



INTELLENET NEWSLETTER

JUNE 2010

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Carino's Corner

James P. Carino, CPP, VSM
Executive Director

IAAR AND INTELLENET FORMING A STRATEGIC ALLIANCE

IAAR and Intellenet are pleased to announce the formation of an alliance between the two Associations. Primary emphasis of the teaming up is to assist one another in marketing and business development in the furtherance of each Association's mission and to expand marketplace capabilities.

Among other advantages, the alliance brings together the top experts in asset recovery together with the expertise of Intellenet's worldwide capabilities to provide all types of investigative assistance and investigative / security support.

IAAR (website: www.IAARonline.org) is committed to shaping the future of the Asset Recovery Profession. It is a membership organization of professionals who work to recover assets derived from illegal activity or withheld from their rightful

owners. Its membership includes Attorneys, Forensic Accountants, Investigators, Auditors and Investigative / Intelligence Analysts. A primary focus of IAAR is training, education and certification in the fraud/financial investigations arenas. In short, IAAR brings together private and public sector experts around the world to promulgate success in the asset recovery field.

Upcoming IAAR Conferences are scheduled for London, 11-12 October and Las Vegas 4-5 November. Intellenet will be offering one of the all day education tracks at the Las Vegas Conference covering many aspects of computer forensics. Members Brian Ingram and Kevin Ripa will be the Intellenet presenters. Intellenet will also be an Exhibitor at the Las Vegas Conference.

Details regarding support of the London Conference were not finalized at our Newsletter publications deadline.

All Intellenet members are invited to attend the IAAR Conference at discounted rates. Specific information concerning the programs, reservations and registration will be sent out over the Intellenet Listserv.

Opportunities for each to join one another's Association also are part of the strategic alliance. Check out the IAAR website. There is a wealth of information and resources available. It is an educational delight to explore.

Look for additional details in the coming months as this mutually beneficial alliance continues to expand.

Know Your Fellow Member



Ms. Stuart is a licensed Private Investigator in the State of Arizona with twenty years of experience specializing in the areas of Financial, Skiptracing and Open Source Investigations. She started her investigative career as an Economic Fraud Investigator and her success in finding facts quickly earned her notice among her peers. Ms. Stuart started her own private investigative firm, JAG Investigations Inc., located in Gilbert, Arizona. Since then, she

and her firm have primarily specialized in the areas of Internet Profiling and Open Source Investigations. She has written and published several articles pertaining to her investigative methods in various investigative publications and journals

New Members

Robert "Jerry" DeFatta, DeFatta & Associates, Keithville, Louisiana; **Cengiz** and **Sandra Gumustus**, Esfor Security Consulting, Inc., Istanbul, Turkey; **Nick Thompson** and **Gavin Clark**, Thompson & Clark Investigations Ltd., Auckland, New Zealand; **Gordon Medley**, Watchmen Investigations, LLC, Lacey, Washington; **Harry R. Van Vliet**, Van Vliet Investigations, Williamsport, Pennsylvania, **Alejandro Valverde**, Agencia Valverde Huertas (Avahuer), San Jose, Costa Rica

Members in the News

Cynthia Herrington, Haskell, New Jersey, presented her Advanced Internet Research and Social Network Investigations Seminar in Union County, New Jersey on March 26, 2010 and in Green Bay, Wisconsin on April 20, 2010. She will

be presenting similar seminars in Denver, Colorado, and in Florida and Northern California in the Fall of 2010. **Michele Stuart**, Gilbert, Arizona, recently made a presentation to the North American Repossessors Summit in Irving, Texas. **Cynthia Hetherington**, Haskell, New Jersey, is the President Elect of the Association of Independent Information Professionals. **Harriet Gold**, Norcross, Georgia was a speaker at the April 2010 North Carolina PI Conference. **Don Johnson**, Bloomington, Indiana and **Tom Santarlas**, Riverview, Florida, were speakers at the Associations One Conference in Indianapolis, Indiana in May 2010. **Nicole Bocra**, Monroe Township, New Jersey, and **Michele Stuart**, Gilbert, Arizona, are on the speaker program for the July NALI Conference in Las Vegas. **Nicole Bocra** was also a speaker at The Tristate Association of Criminal Investigators in New Jersey of which **Dave Ziegler**, Titusville, New Jersey, is the President. **Sandra Stibbard**, Aurora, Colorado, was a speaker at the California CPA Foundation in May 2010.

