



INTELNET *News*

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Winter 2015



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Peter's Posting

by

Peter Psarouthakis
Executive Director, Intellenet



Dear Intellenet Members:

It is amazing to me that we are already at the end of 2014 and into the holiday season.

Reflecting back on 2014 shows it has been a productive year for Intellenet. Our “initiatives” program continues to move forward and provide billable hours to our members. We will continue to push these efforts into the new year. Membership recruitment has been good in some areas and lacking in others. When we send out our needs list to the membership please do review it and think about anyone you may know that would be a good match for membership. In 2015 we will be exhibiting more around the country at association meetings in the hope of finding new qualified members.

In 2015 we will also be marketing more to drive potential clients to the Intellenet website. Some of this effort will be directed towards typical client base (attorneys, insurance, corporate, etc.) as well as marketing to non-member investigators around the world in an effort to get them to use Intellenet as their resource when needing investigators outside of their areas.

“In 2015 we will also be marketing more to drive potential clients to the Intellenet website. Some of this effort will be directed towards typical client base (attorneys, insurance, corporate, etc.) as well as marketing to nonmember investigators around the world ...”

The 2015 Las Vegas conference is not too far off now. The dates are April 29th – May 1st. There will be a pre-day seminar on April 28th. The venue will be the New York New York hotel located on the famous Las Vegas strip. We have obtained an incredible room rate of only \$66.00 a night. You will note that this year the conference is occurring during the week and not going into the weekend at all. We decided to try something new this year so as to get less expensive room rates. Airfare during the week also tends to be less expensive. Please see the article in this issue from our conference education director, George Michael Newman, who has put together a fascinating program to complement what the venue has to offer in the way of entertainment (see Michael’s note on the next page). To make your hotel reservations you may call the hotel direct at 702-740-6900 or use the following link <https://aws.passkey.com/event/11539815/owner/2113/home>. As always, you may reach me by phone at 734-320-9240 or by email at peter@ewiassociates.com. ♦♦♦

Wishing everyone a great holiday season and a Happy New Year!



Intellenet Conference 2015

Las Vegas, Nevada at the New York New York Casino Hotel
April 29—May 1

A lifetime ago a mentor said to me, "If you see a need, fill it." It became a mantra to me, both personal and professional. If a requisite is complete, or in many instances often replete, with the focal needs filled to overflowing, to clamber aboard seems akin to forsaking challenge for comfort.

There is, too, the saying, "Consensus is the altar upon which truth is sacrificed," which in my experience rings true in the vein of one seeking reassurance by never stepping out of comfort zones; which usually leads to stagnation and corruption.

Finally, in an era long ago when many martial arts styles claimed to be the only true, penultimate style, icon Bruce Lee was asked which the superior accomplishment was: to which he answered, "Use what works."

Thus, the 2015 conference has been assembled with these precepts in mind, toward fulfilling the mandate many members have expressed: "Give me something I can actually and realistically use." I trust that among this year's offerings, that mandate will be fulfilled in small and large ways for each and every attendee.

George Michael Newman



Member News

Welcome New Members ...

Tim BRAATZ—Rochester, MN

Matt BROOKS—Wellton, AZ

Deborah (Debbie) BROWN—Valdosta, GA

Ed COLVIN—Kansas City, MO

Toine GOORTS—Deune, Netherlands

Larry HAY—Ontario, Canada

Jeff MARLIN—Cedar Rapids, IA

These are our new members since we last published. Peter introduced each in a Info Brief, and all were invited to send an email with a brief biography. If you haven't sent your brief bio yet, please do; and, as a reminder to all of us, make sure your information in our web directory is accurate and up to date.

Dave Ziegler Selected as an "Occupation Expert" ...



Intellenet and ATF Association member **David L. Ziegler**, CFE, VSM was awarded a "Certificate of Appreciation" from the US Department of Labor this October.

Dave was selected as an "Occupation Expert" in the field of fraud examiner/investigator and requested to participate in surveys to answer questions about the skill, knowledge and activities required for work in that occupation. These expert surveys are used by the Department of Labor to describe the occupational codes (SOC's) to millions of people nationwide as the nation's primary source of occupational information. The Certificate of Appreciation was signed by

the Acting Assistant Secretary for Employment and Training Administration of the Department of Labor.

A "Nice Change" for Joan Beach ...



Joan Beach sent a note that she is "starting the retirement process." She and her husband have bought a 1903 Queen Anne house in Edinburg, Virginia, in the Shenandoah Valley as a second home, which, according to Joan "needs some work." Joan is an avid gardener and antiques collector. She has antiques on consignment for sale at several antique shops. Joan can be reached at 561-215-3215. We wish Joan the best of luck in her adventures to come.

Lynn Levy's Book on Female Investigators Near Completion ...

Lynn Levy has been working hard for a while compiling information on 10 women who have succeeded as private investigators. To no surprise, there are Intellenet members among the 10, and a profile of the first known female private detective in the U.S., Kate Warne, a "Pinkerton." As Lynn's marketing plan evolves, we will feature profiles in the newsletter. Lynn's book is highlighted in an earlier piece on the CrimeLibrary.com web site.

Intellenet "Elves" at the IASIR Conference in Louisville ...



Can you identify the Intellenet "Elves" seen in Louisville, Kentucky in November at the annual conference of the International Association of Investigative and Security Regulators? More on the conference can be found in **Bruce Hulme's** ISPLA article in this issue. (The elves are "exposed" on page 19.)

Member News continued next page ...

Congratulations Olga and Fernando Fernandez !

