

The International Councilor

February 2009

The Newsletter of the Council of International Investigators

Issue 2

“More good women and men by two thousand and ten”

As usual Alan Marr has come up with another great slogan for our recruitment drive this year and the President has even come up with some rewards.

“More good women and men by two thousand and ten”, says Alan, and he’s ready and willing to assist anyone with completing their membership applications.

And our President, Fred Dehmel, has determined that there should be a reward for bringing in new members. CII members who recruit new members to the Council this year, who get one ballot for each new member they recruit who become members. At our AGM in Australia a draw will be made from all those ballots and the winner will receive their

choice of a free registration to our Australia AGM or a free full page ad in the Councilor.

So get out your little black book and run through all your contacts and start suggesting to them that they might want to be part of CII—the best Association for private investigators. And get a chance to win a little reward for yourself at the same time!



Brrrrrrrrrr! Baby it’s cold in there!

CII’s Marc Reed, at the left of the photo in the funny hat, took part in the 17th annual Polar Bear Plunge at Lions Beach Park in Campbellford, Ontario. Larry Loftus and Troy Bourassa rounded out the team of the three Amigos! The icy water event, part of the Polar Bear Winter Festival and hosted by Campbellford Memorial Hospital Auxiliary, raises funds for much needed medical equipment. Entrants have raised close to \$20,000 in each of the past three years. Ready in the water to help the polar plungers were Campbellford firefighters Pete MacMillan and Kevin Filler.



Photo by Mark Hoult of The Community Press

Conducting surveillance on an international level

I asked several investigators around the world to write a few paragraphs about the special challenges they face while conducting surveillance in their countries; or to describe a special case they've had recently that is very memorable. The point was to learn something from each one of them that we might not be aware of so that when we are talking to our clients we can talk from a knowledge base. I have printed several of the responses in this issue and will conclude the story with the remaining responses in our next issue. If anyone wants to contribute, feel free!

Paco Fernandez, of Metodo 3, was one of the first to respond to discuss some of the special challenges they face while conducting surveillance in Spain.

"In Spain, unlike the rest of the world, construction is vertical. Therefore, everyone (both rich and poor) lives in apartments (flats) in buildings of more than 50 floors per block.

Thus, the most important thing is the identification of the target because during one morning we can see more than 100 people going in and out of a building. Waiting time is, then, easier to handle as it occurs in the city center with a lot of activity going around. Spanish people live out of their homes from 8 in the morning up to 10 at night, so there is frequently lots of activity.



The cities are very crowded, streets are small and narrow, and this is why surveillance has to be done always on a motorbike."

Roger Schmedlen, of Loss Prevention Concepts, Ltd., decided to tell us about how a PI got himself in to trouble, by forgetting one simple rule:

"About a month ago, a Michigan PI was conducting a surveillance on an insurance case. Because of the location of the claimant's residence, the PI had to take up a position in his van relatively near an elementary school. While a firearm would usually not be justifiable on an insurance case, there are many areas of this city where this is a necessity for the personal protection of the PI. From what I understand this was one of those areas. This PI was carrying a firearm, and he was licensed to do so.

After a few hours of observation, where nothing of interest occurred, the PI was suddenly surrounded and approached by several police officers. Although he identified himself as a PI, explained that he was on surveillance, and showed his state-issued PI license and concealed weapons permit to police, he was arrested and charged with five separate offenses, including illegally carrying a firearm. After spending three days in jail, he was released and the charges are all being dropped. (This process should be complete in the next few days when the prosecutor signs off, which is just a formality.)

Based on the secondhand information I have, the PI had done nothing whatsoever illegal or un-

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Member's Corner

By Christopher T. Nielsen

I am the President of Nielsen & Associates – Investigations Inc., which has operated as a full service investigation company for the past 13 years. Centrally located in the Greater Toronto Area, (Ontario, Canada) we service Insurance, Civil and Corporate clients. Brampton, Ontario is just Northwest of Toronto. Our office is a 20 minute drive to Pearson International Airport. As a company, we have gained an excellent reputation for the quality of our surveillance, video evidence and our reports. We pride ourselves on our research skills and the ability to surround ourselves with quality Associates.