Supplemental Support List Member

CATAPHORA, INC.

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Cataphora Inc. is the creator of the industry-leading platform for investigative analytics and electronic evidence review. This platform provides attorneys, compliance officers, and investigators with unprecedented insight into electronic data, revealing fact and behavioral patterns, while providing answers to critical questions that were previously unanswerable. Cataphora's solutions are widely used by corporations, government, private law firms, and investigators with document-intensive matters in areas such as white-collar crime, securities, antitrust, and intellectual property.

Cataphora software is based on groundbreaking, patented technology that rejects a long-standing assumption that the individual document is the logical unit of search and information retrieval. Instead, Cataphora's technology offers the construct of a "discussion" - a logical sequence of dialog among a set of actors, which may span many items, and even different types of items. Applications built on this technology are

exceptionally suitable to unraveling the implications of modern electronic communications, with their wide variety of formats and frequently very terse and cryptic messages, e.g. e-Mail, Text Messaging, IM's, Voice Messages, etc.

Cataphora is headquartered in Redwood City, California, with offices in Washington, DC; and Frankfurt, Germany; a certified reseller in London, England; and a field office in France. For more information, please visit www.cataphora.com.

2010 Intellenet Conference – New Orleans, Louisiana

Sandra Stibbard
Camelot Investigations
Aurora, Colorado

This year, the 2010 Intellenet Conference was hosted by Buddy Bombet in New Orleans, Louisiana. Buddy had great assistance from Kevin Ripa, Robert Dudash and our founding father, Jim Carino. The team of four (4) managed to make the entire conference fun and exciting as well as educational. The atmosphere of New Orleans with the music and nightlife made the Conference a terrific time from beginning to end.

During the Gala Dinner on Saturday night, Jim Carino, was honored with the Julius "Buddy" Bombet Lifetime Achievement Award. He is the seventh recipient of this award. As explained by John Lajoie, "The Julius "Buddy" Bombet Achievement Award is a most prestigious award within our profession for service, dedication and benevolent and philanthropic efforts." Congratulations, Jim!

The Conference was filled with wonderful speakers and interesting topics. We were very fortunate to have a 'prior day training' provided by Dr. Eva Szigethy who happens to be the wife of member Bob Kresson. A special luncheon speaker, Rashid Ali Malik from Pakistan, provided an excellent education to us with his presentation of "The Great Game Rekindles and The Emerging Rectangle of Fire". The presentation provided great detail about the Pakistani-Afghan situation. Another educational luncheon speaker was George Michael Newman who presented "Chasing the Viper's Tail: Ambiguous Warfare; How the 'War on Drugs' Suborns Terrorism". Judge Tony Graphia from Louisiana managed to keep the attendees laughing while providing a very entertaining presentation as the first seminar speaker. Thank you to all the

presenters for keeping us up to date with our continuing education.

Our special Auctioneer, Jerry Adams a/k/a Stud Muffin a/k/a Hula Muffin, did an exceptional job of encouraging excitement and entertainment while receiving very high bids for the magnificent donated items. Thanks to everyone involved, over \$14,000 was raised for the Veterans Palliative Care Unit at the Philadelphia VA Hospital. A special Thank You goes out to Steve Kirby, Geoff Hughes and Kevin Ripa for donating their personal vacation locations.

As usual, we had members from all over the world attend this wonderful Conference. Some of the international members came from Canada, Holland, Romania, France, Pakistan, the UK, Israel and the Philippines. We had one of the largest turnouts of first timers in Intellenet Conference history. It was very exciting to welcome and meet new members. There were a total of 140 in attendance. This was the best turnout yet! Hopefully this is a sign of things to come for next year in Washington DC.