Recently **Olga and Fernando Fernandez** celebrated their 16th year anniversary and Olga's birthday in Punta Cana, Dominican Republic. They went to Hoyo Azul in Scape Park, a place Fernando describes as "... so amazing that it takes your breath away ..." and he and Olga "... recommend everybody put this place on your bucket list!"

Fernando had his Intellenet baseball cap with him. He feels that our logo is "...like the standard-bearer of the association. "

Also, Fernando sent a note that his book, "Paradise Undercover," is scheduled for release at the end of January 2015. The book features "... the real life and cases of a private investigator working in the Caribbean..." and will be available in English, Spanish and E-book format.

In the inset photo, Fernando proudly displays his Intellenet cap in a "selfie," while Olga enjoys the moment in the water!
Happy Birthday, Olga!



More at
www.aericam.com

"The Beginning of the Drone Era for the Masses"

AeriCam Anura is promoting its Anura Pocket Drone, designed for consumer use and piloted through an app on your smart phone. AeriCam is a U.S. company that manufactures camera stabilization systems for Hollywood.

Your Business: Marketing Made Easy

by

William J. Lynott

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When it comes to marketing a security business, most conventional marketing ideas simply are not worth the effort because: (a) they just don't work; or (b) they are too expensive.

The catch is that you can't make it without marketing — it is absolutely essential to the financial health of any small business, especially in a highly specialized field like security. That's where guerrilla marketing comes in — unconventional and inexpensive ways to boost sales and smother your competition while you grow your business.

Here are seven simple marketing techniques that you can put to work right now:

1. Create business cards that prospects will keep.

Most run-of-the-mill business cards are discarded at the recipient's first opportunity. Instead of wasting your money on what would otherwise be a smart marketing idea, hand out something that your prospects can use. One effective alternative is a small notepad with the name and address of your business (be sure to include your e-mail address). Scratch pads are hard to come by these days and most people will hang on to and use any that are given to them. Every time a prospect jots a note, they are reminded of your business. Of course, a notepad will be more expensive than a traditional business card, but your investment in notepads will be far more likely to provide a real return on your investment.

Other possibilities include magnetic cards with local emer-

gency phone numbers and your contact info to be attached to a fridge. Imprinted ball point pens are inexpensive these days, and who won't hang onto a free pen? Want to find a source for these and other effective marketing items? Just enter a description in the Google search box and you will have a choice of suppliers.

2. Don't forget that your e-mail signature is valuable real estate.

Every time you send an e-mail, or reply to one, you have a no-cost opportunity to promote your business. Almost all

e-mail software allows the user to create a default signature — you have probably seen many on the e-mails you've received. In addition to whatever text you create, most will also allow you to include a graphic such as your company logo, or even a picture of yourself at work.

Creating a default signature is the only work required. Once you do that, your signature

will automatically be included on every e-mail that you send — a no-cost means for keeping everyone on your e-mail list a recipient of your marketing effort.

3. Never let a profitable customer simply slip away.

Marketing studies over the years have indicated that it costs at least five times as much for a business to find a new customer than to keep an old one — this is one of the most powerful concepts in the business world. Make an effort to get a disgruntled or inactive customer back in the fold. It costs a lot less to than to acquire a new one.

Once you service a new customer for the first time, you have done the hard part. Now your job is to instill the notion that using your service is a wise decision. You and



Continued next page ...

your employees must never lose sight of the fact that developing a new customer is a costly and difficult job. Once a stranger crosses your threshold, that first experience will determine whether that person will want to stick with you.

Once you convert a prospect into a customer, you must build your marketing program around techniques designed to make sure that he or she never has reason to seek out a competitor. In short, your existing profitable customers are your most valuable business asset — everyone in your organization should do everything possible to keep even one of them from slipping away.

4. Adopt a marketing attitude.

Almost by definition, running a highly specialized business means marketing. Some time, some place, someone may have bought the necessary equipment, signed a lease, put a sign over the door, and sat back while the phone rang off the hook with customers clamoring to do business — perhaps, but not likely.

Building a successful and growing security clientele requires an ongoing marketing program. Competitive prices alone won't do it; good service alone won't do it; specialized knowledge alone won't do it. Now is the time to get out of your comfort zone. Give yourself time to market your business.

Rather than spending large sums of money, marketing a small business means investing your time, passion, and energy instead. Years ago, a popular saying offered this wisdom: Build a better mousetrap and the world will beat a path to your door. As countless inventors have learned, that's a clever saying, but it has little to do with reality. After inventing "better mousetraps," many inventors soon discovered that without marketing, their brainchildren sat languishing on store shelves.

5. Take steps to make your customers feel special.

People respond to being recognized and appreciated — especially in these rush-rush, get-the-lowest-price times. That's the reason that it is so smart to make customer

satisfaction the hallmark of your business.

Customer satisfaction is the most powerful advertising and marketing medium available. Nothing will build your business faster than customers bragging to their friends about you — and nothing will eat away at your business more relentlessly than a customer complaining to friends and business associates about an unhappy experience.

Yes, it sometimes takes money and time to resolve a customer complaint, and it can be especially trying when you feel that the complaint is not justified; however, the point

to remember is that the dollars you spend resolving a complaint are marketing dollars — arguably the most effective marketing dollars that you can spend. Never allow yourself to forget that the most powerful and least costly source of new business is a personal referral, and the only sources

of personal referrals are satisfied customers.

6. Measure the Results of Every Advertising Dollar.

The information in this article is intended to help you spend the least amount of advertising dollars necessary; however, most security dealers find it necessary to spend at least a few dollars on advertising.