I entered the profession, really by mistake, as I wanted to become a Police Officer. At 20, I commenced a two year course at Sheridan College, Davis Campus, Brampton, Ontario. In the second year of the Law and Security course, I was lucky enough to land Co-op placement with P.J. Wraight Investigation Agency. As a co-op student, I was amazed that there were individuals that might embellish or falsify certain injuries they sustained and naive enough to think that if you're hurt, you're hurt. I had no idea Insurance Companies hired Private Investigators for integrity issues. This of course changed my career path and on graduating from Sheridan College, I was offered a full-time position with the aforementioned firm.

That firm was operated by two retired Police Officers. Both were interesting characters, who had been taught the values of completing an investigation the right way. One of the co-owners was from the old school. He gave the persona of being a mean, grumpy old man, yet everybody knew he was a gentle old soul. I remember being called into his office, as a green rookie and chewed out for describing an individual in one of my reports as being "elderly". It turned out the gentleman in question was only 55 and so was my boss. Apparently, he did not see the humour in that. I spent six and a half years with that firm, which after merging with a third partner was known as Scope investigations Limited.

I remember one case where an individual, best described as a brick layer with muscles on muscles, had been involved in a minor accident and it was determined that he had provided a false address. The



New CII member Christopher Nielsen

insurance adjuster became suspicious when the brick-layer demanded he pick up his claim cheque as opposed to it being mailed out. We tried other avenues to locate the brick layer in question, to no avail. When we received a tip that he was scheduled to pick up the cheque, we were waiting. After leaving the insurance adjuster's office, this individual proceeded to three different banks. After leaving each bank, he was visibly more agitated and angry. At the third, I followed him inside to see what the fuss was about. He was engaged in an animated conversation with the Teller and I knew enough Portuguese to know he was cursing at the Teller. After leaving the bank, he stepped outside and returned to his vehicle. On the way, he entered an alleyway that ended in the rear parking facility. He stopped, crumpled his paper and tossed it in the corner of the building. We were parked only about four feet from where he tossed the paper. When his back was turned, I picked up the paper and jumped in the backseat of the other investigator's automobile. Mr. Bricklayer obviously had a change of heart, turned around and returned to the crumpled paper. The look on his face of total amazement of how the paper disappeared was too funny. Trying not to laugh too much, video was obtained as he got on his hands and knees

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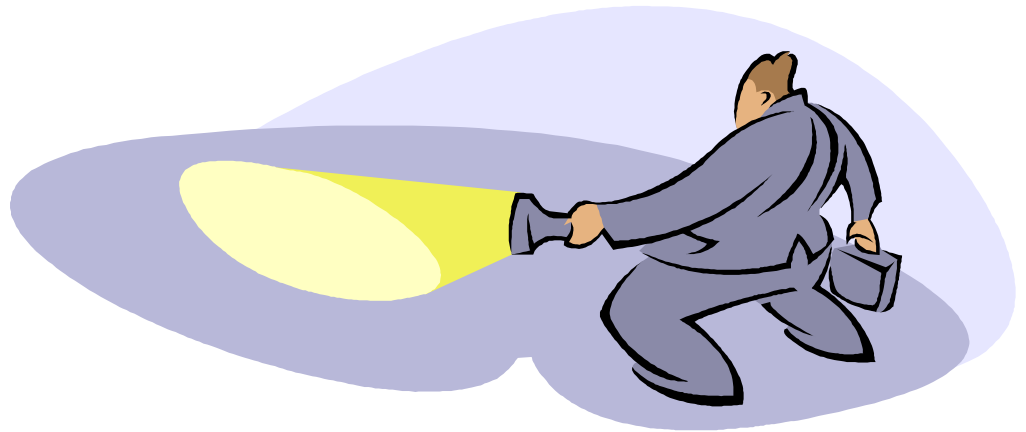
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Conducting surveillance on an international level



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ethical and the police were just responding to neighbors concerns that the PI may have been a predator seeking a child to victimize. Obviously, I was not present at the time the PI was approached by police so I am unaware of how he handled the confrontation. Not too well, I would guess.