As a side note, there were several from the group that took a day trip to go into the swamps and visit with the alligators. I do not believe any limbs were lost but there may have been a few too many marshmallows given to those gators just to keep our people safe. Luckily they all returned in one piece.

Be sure to plan for next year's Conference in Washington DC. The 2011 Intellenet Conference will be held April 13-17, 2011. See all of you there!

**A Senior Security Consultant's
Comments On The Need For And
Selection Of Armored Vehicles Based
On The Current Security Situation In
Mexico
(As Of May 18, 2010)**

Overview

Today's steadily increasing level of threat and violence against innocent civilians in the on-going war between the Mexican Federal Government and the several rival narcotics cartels, also known as "organized crime," and the latter's intensifying internecine conflict, has caused many of our clients to urgently reassess the security measures they

have in place for their expatriate and local national executives and managers. And one particular area of interest in common is the kind and type of armored vehicles suitable for their senior staff under these conditions. Below we hope to offer our clients some sense and rationale for the need for armored vehicles for their senior managers and the kinds of vehicles and types of armoring they should consider for them.

Necessity

Deciding who among your company's senior executive staff in Mexico should be entitled to an armored vehicle can often be a highly controversial subject, especially in terms of equal benefits among equally-ranking executives and the overall cost of purchase and maintenance of such vehicles. While we cannot and do not wish to intrude on each individual company's policies regarding benefits for senior management, we can offer some general guidelines based on our experience in this area of necessity.

Under the current security situation in Mexico, who should be eligible for an armored vehicle:

1 – Any senior executive living in and/or working in the northern Mexican border states with the U.S. Those would be the states of Baja California, Chihuahua, Coahuila, Nuevo Leon, Sonora and Tamaulipas.

2 – Any senior executive living in and/or working in high crime states in the interior of Mexico. Those would be the states of Durango, Guerrero, Michoacan, Morelos and Sinaloa. While the Federal District (Mexico City) and the State of Mexico might also be considered in this category, it is suggested that the need for an armored vehicle for senior executives in those two jurisdictions be considered on a case by case basis, where they live exactly and whether or not they already have been the victim of extortion or kidnap or the threat thereof.

3 – Any company's senior executive who has already received a warning of violence from a verifiable and/or credible kidnap or extortion threat anywhere in Mexico.

4 – Any senior executive in any part of Mexico who has already been the victim of an extortion or kidnap.

5 – Any senior executive in any part of Mexico whose company already has a policy of providing armored vehicles for its senior executives.

Levels of Protections and Types of Vehicles

The best level of protection recommended for Mexico City, the surrounding municipalities of the State of Mexico and any other large metropolitan area in Mexico, such as Guadalajara, Cuernavaca, Veracruz and Puebla, is *National Institute of Justice (NIJ) Level IIIA*, which protects against most handguns and automatic and semi-automatic weapons up to and including 9mm caliber.

The best level of protection recommended for other Mexican cities, such as, Tijuana, Mexicali, Nogales, Hermosillo, Nuevo Laredo, Ciudad Juarez, Monterrey and Reynosa, and most rural areas of Mexico, especially in the states of Coahuila, Durango, Guerrero (including the city of Acapulco), Michoacan and Sinaloa, where organized crime or freelance criminals openly operate and attack innocent civilians at random or with murderous intent against the police, military and known or suspected enemies and rivals within the drug trade, is *NIJ Level III*, which protects against military-type weapons up to and including AK-47s and M-16s.

These levels of protection "guarantee" non-penetration of up to three rounds from designated weaponry falling within a circle, square or triangle surface area with a circumference of 122mm. However, owners and operators of armored vehicles must realize that if the vehicle sits in one place without moving while under attack and more than three bullets hit the same approximate area within that circumference of 122mm, there will probably be penetration inside the vehicle and injury or death to the vehicle's occupant(s).