Larger businesses can afford (or *think* they can afford) to waste dollars on advertising that doesn't carry its own weight, but you must make certain that every one of your advertising dollars is generating bottom-line profits.

The only way to do this is by tracking the source of every new customer. Many owners are under the impression that their Yellow Page ads are producing far more business than they actually are. Perhaps your ads are cost-effective, but the only way to determine that for sure is to ask every new customer how they happened to choose you.

Consider using newsletters to augment your regular advertising; more importantly, get on the Internet bandwagon. A skillful online presence is rapidly becoming one of the most effective and inexpensive marketing tools in today's high-tech world. Whatever advertising media you use, it is



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essential that you take the time and trouble to track the results of every dollar you spend.

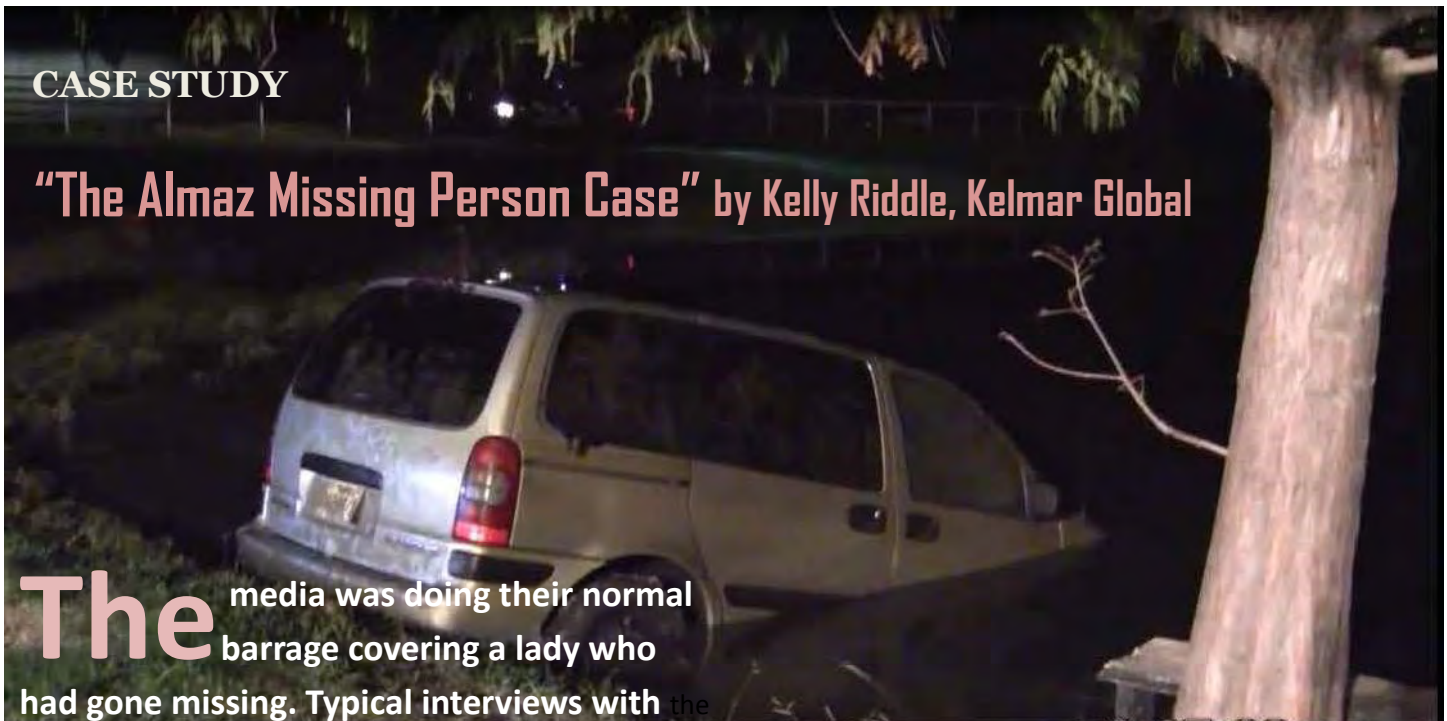
7. Take action now.

It almost doesn't matter which first step you take in your guerrilla marketing program. What matters is that you do *something* new and creative in order to overcome the inertia that keeps many small business owners from ever reaching their full potential.

Creativity and originality are the keys to a great marketing strategy. Don't be afraid to try something new, no matter how unorthodox it may seem at first glance. If it doesn't work, move on and try something else.

While marketing is work away from customers — and most security dealers will agree that they don't need more of that kind of work — it is a different sort of work. Marketing your business will be challenging, exciting, and rewarding.

William J. Lynott is a veteran freelance writer who specializes in business management as well as personal and business finance. For more information, please visit www.blynott.com. To subscribe to Security Dealer & Integrator magazine, go to <http://www.securityinfowatch.com/subscribe/#secu>



The media was doing their normal barrage covering a lady who had gone missing. Typical interviews with the

family and police ensued over the coming weeks. It wasn't until I received a call from a friend of the family that my focus and interest was drawn to the specifics of the case. I could tell that the caller was guarded in his initial questioning, which I attributed to his being from Ethiopia. The call came in late on Friday afternoon and an appointment was set for the following day to discuss the case further. It wasn't until much later that I would learn the meeting on Saturday was an interview and the family had a handful of other investigators lined up to interview that same day. Based on the information provided, the family gathered

that our team of investigators truly believed there were stones to over-turn that the police and media had not done. I would also learn later that the gentleness in which we handled the family and the initial compassion expressed during the interview would be the deciding factors for the family in selecting Kelmar Global to assist in this case.