In any event I believe this situation could have been easily avoided.

It has always been my practice and the practice of most experienced PIs I know to check in with the local police precinct prior to taking up a surveillance position that will be maintained for an extended period, regardless of the location. By stopping by the precinct (or local police station), showing the desk officer my PI license, explaining that I will be on an extended surveillance on a specific block--for instance, the 24000 block of McPato Street--and describing my vehicle, police can avoid wasting resources by sending a patrol car out, perhaps with backup, should a resident call in to report my "suspicious vehicle" parked on their block. Obviously the subject of the surveillance is not identified to police.

Additionally when checking in, I generally explain to the officer what pretext I will be using if I'm directly approached by a neighbor, and request that he or she back this pretext up if a neighbor calls in. Most times these officers agree to this. Occasionally they are reluctant to actually validate my pretext, but they will usually always agree not to identify me as a PI to any neighbors who call, and simply tell any callers that the police are aware of my presence and that I am on legitimate business.

As a side benefit to this courtesy, there has been many times where the desk officers have warned me of problems, hazards, or unusual activities in the area where the surveillance is scheduled."

Linda Montgomery doesn't even do surveillance anymore because it is not cost effective for her.

"The reason it's not cost effective is there is generally not a high volume of surveillance work in Washington State because the majority of worker's compensation claims are processed through the Washington State Labor and Industries. Very large businesses can opt out and be self insured. For workers' comp claims processed through the State L & I, there are, generally speaking, no attorneys or insurance companies involved and private investigators are not hired to investigate the claims. The amount a claimant receives or an injury pays is preset by the State Board for L & I. And every business pays a tax, sort of like unemployment tax. Likewise, most disputes are settled by this board in an arbitration type process. Few cases ever go to litigation. This saves lots of money for businesses in Washington on the cost of insurance. I once compared my tax to what a California PI was paying for his insurance premium and the private insurance was about 10 times higher! I'm not sure the savings is as good when you get a claim (which, knock on wood, I have never had).

The downside is there is not the high volume of surveillance work like there is in most states (I heard that WA is one of only five States that has this type of system but am not sure if that is true). As a result of the low volume of surveillance cases, we do not have any large PI businesses in WA with lots of employees. Most PI's do background and/or work with attorneys. We only have 460 licensed agencies and a total 740 agency owner PLUS PI employees for the whole state. Most PI's work out of their homes and few PI's have more than one or two em-

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In memory of Ephraim Lapid

Ephraim Lapid

His ancestors moved from Germany to Russia and he was born in Western Moldavia and immigrated to Romania when he was three years old.

Life was hard at that time. He and his family lived in a village and from a young age he had to work to support the family. He was a strong, tall young man when he was called to serve in the Romanian fascist army at the start of WWII. He refused and was put in jail.

A year afterwards, he was sent to a Nazi labor camp and spent almost three years there building roads, breaking stones and having only potato peelings to eat. He told us that life in jail was a paradise compared to the labor camp. We (he, my son and I) visited these sites in Romania.

After the war he immigrated to Israel, building up new life, a new young family. He took good care of my mother who was ill for many years. Till the age of 75 he worked at a mill station in a kibbutz. He was an idealistic socialist, and everybody loved him for his inventiveness, technical skills, modesty and love of people.

Everybody was equal in his eyes. He would love to talk to people from university professors to children in kindergarten. His many friends said at his funeral that if heaven exists, he must be the first one to be there. Everyone loved him.



My father (83) is at the right talking to a local during a visit at the site of the Romanian prison he was in at the WWII.

He was not religious but knew all about tradition and Jewish history. His wide knowledge in everything was amazing. He was very proud of me. He said that we can't understand, as Israelis who were born free in their own country, what it means to be a Jewish officer.