It is strongly recommended that owners and operators of armored vehicles receive the full two-day course on surveillance detection and defensive/evasive driving with vehicular impact to be prepared in a "preventive way" to deal with any kind of mobile or static attack while driving. This same training aids immensely in accident prevention as well.

While our clients are certainly free to procure their own vehicle for armoring thru any automotive retail dealership, most armoring companies have wholesale purchase price deals for their clients and it would pay to compare prices buying the vehicle thru the armoring company versus the price they

would pay for the same vehicle on the open market.

When Selecting a Vehicle for Armoring

- Colors to avoid: White, red, yellow, black, dark blue. White is a favorite color vehicle to steal because it's easy to paint over the original paint; red and yellow are too attention-getting and might be considered "attractive nuisances" inviting their theft or robbery; black and dark blue, because they are often considered the vehicles preferred and used by organized crime and freelance criminals themselves – often to commit other crimes.
- Makes and Models to Avoid: Chevy Suburbans, GMC Denalis, Ford Expeditions, Lincoln Navigators, Cadillac Escalades, Toyota Land Cruisers, BMW X5s and Nissan Pathfinders. These vehicles are currently the favorite targets for carjackings, especially in rural parts of the country and anywhere up along the northern border with the U.S. In the northern border areas with the U.S., large pick-up trucks of any make and model should be avoided.
- Another consideration is the validation of the original manufacturer's warranty on the vehicle. Most car manufacturers will invalidate the warranty/warranty service if the basic vehicle has been altered in any way, especially something like a full armoring package would entail. Therefore, if you purchase your vehicle thru the armoring company, make sure (in writing) that the manufacturer's original warranty stays valid.
- It is not recommended to buy a used armored vehicle, no matter what the seller, including dealerships, is guaranteeing about its condition. Most armoring company warranties on the vehicles they armor do not extend beyond 3 years, and some of them not more than one to two years, max. Read the "fine print!"
- Most armoring companies in Mexico will promise delivery of your vehicles within 5 to 8 weeks, depending upon the type of vehicle and level of armoring. Although not an entirely fool-proof remedy in preventing fraud or faulty workmanship, someone from your security department, purchasing

department or administrative staff should schedule at least a once a week visit to the armoring facility to get a briefing on the actual status of your vehicle's armoring and be invited at any time to look at the reconstruction of the interior of your vehicle and take photographs and make notes as necessary.

About the contributor: Tom Cseh, Deputy Director, Vance International Mexico, and Senior Consultant, has given numerous defensive/evasive drivers training courses in Mexico and other countries since 1998. A former Special Agent with the U.S. Air Force Office of Special Investigations (AFOSI), Mr. Cseh has more than 30 years experience in counterterrorism, counterintelligence and criminal investigations at all levels of operation, not only in the United States, but in Europe, the Middle East and Latin America as well. From 1988 to 1998 and 2004 to 2006, he was responsible for the entire physical security for U.S. Embassies in Honduras (twice), Panama and Guatemala. Since 1998, Mr. Cseh, a certified Defensive/Evasive Drivers Training Instructor (International Training, Inc. (ITI), Dilley, Texas; West Point, Virginia), has conducted defensive/evasive drivers training courses for more than 2,800 executives, their families and security teams. From 1998 to 2001, Mr. Cseh was affiliated with the O'Gara-Hess & Eisenhardt Armoring Company de Mexico (now Centigon) as chief instructor for defensive/evasive drivers training for the owners and operators of armored vehicles.

Brad Penny Special Recognition Award

Intellenet's highest award was given to **Robert Dudash**, Omaha, Nebraska, a charter member of Intellenet. The citation noted in part his tireless and diligent promulgation of Intellenet, setting a Standard of Excellence and being a dominant factor in the growth, development and success of Intellenet.

