



PALI

Spring 2002

NEWS BULLETIN

The Official Publication of the Pennsylvania Association of Licensed Investigators

P.O. Box 60036, Harrisburg, PA 17106-0036 (800) 443-0824 <http://www.pali.org>



PALI Seminar:

Al Qa'ida Training For Killing Americans: What you will have to Face!

Included will be Al Qa'ida Training Film, a segment on Bioterrorism, and much more.

Two locations and dates offered for this seminar.

March 19, 2002, @ The Inn at Reading, 1040 North Park Rd., Wyomissing, PA 19610, 800-383-9713

April 4, 2002, The Palace Inn, Routes 22 & 48, Monroeville, PA 15146, 800-545-6600.

Cost: PALI Members - \$35.00, Non members \$75.00. Includes lunch and handouts. Contact Susie Gochenour for more information: 717-576-2253 or download registration form from our web site: www.pali.org

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SECURITY SINCE SEPTEMBER 11TH

— SINK OR SWIM?

By Eileen Auch Law

... The cell phone's muffled, but piercing ring made many of us reach into our pockets (or pocketbooks) to stop the phone from ringing another time. It was the morning of September 11th. Many of us who were gathered for the PALI meeting in Reading reached for our phones. It turned out it was Phillip Potter's - Vice President and Chief of Security here at CIA, Inc. He hurriedly rushed out of the room, whispering to the caller so as not to further interrupt the meeting.

I'll never forget the look on Phillip's face, as he walked back into the room and up to the podium where Barry Ryan was speaking. I knew something was wrong. I saw Barry's genial face frown as he touched Phillip's shoulder, thanking him for the information. He looked down, cleared his throat and proclaimed, "We have just received information that an airplane has crashed into the World Trade Center." Most of us gasped, and one man yelled out, "On purpose?" There was embarrassed laughter. Discussion immediately ensued and while many thought it was an isolated accident, in my heart, I knew better and said so. I'll never know how I knew it was not only terrorist related, but also that it would be repeated imminently in other places. Another cell phone rang...and another voice reported, "The second tower has been hit."

I remember wanting to go home immediately. I felt like I was underwater—looking at my colleagues as if I had a mask and oxygen tank on, slowly coming to the surface of reality. Someone was escorting me into another room, where hotel personnel had set up a television, albeit with poor reception. Perhaps the fuzzy reception was a *good* thing as we watched in horror as the huge jet crashed into that tower, being played over and over again. I remember feeling that this was surreal—was it a bad dream? I looked around the room. My eyes weren't the only ones with tears falling...

Now, sadly, the new catch phrase is "before September 11th" or "after September 11th" ... as if our lives started or ended on that date. For many, it *did*. I think we'd all agree it will long be imbedded in our minds right up there with, "where were *you* when JFK was assassinated?"

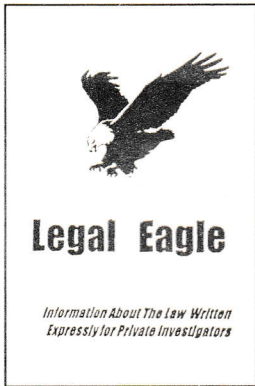
It seems that we are all guilty of being "armchair quarterbacks." What COULD we have done differently...what SHOULD we have done and now, what WILL we do differently.

When my friend and colleague, Bob Kozura, called and asked me to write an article about this, my first thoughts were, "and cut my own throat?" I'd do just about anything for Bob and since I like to think of myself as an "honest engine" - I felt if it would help some of our colleagues, it is worth it. I've always believed in healthy competition and in helping others.

As licensed detectives, we are afforded the opportunity to hire security officers by virtue of our licenses. Our company, which has been in business eighteen years now, started doing this about twelve years ago. I noticed a change in the demand for security back when the postal workers were shot and killed by a disgruntled ex-employee. Then came Columbine High School. Yet MORE calls. Then came September 11th. What a difference a day makes!

Our phones have not stopped ringing. We have security officers in many places including but not limited to government buildings, banks, stores and in schools. We have also had an increase for security consulting and background searches. I was not surprised

Continued on page 2



LETHAL WEAPONS TRAINING ACT

By: James J. West, Esquire

Approximately two years ago I conducted a rough survey of PALI members to determine whether or not there was an issue with the Lethal Weapons Training Act, Act 235, with the result that it was very clear that the vast majority of PALI members do not carry firearms and are not impacted by this Statute. I also discovered that several members have permits to carry firearms issued by county sheriffs and that at least some members were of the mistaken belief that the county sheriff's permit met the requirements of the Lethal Weapons Training Act for private detectives and that that Act only applied to people functioning as watch guards and other security agents. This is not correct and qualification under the Lethal Weapons Training Act is an additional requirement to carrying a firearm while working as a private detective.

