



IAPI NEWSLETTER

IOWA ASSOCIATION OF PRIVATE INVESTIGATORS

Editor/Publisher
Jeff Marlin
P.O. Box 11183
Cedar Rapids, IA 52410
(319) 373-5025
jmarlin@
marlinsspecialinvestigations.com

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President's Message By Dan Conroy

2018 Iowa Association of Private Investigators 33rd annual conference is right around corner. This year it will be held in the same location as in previous years at the Holiday Inn located at 4800 Merle Hay Road in Des Moines, Iowa on September 13th and 14th.

Our keynote speakers will be Mark Gillespie and Wes Bearden and we are really excited to have both of them at this year's conference. They will cover topics such as criminal defense forensics and surveillance.

We will also have speakers on the Iowa GPS laws and the latest updates from Tracers to name a few. A lot of hard work and effort has gone into putting this year's conference on and I fully expect everyone will be able to take something away to help their business grow and network.

In closing I would like to encourage every member to get involved with IAPI and see what committees they would want to volunteer for this upcoming year. Also, once again, thank you everyone for supporting Iowa Association of Private Investigators

Dan Conroy

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IAPI Member Benefit – Save Money on the Conference

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

IAPI will be offering polos and t-shirts with IAPI logos at the annual conference.

If you would like to order at any other time than please contact Darwin Rittgers

Casual/Dress IAPI full color embroidered polos. The polos are made of high-quality wick away material steel gray in color, they will be available in sizes small through 4XL. They will be priced at \$35 each with a two dollar up charge for 2xl - 4xl

T-shirt with one color press IAPI logo. These are high-quality wick away shirt material in both sport gray and blue. Sizes small through 4 XL t-shirts will be priced at \$16 each with a two dollar up charge for 2xl -4xl.

If you would like to pre-order for the conference so we have your right shirt there, or have questions please email board member Darwin Rittgers at Der1std@aol.com.



2018 IAPI 33rd Annual Conference Agenda

Thursday, September 13

- 7:30 am Registration
- 8:00 am Color Guard and Opening Remarks Jay Forget - Tracers
- 8:50 am Break/Vendors
- 9:00 am Paul Powers - Iowa GPS Laws
- 9:50 am Break/Vendors
- 10:00 am Paul Powers - Iowa GPS Laws
- 12:00 pm Lunch – Introductions/Specialties
- 1-4:30 pm Wes Bearden - Surveillance/Privacy/ Courtroom stories
- 6-9 pm Networking Night lower level conference room
sponsored by **Per Mar Security**

Friday, September 14

- 8:00 am Mark Gillespie - PI & Criminal Defense Forensics
- 8:50 am Break/Vendors
- 9:00 am DCI - Intelligence Gathering
- 9:50 am Break/Vendors
- 10:00 am Mark Gillespie - PI & Criminal Defense Forensics
- 10:50 am Break/Vendors
- 11:00 am Karen Alderson - Adoption Reunions and Background Resources
- 12:00 pm Lunch - Best Practices Round Table
- 1:00 pm Karen Alderson - Adoption Reunions and Background Resources
- 2:00 pm Break
- 2:15 pm IAPI Annual Membership Meeting with Election of Officers

IAPI Conference Speakers

Karen Alderson, Cedar Rapids, has a Bachelor of Arts Degree (summa cum laude) with majors in mathematics and library science from Upper Iowa University, a Master of Arts Degree in Librarianship from the University of Denver (CO), and more than thirty years of experience working in school, college, public, and special libraries. She obtained Iowa private investigator licensing in 1990 after locating (in less than 3 hours of work) the birth mother of an adoptee born in California in 1947. The client had originally asked for “genealogical research.” Her first case after obtaining PI licensing was locating the birth father for the same client. Karen will train on searching for birth relatives separated by adoption, especially when the name of the subject of the search is not known at the beginning. An annotated list of resources will be provided and explained.

Mark Gillespie’s previous career was spent as special agent for the Air Force Office (AFOSI). He is skilled at conducting a broad range of tasks ranging from homicide investigations and personal threat assessments to counterespionage. After retirement from the Air Force he served as the Director of Forensic Science for the Austin Police Department. In later years Mark carried his passion for forensic science and teaching at St. Edwards University where he was responsible for developing their forensic science undergraduate degree program. He also contributed seven years as a board member (last two as President) for The Texas Association of Licensed Investigators (TALI), one of the largest and top P.I. associations in the nation. He is one of under 40 in the state that has achieved the distinction of being a “Texas Certified Investigator (TCI)”. He is also licensed in Alabama and Louisiana. Mark has a genuine passion for safety and security awareness and education — helping individuals and institutions become less vulnerable and more aware of potential risks and threats so they can improve the safety and security of their surroundings.

