



IAPI NEWSLETTER

IOWA ASSOCIATION OF PRIVATE INVESTIGATORS

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President's Message

By

Karen Mills



The final touches are being put on the brochure for our 2016 IAPI Conference and it will be up on the website soon along with the details for conference/hotel registration and payment. A brochure will also be mailed out to all licensed PIs in Iowa. Remember our conference dates have changed to September 15 & 16 this year so we are still three months out and there will be plenty of time to register. But mark your calendars so you are available to attend!

Two other changes to the conference this year: The cost of the 2016 conference is now only \$150! PLUS if you recruit a new IAPI member or someone who has never attended our conference

in the past to join, EACH of you will get an additional \$25 off your registration fees!

There will be no banquet on Thursday evening. Instead we are expanding our Networking Night (sponsored by Per Mar Security) in the lower level conference room of the hotel. Please join us for beverages and snacks from 7-10 PM on Thursday night. Those who have attended this event in the past can attest that this is the best way to get to know other PIs one on one and help grow your business.

Darwin Rittgers, the NE Regional Director, organized a networking lunch with members in his region on April 8 at Parlor City Pub in Cedar Rapids. Members who attended included Karen Alderson, Amanda Clement, Scott Jennings, Terry Klooster, Jeff Marlin, Tom Smith and Jim Wiseman as well as several members of the IAPI board. Some points of discussion were examples of how members work together to share cases or refer assignments and how beneficial this is when it is reciprocated. The possible legislative action regarding GPS and its effect on PIs was explored. And there was a discussion held about a case involving sexual revenge on the Internet.

Those who attended expressed how much they enjoyed the opportunity to get to know members in their region better and look forward to more networking meetings/trainings.

If you know of an interesting speaker or applicable training coming to your area, please let your Regional Director or myself know about it. We welcome suggestions from members for these opportunities and will explore the possibility of making it a regional training/meeting.

Have a safe summer!

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The IAPI Newsletter is published quarterly by the Iowa Association of Private Investigators. Please make checks payable to IAPI and send all inquires, articles and related informational materials to: Jeff Marlin, Editor, IAPI Newsletter, PO Box 11183, Cedar Rapids, IA 52410 or email jmarlin@marlinsspecialinvestigations.com

IAPI Member Benefit – Save Money on the Conference

The IAPI Board has adopted an incentive for current members to recruit new members. Each one (current member and new member) will receive a \$25 credit towards the registration fee of the next IAPI continuing education conference. The investigator being referred must complete the membership application process and be approved by the Board. The credits have no cash value, cannot be transferred, and may be used only for registration at the next conference. Only one current member will receive credit for each new member. All members are encouraged to recruit multiple investigators to join IAPI to save conference registration fees. The new member must be a true new member, not a returning one, even if there was an absence of more than one year. The referring member should let Tom Smith, Treasurer and Membership Committee Chairperson, know that he/she made the referral. The applicant should indicate in the Comments section of the application form who referred him/her. (Referring member: tell applicant to do this to get his/her credit.) In the event of more than one member referring the same investigator, the decision of the Treasurer/Membership Committee Chairperson shall determine who gets the credit. Yes, if a current member recruits enough new members, he/she could receive enough credits to pay the entire conference registration!

Police to PI? One Investigator's Career Path

I was a cop.... I was in the military... I can be a PI right? Negative headquarters; that is just not always the case.

I am Richard A. Brooks, a private investigator. I am also a former active duty military and civilian law enforcement officer. After serving as an active duty Air Force Security Policeman, I was an Army National Guard Combat MP, a county deputy, a city cop and a state narcotics agent. I have been a PI for approximately fifteen years since leaving law enforcement. I have been licensed in nine states during the course of my career as a private investigator. Currently I hold PI agency licenses in three states in the Southeast.

I am like a lot of PI's, in that I am former military and civilian law enforcement. I am unlike many of those PI's in that I did not retire from either. I became a PI at the age of 32. Many of my colleagues from law enforcement and the military retired and then became a PI. There's certainly nothing wrong with that. Those investigators have unique skills that can certainly benefit them in the private investigations field.

When I left law enforcement, I was working as a Hospital P.D. Investigator. The job was boring and unfulfilling. I was contacted by an investigations firm in Florida conducting nursing home investigations for attorneys. The job sounded equally as boring to me. The salary, however, was significantly more than I was making, and so I took the job.