Lifetime Membership

Sam Castorani, Keller, Texas, received the Lifetime Membership Award at the World Investigator's Conference, Dallas, Texas as he was unable to attend the Intellenet Conference. The citation noted in part that virtually a Charter Member, Sam has been among the most dedicated and committed members of Intellenet. As a frequent volunteer he can be counted upon based on his innate ability to get to the core of an issue and maximize resolution to get the job done.

Prevent Claims Tip—Create a Negotiations Notebook

S. Beville May, JD
Prevent Claims, LLC
Exton, Pennsylvania

There's a simple way to keep your negotiations on track, and that is to prepare a negotiation notebook. The core of your negotiation notebook will be a section on the issues.

Identify & Weight Each Issue

First, identify key issues to be negotiated. Assign point to each key issue so you have them weighted by importance to you. Total the points for all issues so you have 100 points.

Then list the range of possible settlement outcomes for each issue. Assign points to each outcome so that higher numbers indicate more desirous outcomes.

Let's say you are facing a racial harassment claim. The issues you need to resolve would include how much to pay the complainant. (Other potential issues, not outlined here, include miscellaneous relief like training and attorney fees.) The payment issue might break down like this:

Agreed upon payment (60% - most important issue overall to negotiation)

Less than \$25,000 (60) (the most attractive scenario)

Less than \$50,000 (25) (the next best scenario)

Less than \$100,000 (15) (least attractive scenario)

Such an outline gives you a snapshot of which issues are most important, and which outcomes are most desirous within each issue - a tidy organization trick when negotiations get complex.

FBI Honors Stumar Investigations

Stuart Drobny of Philadelphia based Stumar Investigations, was honored by the Federal Bureau of Investigation for his work helping to identify and stop the purchase and sale of counterfeit consumer goods in order to finance Hezbollah. The investigation was in partnership with the law firm Carlton Fields and shareholder Jim Baldinger in support of a Joint Terrorism Task Force operation that resulted in the indictment of 26 alleged Hezbollah operatives and sympathizers.

Obtaining Birth Certificates

Susan Daniels
Daniels and Associates Investigations, Inc.
Chardon, Ohio

With the exception of AR, CO, HI, NV, NM, and UT, including the District of Columbia, offer both the short form (Abstract) and the original long form copy of birth certificates. Kansas and Maine do not offer the short form.

Almost all states require releases from the person who is named on the certificate, a relative, or someone who has the legal authority to obtain it.

It is necessary to specify that you want the long form or you will get the short form. In Utah it is called a "book" copy (if born prior to 1999—after that year you can only get the short form), in North Dakota you have to ask for a "genealogy" copy, and in South Dakota you have to ask for a "photostatic" copy. The following is a list of the state, telephone number and what you can obtain from that state.

AK 907-465-3391 The birth records are sealed but can be accessed by a parent or child.

AL 334-206-5418 Full birth certificate available.

AR 501-661-2336 Short version of the birth certificate since 1980.

AZ 602-364-1300 Full birth certificate available.

CA 916-445-2684 Full birth certificate available.

CO 303-692-2200 Short version of the birth certificate only since 2007.

CT 860-509-7700 Full birth certificate available.

DE 302-739-4721 Full birth certificate available.

DC 202-442-9009 Has a birth registration (with MD and hospital) and a birth certificate.

FL 904-359-6900 Full birth certificate available.

GA 404-679-4701 Only full birth certificate available.

HI 808-586-4533 Short version of the birth certificate only since 2009.

ID 208-334-5988 Full birth certificate available.