My reading of the Act indicates that it is very broad and requires all "privately employed agents" to receive the appropriate training or they are guilty of a misdemeanor if they carry a lethal weapon in the course of their employment. The term "privately employed agents" is broadly defined and includes any person employed to provide "detective or criminal investigative services". Accordingly, the Act covers anyone providing "detective services" who carries a lethal weapon during the course of their employment. All PALI members are alerted that if they carry a lethal weapon while providing detective service without meeting the requirements of Act 235, but relying strictly on a sheriff issued permit, they are at risk to be held in violation of the Statute.

To be certain that the above interpretation was correct, I have re-contacted State Police Assistant General Counsel, Joanna Reynolds, who has jurisdiction over these matters and she has again confirmed that the above interpretation is the same interpretation as the State Police have placed on Act 235.

Any PALI member with a question regarding the requirements the this Act can feel free to contact me at my offices in Harrisburg and I would be glad to elaborate or to re-contact the General Counsel of the Pennsylvania State Police to get a definitive answer to your inquiry.

LEGISLATIVE UPDATE

By: James J. West, Esquire

Many of you have heard me speak of the Federal False Claims Act, sometimes referred to as the Whistleblower Statute. This is the Act that makes it possible for a whistleblower who reports false claims for money made against the United States to obtain a share ranging from 15% to 30% of the government's recovery. The Federal Statute is used frequently in the Medicare/Medicaid Health Care Fraud area and in the Defense Contractor Industry and has resulted in staggering recoveries for the government as well as whistleblower's shares many times amounting to millions of dollars.

What many of you may not realize is that a dozen states, including Delaware, Florida, Massachusetts, Hawaii, Texas and California, have enacted their own false claims acts covering state dollars obtained by unscrupulous private corporations defrauding state and local governments and, most importantly, that for the last four years, Pennsylvania has been attempting to pass its own false claims legislation.

The pending Pennsylvania False Claims Act would give to the Attorney General of Pennsylvania and the County District Attorney the same type of authority to pursue false claims made against the Commonwealth and its political subdivisions as the United States Attorney has in pursuing such claims on behalf of the United States of America. While this pending statute substantially follows the Federal Statute, it has some unique differences. The state whistleblower can get between 20% and 33% of the recovery depending upon how much their cooperation contributed to the ultimate recovery. In addition, the Attorney General or District Attorney (depending upon who prosecutes the case) receives 33% of the proceeds of the action or settlement to be used to support and expand ongoing false claims investigations and lawsuits. This could amount to a substantial sum of money which would be available to fund future whistleblower investigations.

This year the bill has made it through the House by a vote of 197 to 0 but in the past has always been tied up in the Senate because of strong opposition from the health care industry and the lobbyists that represent them.

Obviously, the legislation does favor the Private Detective Industry because it provides a substantial pool of potentially lucrative investigations. I will keep the organization updated insofar as any progress this proposed law makes in the Senate as well as the success or failure of any lobbying efforts by the health care industry.

President's Message

Dear Member:

There are some exciting things going on with PALI this year and we will continue to get stronger and be perceived as more of professional businesspersons.

I want to thank all those who have volunteered to work on the committees for 2002 and would graciously accept any offers for others to volunteer for those committees. Please let me know and I will be glad to connect you with the committee chairpersons.

There are a lot of items we are dealing with as we go into the New Year. Our solicitor Jim West has been very busy for the last few months looking into several items for us. You have received one of those opinions in our December 2001 mailing you will also see some in this issue of the newsletter.

The most exciting item this year is our recent addition of the Yahoo Groups and the opportunity we all have of communicating with each other about particular problems and situations. Those of you that do not have e-mail are missing out on a great tool for private investigators.

I am very enthused about our organization and would like to have more of the private investigators join and take advantage of PALI's services. Our membership committee is working very hard to get new members and if each of you would contact a PI in your county for 2002 and recruit them to join, we could have a stronger voice. A good way to introduce new members would be to invite them to our seminars. As you already know we have them scheduled for 2002. Our first is in Monroeville on April 4, 2002, and the other is in Reading during the fall of the year. We will do our best to make these seminars worth while for all private investigators.

If you have any matters you wish to discuss, feel free to give me a call.

Best Wishes in 2002!



Bob Meinert

Security Since September 11th – Sink Or Swim?

Continued from page 1

to read over the holidays that *the* most "secure" jobs in this country are, in fact, in "security." However, it comes with a price!