Nursing home investigations entailed locating and interviewing witnesses. As a former cop, that was right up my alley! I enjoyed the work and performed well at it. Once tort reform hit in the states I was working, however, I had to find another line of work.

I then began my career in insurance fraud investigations. I went to work for one of the big investigative firms in Florida. This is one of the three or four large nationwide investigative companies that now run the field. My job was to be a surveillance investigator. After all, I was a cop and a narc. As a narc, not only did I work undercover, I also performed surveillance with other narcotics agents. It was the same thing right? Negative.

Although these large insurance fraud companies are really "mills" in my opinion, chewing up new investigators and spitting them out, they actually trained me well. This particular company did not really care about my "law enforcement" background. They knew better. They made me go through their training program and ride with one of their investigators. It was a bit like the FTO program all over again. My trainer was a retired Navy Seal. He was nothing like I anticipated. Although not afraid of anything, he was very covert. He taught me the art of surveillance and locating claimants. It was nothing like chasing after a drug deal with five or six narcs and no cameras like we did back in the day.

When it came to claims investigations, or SIU (Special Investigations Unit) cases, my law enforcement training suited me well. Working auto thefts, auto burglaries, house fires, conducting area canvasses and obtaining recorded statements, etc..., were no problem. I did, however, have to learn to write a report for these companies, which was nothing like the police reports to which I was accustomed.

Fast forward fifteen years later and I've done it all. I now have my own company and I have worked insurance fraud – surveillance and claims / SIU investigations, plaintiff's cases, criminal defense, undercover investigations, process service. You name it and I have done it. I have also hired and fired countless police officers, many of whom were my friends and former colleagues, over the years. When my friends needed a job, I gave them one. Although I continue to use them, and probably will never stop, I have learned a great deal about law enforcement and private investigations. I like to think that many of my friends and former colleagues have also learned a lot.

When I left the military and became a civilian police officer, I had to change the way I dealt with people. As a police officer, you cannot treat the general public the same way you would at a military installation. The public has fewer restrictions as those on a military base. When I went from being a uniformed cop to working undercover, it was a shock. Cops like being cops, for the most part. They enjoy people knowing they are who they are. As a narc, you do not want anyone knowing who or what you are. There was an adjustment there. When I left law enforcement and became a PI, there was another change. On surveillance cases, I had to be covert and hidden. While working criminal defense, I could be overt. On SIU matters, I could be the overt "insurance investigator" and let everybody know what I was doing. Sometimes however, while working insurance fraud or as a process server, I had to switch back to being covert. I had to learn to turn it off and on.

Cops tend to make excellent "top side" overt investigators. They tend to do well at criminal defense and claims investigations. Some do great at process service. Sending a cop into a jail to interview a suspect in an insurance fraud investigation is usually no problem at all. On occasion, I have to give them the "You get more flies with honey" speech, but for the most part, former cops do well at interviews. Surveillance, however, is another issue. Most cops hate it. I am not particularly fond of it either but I've been doing it for 15 years. Now I teach it. I found that in the Southeast where I work, there are simply not enough SIU cases or surveillance investigations to stay busy full time. As I had no retirement and needed to work full time, I had to do well at both. Being versatile will benefit you and assure that you have plenty of work in this industry.

Surveillance requires PATIENCE. Cops and former cops, like me, have little patience. Sitting in a vehicle for 8-12 hours in the hot sun is not ideal for most former law enforcement officers. Conducting mobile surveillance alone with no "backup" and a camera is also not what most former cops would describe as "fun." Trying to explain to my old friends that PI firms and insurance companies simply will not pay for two investigators, despite the conditions of the case, is always challenging. Former law enforcement officers are not used to these "budget restraints."

The vast majority of police officers are not trained to utilize a video camera. You have to practice with it and make your video fit for a Hollywood production. These companies expect crystal-clear, steady video fit for a large screen in front of a jury. This is usually another problem for my law enforcement friends. If you get past that, the video then has to be downloaded from the camera to a computer, and then e-mailed to the client. This is usually required within 24 hours. These types of requirements and deadlines are another challenge.