As in many cases, the media and police already had a couple of weeks head start. Even so, there were some glaring

Continued next page ...

avenues to be explored. According to the initial media coverage, on the morning of Thursday, October 2, 2014, Almaz Gebremedhin left as usual at 5:00 a.m. but never made it to work just three short miles away. The normal call to her children telling them good morning was never made, setting in motion the concern of her husband and mother.

One of my initial concerns was the possibility of this being a hate crime due to the family is from Ethiopia. Various interviews within the Ethiopian community revealed there were no indicators that the family had been a known target of racism or religious hatred.

Like most people, the family initially turned to the local police, but hampered by a language barrier, her husband turned to a family friend who contacted our investigation company. On Saturday, October 18th Kelmar Global investigator Michael Bradshaw met with the family of Almaz. A

retired sergeant with the Mesquite, Texas Police Department, Mike had seen his share of missing persons and homicide cases. Even so, this case struck a cord with Mike that created a desire to help the mother of two return home.

Bradshaw quickly learned of a video that a neighbor had documenting Almaz leaving for work. In typical fashion, Bradshaw met with officers from the Wylie Police Department, in an attempt to develop a mutually beneficial operations plan. The police department had already obtained a copy of the video and already had a 16 day head start on the investigation.

During the initial stages of the investigation, Mike would drive the route to and from the skilled care center where Almaz worked. He found the roadway to be a narrow 2-lane blacktop that was uneven with no shoulders and two sharp turns. The concrete and metal guardrails had seen their share of vehicle damage, which stuck out in Mike's mind. He conducted a search of the area on foot through heavy brush and trees overhanging a creek channel approximately twenty feet in width. The creek channel was searched between the two sharp turns with no visible evi-

dence of a vehicle. Portions of the channel appeared to be dark and possibly very deep.

In the days ahead, Mike and his wife would attend church services held for Almaz and her family and was quickly accepted by the Ethiopian community. As President of Kelmar Global, I knew that Mike was the perfect investigator for this assignment because Mike has the demeanor and voice control that immediately puts you at ease and makes you feel like you have known him for years.

Mike continued his investigation, checking historical data to confirm that a heavy thunderstorm had moved through

the area on the morning that Almaz would disappear. Interviews would confirm that the tires on the missing mini-van were not in the best of condition, further stirring Mike's concerns. The stretch of road in question had six ponds that had seen an increase in water level due to the recent rains.

With few tangible investigative leads, Mike called upon Team Watters Sonar Search & Recovery, Inc., founded by the husband and wife team of Dennis and Tammy Watters of Moro, Illinois. With experience with their local volunteer emergency response team, the Watters quickly responded when the call for help went out. Bradshaw had identified an area that he believed was likely for a driver to have lost control and plunged into one of six ponds. In less than a half hour, a large item that held the characteristics of a submerged van was located. The local search and rescue team was contacted and the van belonging to Almaz was located with her lone body still in the back of the van.

This is never the ending that anyone wants to see at the conclusion of a missing person case. However, in this day of cyber crime and internet investigations, there are still times when some good, old-fashioned detective work is called for. ♦♦♦

... in this day of cyber crime and internet investigations, there are still times when some good, old-fashioned detective work is called for ...



Kelly is president of Kelmar & Associates and Kelmar Global, in San Antonio, Texas. He can be reached at kelmar@kelmarpi.com.

A Primer on Third World International Investigations

by

Jeffrey A. Williams, CPP

One of the biggest mistakes some Western investigators make is not understanding and/or pre-briefing their clients on how much more complex Third World international investigations can be, than in the West.

The differences range from what information is available, how it is sourced, the time required to obtain it, the “blockers” involved, all affecting the fee structure of international investigators. And those “blockers” can range from simple cultural differences; the fact that most information within Third World government agencies may not be available electronically, resulting in laborious hand searches; significant bureaucracy; apathy and a lack of professionalism and at times, even corruption; all related to the minimum wages government workers make in the Third World.

The “Shoe Leather Express” ...

In the United States for instance, much information can be obtained electronically from government agencies, to include information sufficient for some levels of background investigations. There are some specialist investigative companies that do all their business electronically, in support of more standard investigative companies. For instance, one may be able to electronically conduct a lower level background investigation for under \$200 in the U.S. So, investigators who are unfamiliar with similar investigations overseas are shocked that they may be charged upwards to \$1,800, plus out of pocket disburse-

ments, for the same investigation in a Third World country. They don’t realize that most of the time, the international investigator must take the old “shoe leather express” from agency to agency, in a situation where distance is not computed in miles or kilometers; but instead, in increments of time. And an international investigator bills out in time increments, just like in the Western World, unless a project fee basis is agreed upon in advance.



While “sources” may already be developed in some of the government agencies involved, they will generally not have been developed in all, or even most. The investigator faces a lower level of professionalism, sometimes apathy and occasionally corruption issues to circumvent, in accessing what often times is supposed to be from open source, government agencies. He or she may have to cultivate someone to assist, or at least work

through initial and required cultural nuances before they can get down to the matter at hand. When a request for the desired information is made, often times the “source” or government employee can’t get to it right then, and asks the investigators to return at a future time, resulting in more time required to complete this particular lead.