IL 217-782-6553 Full birth certificate available.
IN 317-233-2700 Full birth certificate available.
IA 515-281-4944 Full birth certificate available.
KS 785-296-1400 Only full birth certificate available.
KY 502-564-4212 Full birth certificate available.
LA 504-219-4500 Full birth certificate available.
ME 207-287-3181 Only full birth certificate available.
MD 410-764-3170 Full birth certificate available.
MA 617-740-2600 Full birth certificate available.
MI 517-335-8656 Full birth certificate available.
MN 612-676-5120 Full birth certificate available.
NE 402-471-2871 Full birth certificate with a signed release or can view it and hand-write the information.
NV 775-684-4280 Short version of the birth certificate for at least twenty years.
NH 603-271-4654 Full birth certificate available.
NJ 609-292-4087 Full birth certificate available.
NM 505-827-0121 Short version of the birth certificate for "forever".
NY 518-474-3075 Full birth certificate available.
NC 919-733-3526 Full birth certificate available.
ND 701-328-2360 Full birth certificate available but have to specify that you want "genealogy" copy and it will be stamped that way.
OH 614-466-2531 Full birth certificate available.
OK 405-271-4040 Full birth certificate available.
OR 503-761-4095 Full birth certificate available.
PA 724-656-3100 Full birth certificate for legal or insurance issues, for any other use, like a passport or employment only the short version is available.
RI 401-222-2811 Full birth certificate available.

SC 803-898-3630 Full birth certificate available.
SD 605-773-4691 Full birth certificate but have to ask for a "photostatic copy" to get the long form.
TN 615-741-1763 Full birth certificate available.
TX 512-458-7111 Full birth certificate available.
UT 801-538-6105 Full birth certificate available and it is called the "book" copy if born before 1999; after that only the short form is available.
VT 802-863-7275 Full birth certificate available only.
VA 804-662-6200 Full birth certificate available and it becomes public record after 100 years.
WA 360-236-4300 Full birth certificate available.
WI 608-266-1371 Full birth certificate available.
WV 304-558-2931 Full birth certificate available.
WY 307-777-7591 Full birth certificate available.

This information was obtained through the assistance of Intellenet members, Vitalchek.com and many phone calls to Bureaus of Vital Statistics.

Book Project Update

*Bill Blake
Blake and Associates, Inc.
Littleton, Colorado*

The book project is moving along slowly but surely and hopefully will be on the way to Charles C. Thomas Publisher by the end of July. At the current time there are about 44 chapters with about 12 additional ones being generated. The project will probably be broken down into two books because of the volume of information. One book has been tentatively titled "Private Investigation—Success or Failure as a Business and will cover business organization and management as well as basic investigative techniques. The second book, currently untitled, will concentrate on more advanced investigative skills such as asset location and recovery and computer forensics.

The publisher will print two versions of the books—one in soft cover and one in hardcover to accommodate everyone's financial condition. Each

contributing author will receive one free book from the publisher and Intellenet members will be allowed to purchase copies at a reduced price. The books will sell for approximately \$29.95 to \$39.95, depending on the version purchased. The royalties will accrue to Intellenet to further association activities and projects.

Fall 2010 Mini-Conference

*Bill Blake
Blake and Associates, Inc.
Littleton, Colorado*

Intellenet will sponsor a mini-conference at the Hilton Garden Inn, 16475 East 40th Circle, Aurora, Colorado, on Friday and Saturday, November 12-13, 2010. The mini-conference will run from 8AM-12Noon and 1PM-5PM on Friday and 8AM-12Noon and 1PM-4PM on Saturday, a total of 15 classroom hours.

This mini-conference is focused on providing information for individuals transitioning into the private investigation business following retirement or graduation from a criminal justice degree program, and for those with lesser experience as an operator of a private investigation business.

The subject matter areas to be covered are matters to be considered before starting a private investigation business; ethics and professionalism; developing an investigative action plan for efficiency and success; successfully working with subcontractors, personal and business insurance coverage requirements; media relations; identifying business tax requirements and strategies; the private investigator and the civil justice system; professional liability, documenting your investigation; and business marketing strategies.

The \$295.00 fee includes continental breakfast, morning coffee break, afternoon soft-drink break and lunch each day. The hotel sleeping room rate is \$99.00 plus tax.

Conference reservations can be made through the Intellenet website, www.intellenetwork.org. Sleeping room reservations must be made directly with the hotel 303-371-9393 or through www.denverairport.hgi.com. The hotel has a free shuttle service to and from the Denver Airport.