Wes Bearden is not your stereotypical investigator. Because most of his clients are lawyers and law firms, he went to law school so that he could better understand what his clients need. He is an active attorney licensed in Texas and Louisiana. He understands what is discoverable and what is admissible in court. He knows how to handle witnesses appropriately and ethically, and he can work more easily on investigations that cross into other states. “People-Lawyers-come to me with their client’s problems, and I love solving them,” Mr. Bearden, CEO and Chairman of Bearden Investigative Agency says. “Our clients get a lawyer-led team of dedicated investigators who will fight for them. We uncover the facts they need and work toward the resolution they want.” Mr. Bearden is proud to lead a full-service agency that has the resources and know-how to respond quickly and effectively to critical situations.

Paul M. Powers joined Betty, Neuman & McMahon in 2013 where his practice focuses largely on workers' compensation and insurance defense. He is a graduate of the University of Iowa and Western Michigan University where he received his law degree, magna cum laude, and served as the Editor-in-Chief of the Homeland and National Security Law Review. Paul also holds an LL.M. in Homeland and National Security Law. He is a member of the Order of Sword and Shield and a Freemason with Davenport Lodge #37. Paul is proud to have served in the Peace Corps in Senegal, West Africa, and he currently serves as a Board of Director for the Humane Society of Scott County. Paul was born and raised in Davenport where he currently resides with his wife, Elizabeth. In his free time, Paul enjoys travel and cheering on the Chicago Cubs and Iowa Hawkeyes.

Mitch Mortvedt (Assistant Director – Field Operations Iowa Division of Criminal Investigation) attended the University of Northern Iowa where he received a Bachelor of Arts degree in Criminology. He was hired in 1994 by the Iowa DCI where he was assigned to the Gaming (Casino) Bureau for four years. In 1998 he transferred to the Major Crimes Unit, Council Bluffs. In that assignment he investigated a wide variety of crimes including homicides and child deaths, sexual assaults, kidnappings, bank robberies, corruption by public officials, officer-involved shootings, embezzlements and any felony level criminal act. He also serves as the DCI representative on the Iowa Child Death Review Team. Mitch was promoted in 2009 to the rank of Special Agent in Charge and was the supervisor of the Zone 2 - Western Iowa Major Crime Unit (MCU) covering 29 counties. In 2014 he was promoted to Assistant Director of the DCI's Field Operations Unit. In this assignment, he oversees the DCI's Major Crime Unit, Sex Offender Registry Unit, and the Cyber Crime Unit.

Kevin Winker attended the 13th Iowa Department of Public Safety Academy in 1988 and upon graduation started his career with the Department as a Trooper in the Iowa State Patrol. Kevin transferred to the Division of Narcotics Enforcement in 1990 and has held a number of positions within the investigative divisions of the department since then. In 2005, Kevin was promoted to the rank of Special Agent in Charge in the Division of Criminal Investigation and in 2008 was promoted to Assistant Director and supervised the Field Operations Bureau which included the Major Crime Unit, Missing Persons Unit and Cyber Crime/ICAC Unit. In 2010 he transferred back to the Division of Narcotics Enforcement as their Assistant Director and on September 1, 2013 was assigned to the Division of Intelligence and Fusion Center. Kevin has served as the Director of the Iowa Fusion Center since 2014. In 2018, Kevin was promoted to Director of Investigative Operations for the Department of Public Safety. He currently has oversight of the Department's Division of Criminal Investigation, Division of Narcotics Enforcement, State Fire Marshal Division, and Division of Intelligence and Fusion Center. Kevin is a graduate of Mount Mercy College in Cedar Rapids, Iowa where he obtained a B.A. in Criminal Justice Administration. In 2008 he attended Northwestern University's School of Police Staff and Command and in 2011, attended the 244th Session of the Federal Bureau of Investigation's National Academy in Quantico, Virginia. Kevin is the current President of the Iowa Death Investigators Association, a member of the Federal Bureau of Investigation's National Academy Associates and a member of the Association of State Criminal Investigative Agencies (ASCIA).

The dirty secret of private investigation: Dumpster diving can yield the best intel.

The Utah Sleuth has the scoop on how to do it right.

Being a private investigator is about helping people find closure. Information is our main commodity. In a world seemingly dazzled by the latest proprietary databases and state-of-the-art electronic gadgets, a simple trash pull remains an often-overlooked resource.

Before you head out the door, make sure you're familiar with the law. I am not a lawyer, and this article should not be construed as legal advice. Having said that, you should be aware of local regulations that prohibit trash pulls.