Add to this, many Third World government agency records, such as criminal records, are not generally as thorough or accurate as they would be in the Western World. For instance, Subject’s name may be on file within a national, government criminal records data base, often times lacking a middle name or initial, or occasionally, even a birthdate. So when the international investigator conducts a routine check to determine if a criminal record exists,

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there may be ten or more cases on file for individuals with the same first and last name, but no middle name or even initial indicated. So then the investigator has to review all the background information the U.S. based investigator has provided them, in an attempt to discard those names on file that are too young or too old to be the person of interest, and try to further define potentials, by the area where the crime occurred, compared to Subject's former

at least a larger city in the Asian country concerned (or over the internet), if a separation eventually occurs and the spouse returns to that Asia country, they probably have returned to their home province distant from the city where the Westerner met him or her. So, an investigator must travel to that location, and sometimes it can be in high risk area, say in the Southern Philippines, where even a Filipino Christian would be at risk from Muslim insur-



area of birth or residence. But even if you can get down to one possible “hit,” then you still need to visit the trial court involved to see if you can match your Subject to the person on record through more accurate case file records within the court involved. And even if you do find the right person in the national indices, often times it may only state the case number, type of crime and a disposition or current status. Most of the time, the facts and circumstances of the crime will not be in this file, so the investigator would have to visit the specific court to review the record. The Philippines, for instance, is made up of over 7,000 islands and the varied courts are spread far and wide. All of this adds to the time involved to run this lead.

Similarly, process service in Third World countries will definitely take more time than it would in the Western World, due to travel time and security concerns. While a Westerner may have met their Asian spouse in the capital city, or

gents. Also, process service in more commercial situations can be more dangerous than they may be in the Western World, so a criminal records check and/or a neighborhood check may be required to determine what potential risks the investigator may be up against before the actual service. And then, two investigators may be required depending upon the security concerns in the area where the service may take place.

Fees and the “Culture of Corruption” ...

Also, the culture of corruption is much stronger in Third World countries than it is in the Western World, as life is harder, with many scrambling just to make a basic living—sometimes only putting one meal on the table daily. Transparency International ranks most Third World countries towards the top of their list of corrupt

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Traveler's World Threat Map

November 2014



- Extreme Threat
- High Threat
- Medium Threat
- Low Threat

While the information used to prepare this map is believed to be accurate, conditions since its preparation may have changed. Users should verify current conditions in the countries to which they plan travel. All geographic divisions are approximate.

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countries. Unfortunately, that trickles down into our industry overseas. Many local providers may be able to conduct background investigations or conduct process service at lower rates than an international (Western) competitor, often times due to lower overhead and salaries. But sometimes this includes paying their employees below the minimum wage. So a general lack of motivation on the part of the actual investigator conducting the lead, may result in he or she taking short cuts to include "ghost writing" negative results, never having conducted some of the leads that were required. Others may discard the papers required for process service and prepare a fraudulent affida-

vit of service. And a few other companies may take a required advance, and then you never hear from them again.

One area that would help international investigators in keeping their fees down is if the Western-based investigator would give them the entire background up front, as if they were part of their "team." What is usually the case is that the Western investigator only gives the international investigator part of the background. The reasons can include, but are not limited to, because there is concern that

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the international investigator might circumvent him and go directly to the client; or, might violate operational security, as if Western investigators know more about operational security than international investigators. A simple non-disclosure or non-compete agreement can resolve such concerns.

The reason full disclosure can be important in helping to keep the fees down is because the international investigator may see something in the background which might assist in the successful outcome of a matter. This could be due to his intimate knowledge of the local culture, what type of investigative direction offers the best chance of success with the least investment of time and effort, and circumventing local bureaucracy. Another example might be wherein a Western investigator insists on surveillance activity that is time and manpower intensive, but which might have lower chance of success than might be the case in the Western world. This may be due to the horrendous traffic encountered in, for instance, Jakarta, New Delhi, Bangkok or Manila. Often times and while it may take longer, the same results might be achieved via an investigation, requiring much less time and manpower, thereby significantly reducing an International investigator's fees to the Western investigator and his client.

Something to keep in mind with regards to billing in such relationships is that sometimes International investigators are not inclined to support Western investigators' requirements overseas simply due to potential cash flow concerns. Cash flow is critical to almost all small investigative firms and small international firms cannot wait to be paid when the Western investigative firm is paid by his client. Therefore and as is often the case, an International investigative firm will require a 50% advance from a Western firm, as a way of sharing the potential for delayed payments. If the Western firm advances 50% for international support, there is a better than average chance that they will chase payment from their client much faster than otherwise, increasing the chances that both parties will be paid by the end client sooner than later.

As an alternative, a Western investigator might reach an agreement with an international investigator to simply

turn the client over to the International investigator with the agreement that the international investigator will pay the Western investigative firm a 10% "finders" fee for that piece of work from the actual client; or, even for all work given by that client over a fixed period, like six months after first invoice.

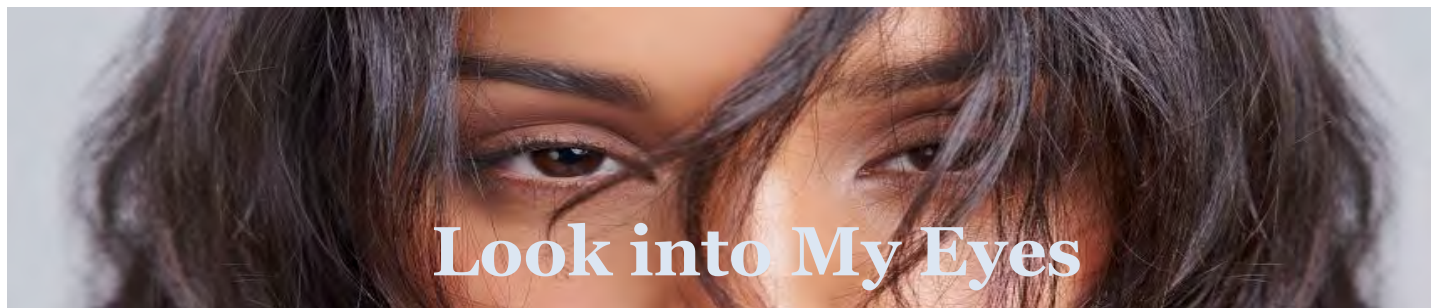
The Value of Intellenet ...