He passed away at age of 85 from a brain stroke. -Jacob Lapid

Member's Corner

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and crawled all over the and looked under the car. He just couldn't figure out how the paper had disappeared. The real irony is that on the paper was his actual address, which we had been trying so hard to find, and that he had bounced a couple of cheques.

I went on to work with King Reed and Associates Investigations Limited, before opening up my own agency in 1996. Fast forward to 2009, I still enjoy getting out on the road to conduct surveillance. Not long ago, I was on surveillance with a second investigator who was quite amused to see my van swaying back and forth. This was due to trying to hop in the back of the van, losing balance and falling against the seat on one side then the floor on the other. Apparently, I will not be permitted to live that one down. I am humble enough to remember the hard work it took to get my firm off the ground. In fact, I still have a framed photocopy of the first

cheque my agency received about six months after opening my own firm. It was a tough go in 1996, yet I look back on it with fond memories. I am also excited to be associated with the Council of International Investigators. I have already met several members at the Annual General Meeting in Halifax, Nova Scotia and I look forward to meeting several more.

As a licensed Private Investigator in Ontario since 1988, I have had the opportunity to work a number of complex investigations with two major private investigation firms. Since starting my own business in 1996, I have specialized in corporate and insurance work. Our focus has always been quality over quantity. I am also a member of the C.P.I.O. (Council of Private Investigators – Ontario), C.A.S.I.U. (Canadian Association of Special Investigation Units) and the Brampton Board of Trade. We are a supporter of the M.S. Society and Children's Charities. I can be reached at nielseninvestigators@rogers.com.

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Questions, no worry mate. Contact:
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or

Nancy Barber (in the USA), nickbk@aol.com

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Conducting surveillance on an international level

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ployees.”

Phillip Hatzis, of Greece, faces probably some of the biggest challenges—especially as surveillance is illegal in Greece!

“The major problem that we have here in Greece with surveillance is that it is against the law to conduct surveillance because it is against the human rights laws. Of course, it is very hard to prove that someone is conducting a surveillance unless the target makes a complaint and an operation from the Police has been set up to catch you. Also if you are in the way of a police investigation, or you are too close to a sensitive location, or if a target has made a complaint you can be in trouble. But then if a target made a complaint you are doing something wrong.

Another problem in Athens is that some time you are called to do a surveillance in an area where the streets are very narrow and there are no parking spaces anywhere close to the target’s house.

Sometimes there are cars everywhere and also cars parked any where you can imagine. Most of the time cars are also parked on sidewalks and sometimes parked on corners. If a van or a truck tries to turn they will not be able to do so because of the way the cars are parked on corners.

Also in areas like this even the targets cannot find a parking space close to their homes and if you are on their tail it will be hard for you to keep up with them. Sometimes I will go to do a surveillance and if I cannot find a parking space close where I can at least see the target’s house from a distance, I will try to locate the target’s car so I can at least

watch the car and whenever the target takes off with his/her car I can tail them. Because no one can find a parking space in the area, the same goes for the target’s too and what happens is that a target may park the car 2 or even 3 blocks away and sometimes it will be very hard for me to find their cars. There have been times that I was not able to find the target’s car because it was parked so far away from their house.

Another problem is that because of the major traffic problems that we have in Athens there are many people that ride motor bikes.

Well someone will say that’s no problem just get a bike and follow them around, but the problem is that when you do a surveillance with a bike when you have to wait for the target for a long time in one location the operative stands out and can easily be seen from people passing by or from people in the neighbourhood. In this case what we do is send a car over and have the operative wait



in the car until the target moves again.

As you can see our problem other than the law is that in Athens we have too many cars and such narrow streets that it makes surveillance difficult. One positive thing that we can talk about is that with the tracking GPS devices that have been out on the market for some years now they have helped us a lot in surveillance here in Greece.”

For Peter Grant, in South Africa, politics plays a big role in surveillance.