In the 1988 U.S. Supreme Court case of *California v. Greenwood* (486 U.S. 35), the court held 6 to 2 that the Fourth Amendment does not prohibit a search and seizure of garbage left for collection outside the curtilage of a home.

In this case, the police believed Mr. Billy Greenwood was dealing narcotics from his home but lacked evidence to obtain a warrant. The police then searched Greenwood's trash at the curb and discovered drugs. This gave them probable cause to obtain a warrant. With the items in the trash and at the curb, Greenwood no longer had a reasonable expectation of privacy.

Several municipalities have passed regulations restricting dumpster diving. Subdivisions, apartment complexes, and home owner associations also post notices prohibiting rummaging through garbage. I am not sure such notices carry the force of law. Consult an attorney beforehand if you have questions.

Your primary concern should be trespassing. When conducting a trash pull at a residence, restrict your movements to grabbing trash around the curtilage of the home—in other words, at the curb or in an alley behind the residence. It is unlawful to walk onto the property and grab trash on the side of the home or next to the garage.

With apartment complexes and commercial businesses, dumpsters are in common areas. You may find a gated community or a company dumpster behind a locked fence to be problematic, especially if accompanied by a "no trespassing" sign.

Avail yourself of a careful pre-surveillance of the subject's residence. First, determine when regular trash pick-up occurs. A call to the city or vendor handling trash collection will suffice. Scout out the subject's location during daylight hours. Acquaint yourself with the placement of security cameras, exterior lights, nosy neighbors, busy streets, bus stops, busy commercial establishments, dead-end roads, and where the trash is left out for collection.

Determine whether or not the dumpsters are locked. Many front-end dumpsters use gravity locks. These locks only open when the dumpster is lifted up by a sanitation vehicle. More often than not, I've found these types of locks broken, allowing access. Many front-end dumpsters also have sliding doors on the sides.

In terms of equipment for your trash-pull go bag, you'll find the following items useful:

- **Gloves** – Latex or vinyl gloves work fine. If you target a business that sells food, wear work gloves to avoid cutting yourself on cans or broken glass.
- **Old Clothes and Shoes** – Wear clothing you don't mind getting dirty. Long-sleeve mechanic overalls do the trick. Remove all jewelry.
- **Trash Bags** – On a recent trash pull, I discovered much of the trash remained un-bagged, having been dumped from a can directly into the dumpster. Bring your own trash bags just in case.

- **Step Ladder** – If your target lives in an apartment complex or is a business, you'll be dealing with a dumpster. If you're vertically challenged (as I am), bring a short step ladder with you to both get in and get out of the dumpster.
- **Flashlight** – Bring a small headlamp, as it allows you to have both hands free.
- **Groundsheet** – Place trash you collect on a tarp or groundsheet in your vehicle. You don't want to wake up the next day and discover trash has leaked all over your car. The same tarp can be used to lay out the trash in your garage for documentation.
- **Anti-Bacterial Hand Sanitizer** – Even if you've been wearing gloves, you'll want to wash your hands afterwards.
- **A Pretext** – Prepare a story ahead of time. Residential trash pulls are quick snatch and grabs. Commercial businesses and apartment complexes may require you to spend time inside the dumpster, maximizing your exposure.
- **Digital Camera** – Evidence you find may end up in court. Each item should be photographed for chain of custody.
- **Black Sharpie and Paper/Plastic Bags** – Be sure to label, document and preserve each item.
- **Chain of Custody Evidence Form** – Log all items on a chain of custody form.

The best time to grab the trash depends on when it's out for collection. For residential trash, the early morning hours on the day of collection are ideal. A simple early morning drive-by works. For businesses, you'll want to conduct your trash pull very late at night or early in the morning. Trash pulls conducted after long weekends or holidays will yield the best haul. Remain vigilant. Listen for the police. Watch out for rats, raccoons or other scavengers.

After grabbing the trash, you'll need to preserve any evidence you find and document the chain of custody. This means labeling and photographing each item.

Finally, you may think a trash pull is beneath you or not worth your time. Think again. I recently helped a major retailer prove one of their franchisees was violating the franchise agreement, based on evidence found during a trash pull. I also learned that a worker's compensation claimant was spending the day at an amusement park after a trash pull. I bought a ticket and spent *my* day videotaping her riding every roller coaster in the park.

Trash pulls are like surveillance. Sometimes they yield results, and sometimes they don't. Either way, these tips should help you be more successful.

About the author:

Scott Fulmer is a private investigator, author, speaker and owner of Fulmer, P.I., a private investigation firm in Salt Lake City. His love of mysteries began at the age of eight when he discovered The Adventures of Sherlock Holmes in the school library. Scott's many articles, blogposts and podcasts about the PI industry became the basis for his first book, [Confessions of a Private Eye](#). He is also the host of the popular [Fulmer, P.I. Podcast](#), available on iTunes.