The last point is that it is very important for the Western investigator to reach agreement with an international investigator who is a member of a worldwide investigative association. Why? Because if after the work is completed, either side would have recourse through the senior hierarchy of that worldwide association, if there is a disagreement in either the results being as requested/purported, or payment is not forthcoming.



Jeff Williams, CPP, is the President and Managing Director of Orion Support Incorporated, Philippines. He was formerly a Special Agent and Counterintelligence Officer with the U.S. Air Force Office of Special Investigations (OSI) for 23 years. He was assigned to the U.S. Embassy, Manila in 1984, working Philippine-wide with most military, police and counterintelligence units. He is the recipient of the Bronze Cross Medal for Bravery from the Philippine National Police in 1991. Jeff was inducted into the USAF OSI Hall of Fame in 2009 in Washington D.C. Jeff can be reached at jwilliams@osi.com.ph.





Look into My Eyes

By
Fernando Fernandez

I have conducted more than 500 interviews during my job as a private investigator, and in many occasions cases are solved by detecting the body language and the micro/macro expressions of the person during an interview or interrogation. There is a common saying: “The eyes are the windows of the soul.” This is why, when we were kids, our mothers told us to “Look me in the eyes when I talk to you,” to be certain we were being honest and also, in a way, to scare us and let us know who was in charge.

During my 10 years in this job I have had many assistants and junior investigators, and I have seen them only taking notes and not paying attention to the eyes of the person answering the questions. I was always interested in body language when I began my career. I have even taken courses with many experts in Latin America, including Dr. Paul Ekman (from the TV series, *Lie to Me*). To tell you the truth, using this investigative tool makes you change your perspective, because it helps you to understand the feelings of the person at the moment he or she is being questioned or interviewed about a specific topic.

After taking the courses and achieving the appropriate certifications, I decided that interviews need to be conducted in pairs. That is, I always have another investigator or assistant present. This way, when an investigator looks at the eyes and body language of the interviewed, the other takes notes. It is still very important to take notes. Notes can be used to refer to a specific point in time related with the response witnessed by the investigator who reads the eyes and the body language.

The following are a few tips about the signs we can find in the movements of the eyes:

1. Begin by asking basic questions in order to get familiar with the person. This will also make the person feel more comfortable. In this way you can see how

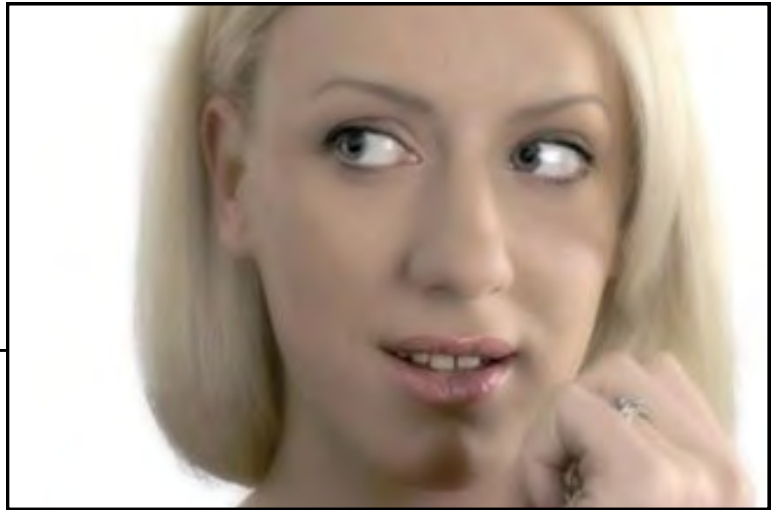
the person moves his eye normally; and this will help you to establish a baseline for further key questions. Example: De-

- termine if the person blinks too much, or he/she looks from left to right, etc.
2. If when you are in front of the person and the person gives you an answer, you see the eyes going up and to the right, it means the person is remembering a real event and he or she is telling the truth. The memory area in the brain is in this side, so it is practically impossible for the person to control this movement. The eyes are going up when the person is thinking, and they go to the right because it is a real experience.
3. If you are in front of the person and he or she moves the eyes up and to the left when they think of an answer, it means this person is probably lying. But careful, it could be that the person is analyzing a fact about the question presented. The creative part of the human brain is in this side, and again, it is practically impossible to control this eye movement.
4. Check if the interviewee shrinks the eyes and focus, and his/her gaze turns penetrating to a certain point. This means the person is making an effort to remember the details of the event. However, if the eyes or the gaze focus just a very few seconds, the person can be lying to you and beginning to see how to process the response he or she is giving to you.
5. When you see that the eyes of the interviewee do not establish contact at any time; this means the person is avoiding contact with you, avoiding confrontation because you could discover something the person does not want you to know. It is a classic example to avoid a response.

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6. Sometimes you may notice a constant blinking or the eyes going from right to left; this is a sign that the person is hiding something or is very nervous. It is also common for the voice of the person to become broken.
7. If you make a question and you see that the person opens the eyes widely; this means he or she was surprised by the question.

These are some of the things we need to pay attention to during an interview or interrogation as investigators. These tips should be combined with knowledge of full body language, the micro/macro expressions and the seven basic emotions: Anger, Contempt, Happiness, Fear, Surprise, Sadness and Disgust.