ISPLA June 2010 Update

*Bruce Hulme
Intellenet Legislative Committee Chairman
ISPLA Director of Government Affairs*

During the 111th Congress, ISPLA has been at the forefront in alerting the investigative and security professions to recently introduced legislation and breaking news and developments on pending legislation. We have also used our federal and state legislative tracking system to alert other national and state associations where we have common interests.

For example, not only did ISPLA assist the profession regarding the obtaining of potential revised language in the recent S.3214 Surreptitious Video Surveillance Act, but we also alerted the profession to the various anti-spoofing bills which passed in the House and would have to be resolved with the Senate version supported by ISPLA, namely S.30 Truth in Caller ID Act of 2009.

Washington, DC, meeting held with the sponsors by ISPLA and others were a key factor in obtaining the requisite exception language for the installation of fixed security cameras and covert video surveillance. Although the sponsor, Senator Arlen Specter, lost his Pennsylvania Democratic primary, he still chairs the Crime and Drug Subcommittee of the Senate Judicial Committee where this bill is presently. That said, counsels for the two cosponsors, Senators Feingold and Kaufman, have advised ISSPLA that as a result of Senator Specter's primary defeat, this bill will most likely not go forward.

We also met with counsel for Senator Bill Nelson (D-FL), sponsor of S.30, who has assured us that the "intent" language supported by ISPLA will survive in the final conference to resolve differences between the Senate and House versions.

ISPLA has also been actively involved in lobbying other bills and alerting our profession to emerging issues. On May 13, Rep. Bobby Scott (D-VA) introduced HR 5300, the Fairness and Accuracy in Employment Background Checks Act of 2010, which has been referred to the House Committee on the Judiciary. It is posted on our website in the "Priority Bill Watch" section at www.ISPLA.org. It is a bipartisan-sponsored bill and has been picking up additional cosponsors. The House Committee on the Judiciary, now chaired by Rep John Conyers,

Jr., (D-MI) is a committee before which the ISPLA Chairman, Peter Psarouthakis, also of Michigan, provided testimony to last year. Rep. Bobby Scott, the bill's sponsor, is also a member of that committee. Congressman Scott takes a strong interest in issues regarding indigent defense, wrongfully accused, and innocence issues. He is also the sponsor of HR 1064 the Youth Promises Act (Prison Reduction through Opportunities, Mentoring, Intervention, Support and Education.) The Senate version is S435.

ISPLA would not be surprised if one of the factors leading to HR 5300 might be a case involving a Texas security officer who, wrongfully convicted and later pardoned of a heinous crime by the Texas governor, lost his job guarding a bank as a result of a federal background check that did not reflect the pardon. He sued the contract security firm and the bank as a result of the inaccurate federal criminal record disposition. There are reportedly 50 million people with arrest or conviction records. The National Employment Law Project found that the government has been mistakenly denying credentials to tens of thousands of workers, partly due to flawed criminal records reports. In 2006, "The Attorney General's Report on Criminal History Background Checks" disclosed that almost 50 percent of criminal records in the NCIS failed to not court dismissals of arrests.

Representative Scott's legislation seeks to require the FBI to track down any missing data before issuing a report and allow job applicants a copy of such report as well as an opportunity to challenge inaccurate information in the government's database. Should the accuracy of a criminal record be challenged, the Attorney General would have 30 days to investigate and make changes in the government's database and report back to the applicant and the employer. The FBI would be required to correct inaccurate information and to raise fees to cover costs to correcting the data.

ISPLA is working with other groups having some concerns with aspects of this legislation. It has worked with Congressman Scott in the past on other issues and will continue to do so.

On the regulatory front ISPLA has held ongoing meetings with the FTC, FEC, SEC and DOJ on specific issues affecting the investigative and security professions. ISPLA will continue to keep investigative and security professionals apprised of the latest legislative and regulatory issues affecting our colleagues. We are continually working in order to ensure that our members have continued

access to database information and to protect public access to public records. We encourage you to assist ISPLA in its sole mission: combating ill-conceived federal legislation and overly burdensome regulation.