Scott has a degree in criminal justice from the University of Texas at San Antonio. He enjoys reading, traveling and watching "Law and Order: Criminal Intent." He resides somewhere along the Wasatch Front near Salt Lake City with his wife Valerie, also a licensed private investigator. He is available for media appearances and to speak to your group, seminar or conference. For media inquiries please contact him at scott@fulmerpi.com.

Importance of Accurate Background Checks

By Stephanie Irvine

For many private investigators, background checks are a staple service offering. There are a variety of different types of background checks, but in each, a qualified private investigator is capable of retrieving and assessing the results. Accuracy is critical when it comes to background checks because the results, if inaccurate, can be devastating.

Background Check Basics

When someone requests a background check, they want to know more about a person than what meets the eye. Whether someone is considered for a position in which they interact with children or an individual has applied for a gun and a background check is required by law, private investigators have the resources and knowledge to supply the necessary report. Background Checks are typically comprised of the following types:

- **Pre-Employment Background Checks:** Requested by an employer to ensure a candidate is suitable for a position; can include a criminal background check, social security number verification, education verification, driving record, character references, credit checks, and more.
- **Criminal Background Check:** Conducted to see if an individual has a criminal history (at county and state levels) and can be done for a variety of reasons (pre-employment and personal are common).
- **Personal Background Check:** Completed for personal reasons to provide a complete history of an individual's criminal background and can include other components depending on the requestor's wishes.

Behind the Scenes of Background Checks

After a private investigator receives a job inquiry for a background check, there are a number of things that private investigators do to complete a background check. The first is compiling different data sets dependant upon what type of background check is requested.

Data for background checks can involve running a credit check to see if an individual has a positive credit rating and what, if any, instances were reported (unpaid bills, delinquencies, bankruptcy, etc.). This information can be obtained through the credit reporting agencies.

Additionally, background checks that include a criminal history will run records checks to see if an individual was convicted of a crime at the county, state, and even federal levels. These checks could reveal a range of infractions, from moving violations (such as speeding) to more serious crimes, especially at the federal level. For example, if a job candidate has a felony on their record but lies about it at the interview, a background check can turn up this information.

Accuracy Matters

When a private investigator conducts a background check, it is essential that the results be accurate. Not only is the person paying for the background check expecting accurate results, but your private investigation business and license may end up on the line if you provide false information.

The effects of having inaccurate background check results could be [devastating for the party](#) whose information was checked and/or investigated. An inaccurate background check could cause an individual to not be considered for a job as many employers rely on that information to weed out candidates, particularly with positions that have a high volume of applicants. Additionally, some individuals could be denied a loan or have a housing application rejected. Faulty results may also spark a concern for identity theft, which could result in a timely investigation and resolution.

Considering the negative repercussions that exist simply from the results of an inaccurate background check, an individual who then investigates their case to see if they are a [victim of identity theft](#) will likely be very unhappy to discover where the problem originated. These are major issues that could significantly affect the life of the subject of the background check — as well as of the private investigator.

How Faulty Background Checks Affect PIs

Because a false or inaccurate background check can have devastating consequences on the subject, it is absolutely critical that a private investigator performs accurate background checks.

If an individual is the victim of an inaccurate background check, they are well within their right to [seek legal action](#) against the private investigator and/or company that performed the background check. In order for an [employer to offer equal opportunities to job candidates](#), they must follow specific rules and restrictions. Not following those rules could result in problems for clients and problems for your investigative business, too. [Class action lawsuits](#) are happening as a result of improperly performed background checks. This could ultimately destroy a business, its reputation, and the victim's life as well.

Protect Your Business

Before offering background check services to your clients, ensure that you are aware of all the regulations involved. Additionally, be sure to take the time to review the checks before passing them on to the client. This could provide you with the opportunity to catch a mistake before it becomes a problem for everyone. Be clear and specific in what services you provide, and when providing them, take care to ensure accuracy on each and every check. Your business depends on it.

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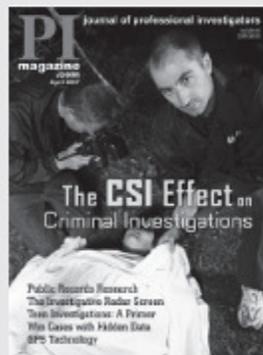
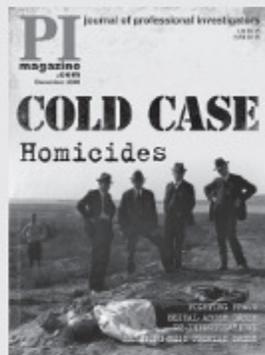
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