However, in order for this knowledge to be of use for you, you need to practice a lot. Fortunately, you will see it is a technique that, with time, you will master easily. If you want to practice, do it with your grandchildren or your kids, but, please, don't practice with your spouse!

“You will see that, in the end, the eyes will tell you everything.”



About the author:

Fernando Fernández, PI, BAI, CCDI, CII, CAS is a licensed professional investigator with over 10 years of experience in private and forensic investigations for private clients, attorneys and law enforcement cases in Puerto Rico, the Caribbean and the U.S. His firm, Covert Intelligence, LLC provides remote services to international clients, including attorneys, insurance companies, and other investigators, as well as the general public. Fernando belongs to Intellenet and was nominated for the World Association of Detectives Investigator of the Year Award in 2013 and the Year 2014. Fernando can be reached at covertintelligence@yahoo.com.





ISPLA News for INTELLENET

By Bruce Hulme, Director of Government Affairs

First, let me take this opportunity to congratulate newly elected Congressman Lee Zeldin (R-1-NY) who was supported by ISPLA and ISPLA-PAC. My thanks also to the INTELLENET members who financially supported ISPLA-PAC in this fall's election. We donated all of our PAC funds towards the election of Lee Zeldin; we were the only national association representing our profession in supporting him. Presently a New York State Senator, Mr. Zeldin sponsored a bill in that state's senate to increase the criminal penalty for unlicensed private investigation from a misdemeanor to felony status. It passed overwhelming in the state senate 60-1, but failed in the Democrat controlled assembly. He also sponsored legislation increasing penalties in retail store theft which was supported by our security colleagues. His future service as a member of Congress should serve our profession well. He knows the problems that confront the professional investigator and his father David is one, as well.



Speaking of elections, in November I attended the annual conference of the International Association of Security and Investigative Regulators (IASIR) held in Louisville, Kentucky. A "stealth" campaign, not revealed in advance, against my reelection to the IASIR board was launched by the leadership in another national association comprised of investigative and security members. At the

"eleventh hour" they sent a delegation of four comprised of their former board chairman, current president, third vice president and legislative chairwoman (a former president who they nominated to replace me). Her campaign was "time for a change." I ran on my record. After a vote by the caucus representing our industry, I was again reelected to a two-year term on the IASIR board to represent the private investigative sector.

Our INTELLENET newsletter editor, Don C. Johnson, also present at the same conference, was elected to a two-year term as an IASIR full member. Don is a state regulator on the Indiana Private Investigator and Security Guard Licensing Board. Other INTELLENET members also attending the IASIR conference were Peter Psarouthakis, Jim Zimmer and Nicole Bocra, who was also an excellent presenter on "The Ethics of Using Social Networks in Investigations."

An emerging issue recently covered in the media is the increasing use of drones in close proximity to airports. Unmanned aircraft use falls under the jurisdiction of the Federal Aviation Authority (FAA). Presently it is illegal to operate drones for commercial purposes unless granted a rule exception by the FAA. Such an exception was recently granted to the motion picture industry as long as the drone operator holds a valid pilot's license. Drone use mandates the operator have a continual view of the unmanned aircraft, that it be operated in daylight no higher than 400 feet, and weigh no more than 55 pounds. Presently, law enforcement and emergency rescue units are seeking exceptions. At the IASIR conference Mario Marana, senior government relations manager for the Association for Unmanned Vehicle Systems International and

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Rita Siemon, policy counsel for The Constitution Project presented on the “Use of Drones in the Private Sector” and “Unmanned Aircraft Systems: Guidelines for Preserving Privacy and Civil Liberties.”

Other industries to seek exceptions will most likely include aerial photography, agriculture, pipeline and power line inspection companies for use of UAVs. This is potentially a multi-billion dollar industry with the FAA seeking to enforce \$10,000 fines for violations of the FAA ban on using model aircraft for commercial purposes. Expect increased federal and state legislation, and regulatory battles between the FAA and National transportation Safety Board (NTSB). The same holds true for increased litigation. Senator Dianne Feinstein (D-CA) recently announced that she will offer legislation limiting the use of drones. Drones have not only been observed to be posing a hazard near airports, one El Mahdi Semlali, a Moroccan national living in Bridgeport, CT, was recorded discussing plans for a drone attack with explosives targeting a federal building and Harvard University. Thus far twenty states have passed legislation regulating drone use and seven states have made some drone surveillance use a crime.

The first FAA case of significance was the “Administrator’s Order of Assessment” in Administrator v, Raphael Pirker on July 18, 2013 regarding a violation on the FAA ban on using model aircraft for commercial purposes. Pirker was the operator of a 4.5 pound Ritewing Zephyr powered glider being used to take paid photos of a college campus. The FAA contended Pirker operated the drone in a careless and reckless manner so as to endanger the life or property of

another. An NTSB judge ruled that the glider was not an “aircraft.” The FAA appealed. In April 2014, EquuSearch, a Texas volunteer search and rescue organization that has been successful in utilizing drones in its searches asked the U.S. Court of Appeals for the D.C. Circuit to set aside the FAA’s order to halt their use of camera equipped model aircraft. As the drone issue continues there will be emerging privacy issues. There will also be arguments for and against the investigative profession being granted an exception for drone video surveillance.

GPS Tracking ...