I have met many former law enforcement PI's who say, "I don't do surveillance." They are just fearful of the work and they do not want to be covert. They do not want to be hidden. Many do not want to deal with the camera and obtain the footage needed for court. I get it, but why limit yourself?

My biggest challenge in managing my former colleagues, however, has been the reports. I can remember seeing arrest reports for public drunk which read, "Saw drunk, arrested same." That may get by in some departments but not in the private sector. Large PI firms, attorneys, insurance companies, and many in the general public want a detailed report, complete with photos and video if they were obtained. There has to be a detailed invoice. You have to justify your time and efforts. Some clients force us to utilize their own report templates. If the report is not written to the client's specifications and turned in within the time frame set by the client, they will not pay. It's very different from working at the police department when you can turn everything in the following Monday and you get paid the same amount at the same time.

Updates to the client are just as bad. Some clients want updates before, during and after the case. No update means no pay. Domestic clients can be an entirely different matter, calling you constantly for updates. Many prior police officers are simply unwilling to tolerate that.

Former law enforcement officers, especially those who have been in law enforcement for a substantial length of time, simply have difficulty with all that I have outlined. Many leave the PI field or they will discontinue accepting certain types of cases, thus limiting their earning potential.

Prior police officers and military personnel have a valuable set of skills that can be useful in their work as a private investigator. However, they should be aware that working as a "private" investigator, will be much different than being a police or military investigator.

Do your research before jumping into PI work. Don't take for granted that "it's all the same." Determine what cases would interest you. Speak to other PI's and network. Learn the pitfalls associated with some types of investigations. Some people cannot be cops and some cannot be PI's. Be willing to learn new things from new people. You can do it! private investigations can be a rewarding profession or it can be a nightmare. Be professional, help others and do what you love! Good luck and stay safe.

About the Author

Richard A. Brooks is the owner and lead Investigator of [Richard Brooks Investigations, LLC](#). RBI is based in the Jackson, Mississippi metro area and serves portions of the Southeastern United States. Richard is the Immediate Past President of the Mississippi Professional Investigators Association and the Mississippi Chapter Director of the Association of Christian Investigators. Richard is also a member of other international, national and state PI associations, most notably the Council of (PI) Association Leaders, the National Association of Legal Investigators and the International Intelligence Network. Richard is a former active duty military and civilian law enforcement officer. He has been designated and testified as an expert in general police procedures.

Embracing the Past, Present and Future of Investigations

**Old-school investigative techniques have their place.
But as PIs, we ignore technology at our peril.**

I speak to a lot of investigators. Inevitably, we share “war stories,” tips and strategies about how we operate. Over the last several years, I have increasingly heard something that has disturbed me: Many PIs express a complete lack of interest in technology—the investigative Luddite, so to speak.

The Low-Tech (or No-Tech) Investigator

Several brilliant investigators, who are extremely close to me and whom I respect enormously, don't have a clue about using technology—like when I recently tried sharing some documents on Dropbox and was met with utter confusion. (No, I will not start sending thumb drives to share files.) Or one investigator's practice of only using hardwired Internet (and never using Wi-Fi), which he explained made you immune to attackers and phishers. (It doesn't.)

There is also an utter lack of awareness about capitalizing on the explosion of social media. More times than I like to admit, PIs have asked, “How do you find if someone has a Facebook page?” Or “Social media is completely useless because all it does it tell you what they ate for breakfast.” (Hint: In addition to what they are eating for breakfast, you can find millions of dollars worth of superyachts and private jets.)

Jeremy Lee Pennington, a criminal defense investigator in Virginia, recently wrote, “One of the most disgusting aspects of the current for profit investigation industry is the total focus on public records, databases, and the internet in general.” He argued that “people” are what's important, and investigating “people” requires “shoe leather.”

In fairness, the point the investigator was making is that in some investigations, a boots-on-the-ground approach is massively important. I'm sure that gathering human intel is an essential part of what Mr. Pennington does as a criminal defense investigator. But to argue that open-source research is “disgusting and unethical” ignores the fact that there are many varieties of investigation, and more than one “right” way to do things.

I can think of hundreds of situations where open-source research is vital, especially when your research is of a clandestine nature. (Human sources have mouths, which means that “discreet” inquiries and interviews can result in embarrassing blowback.) In such cases, interviewing subjects can potentially undermine your case.