“In South Africa, surveillance is practised on much the same lines as it is in Western countries, with perhaps the difference being in the degree of professionalism, given that the country is still in a state of transition. Most of the ‘old school’ have left the services and, although the emerging element has been trained

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ICI successfully concludes assignment for Japanese Railway System

By Earl Johnson

ICI provided information and arranged meetings for visiting representatives from Japan with Amtrak and the Metropolitan Railway System of New York City. ICI's mandate was to establish meetings with key personnel of the New York Rail transportation system, and obtain information relating to biological, radiological and counter-terrorism technology to assist in the preparation of the 2008 G8 Conference held in Japan.

For 2009 ICI has secured an assignment to facilitate interviews and provide material on biological, radiological and counter-terrorism for the Fire and Disaster Management Agency (FDMA) of the Ministry of Internal Affairs and Communications of Japan. The meetings and research will assist in the creation of training manuals, development of exercise scenarios, model plans, and



protocols for civilian population protection in the event of B/R terrorism.

This includes referencing the necessity for the Japanese government to collect and analyze information from around the globe to create and implement practical and effective countermeasures against B/R Terrorism. ICI will organize meetings on behalf of Japan's (FDMA) with the United States Department of Homeland Security, Washington, D.C. Fire Departments Homeland Security Division, MTA, and the Amtrak rail system. With ICI's assistance and direction the Ministry (FDMA) will be able to avail itself of the experience and expertise of these recognized agencies during their trip to Washington D. C. We recommend that each member contact their local counter terrorism agencies and introduce a similar program to what was conducted on behalf of the Japanese Government. This is a roll that CII members can play as private companies on behalf of their governments.

Conducting surveillance on an international level

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by overseas agencies from the United States, Britain and other developed countries, how proficient they have become in the relatively short time they have had to practise the art is a moot question. Needless to say, it is not just technical expertise that is required but also education, experience, sound apolitical judgment, commitment and competent management.

One might say that there are two forms of the science – one, the technical aspect and two, the physical. From the technical point of view, the equipment resources available are as sophisticated as may be found almost anywhere. On the physical side, the task of following a subject in this country is made easier through the natural instinct in African culture, that of easy interaction with each other with little of the reserve or inhibitions that are inherent in European culture. Add to that the perception that 'they all look alike' and one has a scenario in which well-trained operatives can carry out physical surveillance very successfully.

Laws protecting the privacy of the individual are in place in South Africa. However, the South African Police Services are overwhelmed with outstanding cases, let alone new ones, and simply cannot cope with the

multitude and, in many cases, the magnitude of investigations requiring surveillance in some form or another. Private security companies may apply to the Police for clearance to undertake telephone tapping for example, but such requests are not often granted. As a consequence, operations of this nature are very often undertaken illegally, although the evidence gained cannot be presented in a court of law. Overt CCTV is widely employed but repair, maintenance and sabotage present their own problems. Hidden cameras constitute an important and commonly used component in the gathering of evidence.

One cannot imagine that overseas agencies contracted to train the South African law enforcement agencies would neglect the importance of surveillance in whatever form. One can only trust that candidates are carefully selected and they are operationally managed effectively. The success of the Scorpions, (an elite investigation unit) now being disbanded for political reasons, illustrates that there is hope. The danger lies in factionalism, laissez faire attitudes, reverse racism, corruption and regardless of the application of the rule of law, political interference.”

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Alan Marr elected Chair of ISG

Executive Regional Director Alan Marr has been elected Chairman of the Investigators Sector Group, which is an umbrella group for all investigative organizations in the U.K. The group has been in existence since 2000 and has represented investigators on the issues of licensing and discussions with the security Industry Authority.

Although licensing in the UK is not yet fully resolved and we do not yet know what the criteria for licensing will be, a greater threat is that it now appears there is a move to deny us access to directors and shareholders registers at Companies House. Also denial of access to Electoral Registers, plus credit data bases. This is very serious for our profession and cannot be in the public interest.

The I.S.G. is planning to hold a conference in the near future to discuss the implications and draw up plans to fight this in the interests of the public.