While at the IASIR conference I was also a presenter on the topic “Use of GPS by Private Investigators: *Latest legal trends.*” An overview of my presentation concerned the implications of several legal cases. In the United States Supreme Court case of U.S. v. Antoine Jones, the court addressed the privacy implications of Global Positioning Systems (“GPS”), holding that placing a GPS tracking device on a suspect’s car was a “search” under the Fourth Amendment. How will this ruling affect private investigators and security professionals? What impact does this decision have on pending and future legislation banning the use of such technologies in the private sector? How do Fourth Amendment implications for law enforcement compare with private sector use of GPS tracking causing invasion of privacy. What are the other privacy implications? When is GPS tracking viewed as stalking?

California and Texas ban the use of GPS without consent. However, the owner of the vehicle in most cases may utilize such device. Michigan and New York permit GPS tracking by private sector investigators undertaking lawful investigations without intent to harm the subject. A number of states do not address the issue.

I expressed my views on the beneficial uses of this technology and potential pitfalls from both legal and liability standpoints. For example, a New Jersey case held that a private investigator did not unlawfully invade the subject’s privacy by placing a GPS device on the subject’s vehicle. However, that state has just introduced legislation making it a fourth-degree criminal offense to install a GPS tracking

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device on a motor vehicle owned or leased by another person without written authorization. I also expressed agreement with ISPLA's members Roe and Jimmy Mesis of PI Magazine, who also own PI Gear and sell GPS tracking equipment. They have pointed out that GPS tracking is not only used in matrimonial cases or for surveillance targets, but in teen monitoring, as a child locator, personal asset tracker, elderly adult monitor, and trailer or container asset tracker.

My presentation discussed the implications of "public view" as opposed to installing GPS and tracking a vehicle on private property, length of time the device is in operation, and when a vehicle is in an area where privacy is assumed. GPS use regarding geo-locational information obtained from computers and cellular phones was briefly covered.

GPS tracking legal cases briefly discussed by me included:

- New York Third Judicial Department of Appellate Division - Cunningham v. New York State Department of Labor regarding workplace misconduct
- New Jersey - Villanova v. Innovative Investigations, Inc. regarding invasion of privacy
- U.S. District Court for the Southern District of New York - Alexandre v. New York City Limousine Commission regarding protection of driver and vehicle versus expectation of driver's privacy

In New York criminal penalty for the use of a GPS tracking device in connection with stalking increased. In 2014, what is now referred to as "Jackie's Law" arose out of a 2002 murder of one Jackie Wisniewski shot by her estranged boyfriend Dr. Timothy Jordan at the Erie County Hospital where both worked. The killer used a tracking device to stalk her. He committed suicide after he killed the victim.

The U.S. Department of Justice reports one in four cases of stalking involves some type of technology. One in thirteen cases involves electronic monitoring. One-tenth of those

cases involve Global Positioning System tracking.

Although an "intent to harm" provision in the New York GPS tracking legislation effectively allows installation of a GPS device without the consent of the target, an unintended consequence not envisioned by the legislators who passed the bill created a political uproar during this past summer. New York Assembly Republicans hired a private investigator to determine where a Long Island Democrat really lived. This was an election law dispute between the

Republicans and Democrats and in March 2014 private investigator Adam Rosenblatt, who was retained by an attorney, utilized GPS tracking by surreptitiously placing the device on the car of the Democrat candidate for three months before it was discovered. The attorney was paid \$3,000 by the GOP campaign committee. Although the practice of using GPS in this instance was completely legal, the Democratic As-



sembly leader Sheldon Silver likened the event to "Watergate" and stated "Any citizen should have the right to traverse wherever they want without being tracked by a GPS device. The public should be shocked and outraged by it." It did not seem to matter that the Democratic candidate might be violating New York's election law.

The above incident and in light of an increase use of GPS tracking devices in stalking cases, Senator Charles Schumer (D-NY) recently announced that he is proposing a federal measure to limit the use of GPS tracking. ISPLA will meet with his staff in an attempt to seek language in his bill similar to that we supported in New York. It will not be easy. Such language would allow one to utilize GPS tracking in conducting lawful surveillance without intent to harm the subject.

The GPS Act, S. 639/H.R. 1312 offered by Sen. Ron Wyden (D-OR) and Rep. Jason Chaffetz (R-UT) seeks to establish a legal framework that gives government, commercial entities, and private citizens clear guidelines for when and how

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geo-locational information can be accessed and used. The bottom line most negative interpretation of the measure would be a probable cause warrant by law enforcement and a prohibition against private sector tracking without consent.

ISPLA has been addressing this and other privacy issues for quite some time. Representative Chaffetz sums up his position which poses a strong argument against geo-locational tracking:

"I think it's great that GPS tracking technology exists. What isn't great is the idea that this technology can be used to track somebody without their knowledge. It is the job of Congress to protect and defend the United States Constitution and personal liberties pro-

vided to American citizens under the Fourth Amendment. Quite frankly, the government and law enforcement should not be able to track somebody indefinitely without their knowledge or consent, or without obtaining a warrant from a judge."

“... some state administrative law actions have ruled that private investigators are quasi-law enforcement ...”

Although the above statement pertains to law enforcement, as does the ruling of the U.S. Supreme Court in the case of U.S. v. Antoine Jones, Congress might find it troubling that private sector investigators be allowed continued use of GPS tracking devices while judicial rulings hold law enforcement to the requirement of a warrant. Furthermore, some state administrative law actions have ruled that private investigators are quasi-law enforcement.



The restaurant lighting was certainly unflattering in this after-dinner photo at the IASIR conference in Louisville. But the Intellenet faces, snapped by a hostess on an iPhone, are familiar ones. Left to right: Bruce and Rita Hulme, Nicole Bocra, Peter Psarouthakis and Don C. Johnson.