That's why most of the work I do is strictly researched-based: Often, I'm quietly looking into the backgrounds of big-time businessmen involved in some huge fraud or litigation case, and the attorneys don't want it known that there's an investigation going on.

All this is not to call out Mr. Pennington, but simply to point out that we all occupy different niches in the investigative field, often in isolation from our colleagues. But it's worth remembering that ours is not the only way of doing things.

It's not only about investigative methods. I've also witnessed heated discussions about the future of the industry. "The explosion of information on the web is killing my business" is something I've heard more than once. Trustify (*full disclosure: I am on the Board of Advisors), the investigation platform which aims to break down some barriers for people hiring a private investigator, has sparked controversy among PIs, some claiming that it's going to "ruin the industry." (It's not. Investigators like these guys are doing a good enough job on their own.)

Other investigators have argued that you should "never hire an investigator without a face-to-face meeting."

The idea that you need to meet an investigator before you hire them strikes me as something from a 1950s movie. In the six years I've had my business, I can count the number of new clients I've met face-to-face (prior to starting a case) on one hand. And when the client lives hundreds or thousands of miles away, an in-person meeting just isn't practical.

This is a phenomenon I see again and again: a total certainty among many investigators that there is only one right way of doing things—their way. As an industry, we suffer from a perception problem already. And this kind of closed-mindedness does not help matters.

I think a little humility is in order in our industry. I don't always assume that I'm doing things the best possible way. I'm constantly learning and trying to adapt. Of course, there are certain tried and true principles you don't want lose sight of, but I would never want to ignore the next new tool, just because I'm too stubborn to change my thinking.

Getting Ahead ... and Staying There

It amazes me how people hang onto the past. Even if you do have your foot in the door, you're only good as your last case. Just last year, I was able to get a new client from a local law firm because their in-house paralegal was able to mine more information from social media than their previous investigative firm.

So to keep your foot in the door, you'll need to make sure you're putting your best one forward. You've got to keep learning. Don't ever get stuck doing things how they've always been done, simply out of habit.

Nobody is stopping this technology wave.

And nobody is ever going to stop the future from coming.

It's already here.

So, what should you do?

Forget everything you have learned? Of course not. But you do have to constantly adapt.

That means keeping an eye on Re-Code, Mashable, Wired, and ReadWriteWeb as much as you do Pursuit Magazine, PI Magazine and industry blogs. Pay attention to guys like Michael Bazzell and Justin Seitz who are at the forefront of open-source intelligence. Brian Krebs on security. Karen Blakeman on electronic resources for research. Glen Cathey, the “Boolean Blackbelt”, who leverages technology to find employees. And keep up on the newest interviewing techniques.

It means putting in the time and effort to understand new trends. It means downloading that new app and understanding how it can help your investigations. It means dedicating some time to learn about new technology that can make you a more efficient and professional investigator. Sometimes, it even means dedicating a few years to learn a new skill. (I am learning computer programming right now.)

If you want to continue doing things the way they have always been done, you’ll be left in the dust.

If you want to be a better investigator, you need to put in the work—not only to keep up, but to stay ahead.

Starting now.

About the Author:

Brian Willingham is a New York private investigator, Certified Fraud Examiner, and founder of Diligentia Group. To read more Willingham wisdom, check out his blog and his previous stories for PursuitMag.

Omaha private detective imprisoned for defrauding client

OMAHA — An Omaha private investigator convicted of fraud has been given a year and a day in prison.

Federal prosecutors say 70-year-old Patricia Walker-Halstead was sentenced last week to two years of supervised release after she leaves prison and was ordered to pay restitution of \$500,000.

Walker-Halstead pleaded guilty to one count of wire fraud after prosecutors dropped 10 other counts in exchange.

Prosecutors said she lied to a client about developing evidence and conducting background checks. Court records say Walker-Halstead told the unnamed client she asked a Nebraska State Patrol investigator to help investigate the client's security concerns. She asked her client to give him money because of his financial problems and medical bills. Authorities said there was no patrol investigator on the case.

Missing Man

A True Suspense Thriller by Barry Meier

In late 2013, Americans were shocked to learn that a former FBI agent turned private investigator who disappeared in Iran in 2007 was there on a mission for the CIA. The missing man, Robert Levinson, appeared in pictures dressed like a prisoner and pleaded in a video for help from the United States.

