicle, including old damage, not just the questioned damage. It's amazing what shows up on repair estimates and claims after the fact.
 - Concentrate on the damage caused by the collision.
 - Start at one end of the damage and proceed sequentially to the other end of the damage.
 - Use a flash to fill shadows so details aren't obscured.
 - Use your judgment as to the proper heights and angles for this series of photos; you will want to take several shots of the same area at different heights and angles.
8. Then, take as many more photos of the damage in question to be sure you've covered everything—then take a few more. All the film doesn't have to be developed, but film itself is cheap, especially compared to the potential cost of not having photos in crucial legal proceedings. Having undeveloped photos in the file is better than not being able to go back and get them if they are needed later.
9. Photograph the involved damage from underneath, especially if a bumper is involved.
 - Concentrate on absorbers, supports, and struts.
 - If a piston type absorber has stroked, place a measuring device next to the stroked area and photograph it.
10. Photograph undamaged areas that allegedly came in contact with the other vehicle or object, *especially if there is no noticeable damage.*
11. Photograph the VIN plate, either on the dash or at the B pillar.
 - Use a 3 x 5 card next to the VIN just as the 8 1/2 x 11 pad was used.
 - Write the same identifying information on the card as on your 8 1/2 x 11 notepad.
12. When taking closeups or when more than one shot is required to do a side in the Basic Four, the identity of the vehicle may be unclear. Use your 3 x 5 card in the photo as an identifier / marker, connect photos of adjacent areas.
13. Photograph the interior of the vehicle, noting any damage, or lack of damage where you might expect it.
14. Last, take another identification photograph like the first photograph to end the roll.

Collision Scene Photography

The general shape and dimensions of a vehicle don't change much in most collisions, even if it's severely crunched, the general outline is usually still there. The method recommended above for vehicle photography is usable in most instances. However, a collision scene can cover a lot of ground, have evidence of all kinds all over the place, and be generally complicated. Unfortunately, there isn't much of a method of photographing scenes similar to vehicles. Certain guidelines can be offered, however.

The first thing to realize is private investigators don't usually arrive at the scene for days, weeks, months, or years after the fact. The vehicles and evidence are gone. So, what's the point? The point is to determine vantage points, lines of sight (drivers and witnesses), obstructions (walls, billboards, overgrown bushes), backgrounds, general road layout and defects, traffic control devices, and (...continued to page 24)

Motor Vehicle Accident Photography

(...continued from page 23)

anything else that may have affected views and perceptions of witnesses and participants.

Determine how each vehicle approached the collision and photograph the approach from the driver's point-of-view. Do this by going into the driver's lane of travel, kneel on one knee, and take the photo. Do this at several places along the approach path. Kneeling approximates the driver's head height. This seems strange, playing in traffic, but we've done it successfully many times, just watch for traffic. Taking these photographs records what the driver saw as he approached the impact area. This information is important.

You should also consider doing this with a video camera. Drive the approach route of each involved vehicle. Position the video camera near the right side of the drivers head to simulate his view of the route. Do this for each vehicle. This is a matter of being thorough.

Photograph the views of witnesses from witness vantage points. Have the witness take you to his accident vantage point and photograph what he could see. It's amazing how some of these supermen can see through walls and buildings. Again, potentially important information, isn't it?

And, try for an aerial view. Sometimes this can be accomplished by going into a nearby building or standing on a wall. We've used a ladder in the bed of a pickup and forklifts. Major accidents have been photographed from aircraft. This vantage point can be startling.

In each of the photos, try to capture an object that is permanent and can be measured later. This could be a building or a pole with a marking on it such as a window or attached sign. Such a measurable object will provide information that can be use to relate dimensions in the photographs. You can also place an object of known dimensions

in the scene photographed.

Finally, take lots of pictures. Use the Identifier frames to note the beginning and end of a roll. And, where you're done, take a few more.

A Word on Storage and Tampering

More pressing problems are picture storage format and archiving method. GIF, TIFF, and Bitmap (BMP) files are very large and take lots of storage space. Embedding such images in reports can make the documents huge. So, many images are stored in JPEG (JPG) format. JPG is a compression file format that uses an algorithm to compress the file to conserve storage space on the hard drive, disc, or in a document. JPG has one potentially serious problem. Because JPG is a compression file, every time the image is SAVED, the compression algorithm is run and the image is re-compressed. The result is gradual loss of detail because each time the algorithm is run, some detail is actually removed. Some say four to six such SAVES is sufficient to make a JPG image a questionable value for enlarging and examination for details.

The other problem is the issue of tampering. Software such as Adobe PhotoShop is specifically designed to alter digital photographs. How does one ensure the integrity of a digital photograph? The necessity of this insurance is yet to be defined in court, but the problem deserves attention. If you don't think it's a problem, rent Rising Sun with Sean Connery and Wesley Snipes. The recommended method is to immediately, as soon as possible, record the image onto a read only medium while maintaining chain of custody. Sony's MVC-CD200, MVC-CD300 and MVC-CD1000 can record onto CD-R (read only) mini CDs that can be read directly to most CD-ROM drives. The CDs are 150 meg devices that cost about \$1.50. Once an image is written to this type of CD, it can not be altered, removed or over-written. (...cont. to pg. 25)

Motor Vehicle Accident Photography

(...continued from page 24)

Conclusions

Photographs are extremely important and useful in accident cases. However, if photographs are intended for use in insurance claims or legal proceedings, care must be taken to be certain the photographs are taken methodically and properly so they can be interpreted properly. The limitations of the two-dimensional representation of three-dimensional reality must always be kept in mind by the person seeking to use photography as a convincing evidentiary tool.

To us, methodology is more important than the equipment used. If investigators are methodical and comprehensive when taking photographs, the inherent deficiencies of photographic evidence can be overcome.

Profile

Peter H. Rast is a consultant and expert witness specializing in collision forensics, accident reconstruction, and causation analysis. Following careers in engineering and law enforcement, Mr. Rast presently consults with and provides forensic engineering services to clients including attorneys, both plaintiff and defense, casualty insurance companies, and law enforcement agencies.

Mr. Rast holds a BS in Engineering, an MS in Forensic Sciences, and an MBA, is certified in advanced accident reconstruction, and is a Diplomat of the American Boards of Forensic Examiners and Forensic Engineering and Technology. He currently serves as a member of the Advisory Board of the American Board of Forensic Engineering and Technology. He has extensive training and experience in specialized areas of accident reconstruction including low speed collisions, commercial vehicles, pedestrian accidents, and criminal matters involving motor

vehicles. Mr. Rast has been involved in pre-release testing of accident reconstruction and computer-aided diagramming software. He lectures in accident investigation and reconstruction, is an associate professor at Feather River College, and is licensed as a private investigator in California, Oregon and Arizona. He has authored a book on accident investigation and several articles on various accident investigation and reconstruction topics. He can be reached at (530) 836-0608 or peterast@inreach.com.

PICA 2006 District Meeting Schedule

Central Coast District

June 29th, September 21st, November 30th

Ottavio's Italian Restaurant—Camarillo, CA

Orange County District

June 7th, September 6th, December 6th

The Old Spaghetti Factory—Fullerton, CA

Inland Empire District

July 12th, October 11th

Carrow's Restaurant—Rancho Cucamonga, CA

Los Angeles District

August 9th, October 25th

Genio's Restaurant—Burbank, CA

Northern California District

June 24th—Redwood City, CA

More information available at the PICA website:

www.pica-association.org