Barry Meier, an award-winning investigative reporter for The New York Times, draws on years of interviews and never-before-disclosed CIA files to weave together a riveting narrative of the ex-agent's journey to Iran and the hunt to rescue him.

The result is an extraordinary tale about the shadowlands between crime, business, espionage, and the law, where secrets are currency and betrayal is commonplace. Its colorful cast includes CIA operatives, Russian oligarchs, arms dealers, White House officials, gangsters, private eyes, FBI agents, journalists, and a fugitive American terrorist and assassin.

Missing Man is a fast-paced story that moves through exotic locales and is set against the backdrop of the twilight war between the United States and Iran, one in which hostages are used as political pawns. Filled with stunning revelations, it chronicles a family's ongoing search for answers and one man's desperate struggle to keep his hand in the game.

Barry Meier, a reporter for The New York Times, has been a finalist for the Pulitzer Prize and is a two-time winner of the George Polk Award. His reporting at The Times has concentrated on the intersection of business, medicine and the public's health. During his career, he has exposed the dangers of various drugs and medical products, including a defective heart device and a generation of flawed artificial hips. He was the first journalist to shed a national spotlight on the abuse of OxyContin.

He lives in New York with his wife and their daughter.

Adapted from 'Professional Investigations: Individual Locates, Backgrounds and Assets & Liabilities' by Dean A. Beers, CLI, CCDI and Karen S. Beers, BSW, CCDI

CALCULATING YOUR FEES AND ACTUAL COSTS

The costs of being in business as a private investigator consists of essentially two things – direct (records, etc.) and indirect (overhead, etc.) expenses. Over the years I have heard many methods of calculating how to charge for services. I found that these often do not account for all costs, especially indirect costs; nor do they account for experience, background, skills, knowledge, reputation and other non-cost factors. One of the most damaging theories of rate structures to our profession is the “I’m retired, so what I charge doesn’t matter” or the large company that subcontracts out at a rate that is not sustainable, but is a volume profit for them. Your costs, as well as education, training and experience in consideration with your market should be the foundation of determining what your hourly or per-service fees are. If your market is \$80 per hour, do not charge \$40 because you are retired. Work smarter, not harder. Would you rather bill ten hours for \$800 or \$400 – either way, you are working ten hours to supplement your retirement. The same consideration for subcontracting – would you rather accept \$30 or \$60 (assuming you will provide a professional discount of your normal rate)? Courtesy professional discounts are acceptable and should still be a sustainable fee for the investigator.

Direct costs are those attributed specifically to the case, and are usually itemized on the invoice. These may include: toll calls, records, gas and other expenses. Generally these are straight forward, but profits are still lost here without good expense tracking. Some these may be lumped into indirect costs (e.g. toll calls if you have a flat fee long distance service).

Some indirect costs are those related to the case, but not specifically. These are likely not part of the “overhead” either. Because of this type of thinking, or lack of good planning, this is the largest contributor to profit loss (retailers call unaccounted losses ‘shrink’). These types of costs may include: monthly vendor fees or minimums, time fees for online services, long distance not easily tracked, lost billable time, etc. As a rule of thumb, for every 10% lost in unbilled expenses, you will need to gain 12% in revenue. The same is true for discounts, but a discount is a choice you make to attract business (as is a referral fee). Not accounting for direct and indirect costs is negligent.

Rates and methods of billing vary from agency to agency, as well as service types. This is especially true when considering specialties, case types, experience and locale. Overhead and case expenses are other factors in determining an accurate hourly or flat rate for services. In order to adequately recover all costs, pay expenses and still turn a profit, we must calculate all of our fees accurately. This goes beyond “doubling” the costs of records; or adding annual overhead to a base fee and dividing that by 2000 hours (40 hours per week x 50 weeks per year) to determine your hourly fee; both common methods of fee calculating. Although case expenses are typically added to the hourly billing, a lot of expenses are not accurately accounted for in the case, and other expenses of the agency are not defrayed on a case by case basis.

Determining your final hourly rate is a process:

- The first thing to tackle is the hourly rate needed only to operate. To do so add up the entire overhead of the agency, only those items necessary to operate without a caseload. These would include: rent, utilities, advertising, phone, etc.
- Next calculate the operating costs directly associated with casework, but not a specific case (indirect expenses). These would include: vendor monthly fees, unaccounted long distance, agency insurance, etc.
- Finally, calculate your value. This is not arbitrary. Your skills, reputation, background and knowledge are valuable and should be included in the fees you set. Your message is that your

clients will get what they pay for...and you must deliver on your message and promise. Learn the average hourly rate is for your area and determine your position on the scale of experience, reputation and other factors.

Once you have established your agency's overhead, expenses and value, simply determine what rate you feel is beneficial to your agency and client. An average of 1/3 will be for taxes, 1/3 for overhead and expenses, and 1/3 profit. The lower the hourly rate, the lower the overall profit – remember, overhead remains unchanged and expenses and taxes are based on the billable income.

Next is to realize the Rule of 20/80. Simply stated, the rule of 20/80 is that 20% of your clients will produce 80% of your income. Conversely, 80% of your clients are costing you productive time (and related income) because they are providing only 20% of your income. The same theory holds true for expenses, and particularly vendors. About 80% of your vendor expenses are likely wasteful because only 20% of your vendors produce 80% of your positive results. Good investigative and business skills will fine tune all of this. Productivity equals profits.

This may seem a little much, but there is a lot of revenue lost to arbitrarily picking your fees, not accounting for all expenses and costs and basically just plain giving it away. Once you have figured all the aspects of what it costs to operate your agency and all of its services, you can begin to charge appropriately for time, knowledge, skills, reputation and value of the services you provide. You will never see an investigator charge too much – you will see plenty not charge enough.

By Dean A. Beers, CLI, CCDI
© November 2013 for Minnesota Association of Private Investigators (MAPI) **Dean A. Beers, CLI, CCDI and Karen S. Beers, BSW, CCDI**

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IAPI Conference Agenda

Thursday September 15, 2016

7:45am	Registration
8:15am	Color Guard and opening Remarks
8:30am	Special Agent John Barfels-Homeland Security Investigations
9:30am	Break/Vendors
9:45am	Jody Ewing-Iowa Cold Cases
10:45am	Break/Vendors
11:00am	Jody Ewing-Iowa Cold Cases
12:00pm	Lunch
1:00pm	Dr. Brian Farrell & Audrey McGinn-Wrongful Convictions (Iowa Innocence Project)
2:00pm	Break/Vendors
2:15pm	Dr. Brian Farrell & Audrey McGinn-Wrongful Convictions (Iowa Innocence Project)
3:15pm	Break/Vendors
3:30 pm	Richard Brooks- Insurance Fraud Investigations
7:00-10:00 pm	Networking Night lower level conference room

Friday September 16, 2016

8:00am	Vendors and Conference opens
8:30am	Richard Brooks- Sub-Contracting
9:30am	Break/Vendors
9:45am	Richard Brooks- Criminal Defense Investigations
10:45am	Break/Vendors
11:00am	Richard Brooks- Attorney/Private Investigator Relationships
12:00pm	Lunch- Round Table " Private Investigator Best Practices"
1:00pm	Justin Grodnitzky-Iowa DCI Criminalist
2:00pm	Break/Vendors
2:15pm	Justin Grodnitzky-Seth Techel Murder Trial
3:15pm	IAPI Board Meeting-Election of Officers

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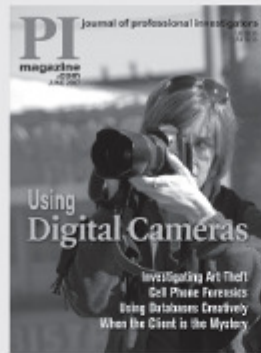
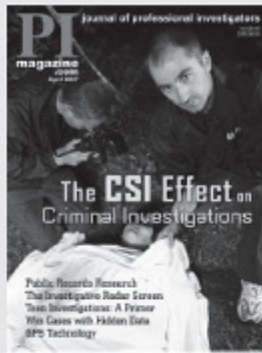
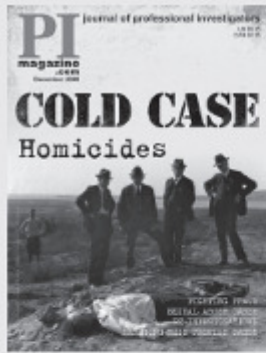
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