You must consider the cost of training, uniforms, radios, equipment, supervision, workman's comp and liability insurance (which have sky rocketed since that fateful day), taxes, marked patrol cars, overhead and more importantly, being able to bankroll for paychecks every two weeks. If you have government or school contracts like we do, the client may not pay you for two months or more, yet your employees must be paid every other week. Further, you frequently bid against others for contracts and most clients want the lowest price. They don't care much about training and finesse and integrity. You will eventually have to hire a Chief of Security and site supervisors. You, personally, will have to go for updated training (always a plus in my book), keep abreast of the ever-changing laws and be prepared for the headaches that will follow. Let's not forget the phone calls of employees who call in sick, or are afraid to travel when a couple of snowflakes hit the ground. Remember, a contract is a contract is a contract. Your client doesn't care that your employee's mother died, or their child is home sick. You need to have the manpower to immediately put someone in that place at a moment's notice. Further, you become liable for another person's actions. The money you have to expend is *far* more than what you have to front if you are engaged in strictly investigations or consulting. Some of the larger corporations known for security guards treat this as a "numbers racket" and care more about competing for and procuring a contract by putting just a "warm body" on a site than they do about making the client happy. They have revolving doors where their employees are concerned. We eventually get them when not only their client becomes disgruntled, but the employee, having been treated as a "number" is dissatisfied as well. In essence as in most things in life, you get what you pay for!

So you may ask, "Is it worth it?" Truthfully, for me, the answer is an emphatic, "No!" Life's too short for the many headaches and demands it brings with it. Ask Phillip and his answer is, "Yes! It's recurring revenue, it's a challenge and it's a numbers game!"

We'll see who spends more time on the golf course this year—Eileen (who desperately NEEDS the practice) or Phillip, who has been diagnosed with chronic "I-can't-get-golf-out-of-my-head" syndrome. Film at 11!

(Eileen is President of the Confidential Investigations Agency, Inc. 962A East Baltimore Pike, Kennett Square, PA 19348 and has been a licensed Private Detective for eighteen years, specializing in finding kidnapped children, missing persons and biological parents. Feel free to visit their Website: www.CIAdetectives.com or call them at (610) 388-1776.

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ROBERT E. MEINERT

PALI 2002

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First Vice President Skip Gochenour
Second Vice President Richard Payton
Secretary Fred Bornhofen
Treasurer Frank Bradshaw

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Legal Counsel James J. West, Esq.
Chairman Emeritus James Carino

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Welcome New Members

John Sancenito

Information Network Assoc.
5235 North Front Street
Harrisburg, PA 17110
800-443-0824

Gary Severance

PO Box 787
Fairview, PA 16415
814-774-8457

Jack Sminkey, PhD,

Nationwide Security & Investigation
3402 Edgmont Ave. #333
Brookhaven, PA 19015
610-876-6762

J.L. Sumpter

Sumpter Detective Agency
705 Forest Edge Court
Wexford, PA 15090
724-934-1795

ADVERTISING RATES in PALI NEWS BULLETIN

Ad rates have been established.
However, the information was
not available for printing in this
issue. Look for the rates in the
next issue or call PALI.

JIM CARINO

AND

THE BIRTH OF PALI

Dating back to the mid 1970's there had been at least 6 separate efforts to establish a statewide association of private investigators. There were 3 futile attempts to organize a group in the Harrisburg area; however, the most successful in terms of viability were the Montgomery County Association of Private Detectives and the Western PA Private Detectives Association.

It was not until April 1997 when Jim Carino, founder of INTELNET, a world-wide association of investigators and security specialists attended a NCISS meeting in Scottsdale, AZ and Jim realized how bad legislation, generally beginning in California, migrated to Mass, NY and then to PA. Of immediate concern was DMV legislation which was being denied to the PI profession. It was obvious that Pennsylvania needed a platform to represent the issues critical to the emerging private investigative industry. Including himself, Jim convened 6 INTELNET MEMBERS representing various regions of the state; Fred Bornhofen, Bob Meinert, Frank Bradshaw, and Barry Ryan. The original meeting was held in August 1997 at the Pleasant View Restaurant in McConnellsburg, a place mutually inconvenient for all attendees. (The restaurant has recently burned and its owner has been charged with arson). In his absence, during a restroom break, Barry Ryan was elected President. The other charter members were elected as follows: Jim Carino, Chairman of the Board; Bob Meinert, 1st Vice-President; Karl Von Lipsey, 2nd Vice-President; Fred Bornhofen, Secretary; Frank Bradshaw, Treasurer; and Lynette Reville, NCISS representative. It was mutually agreed upon that the only way for the Association to be successful was to grant specific authority and tasks to each of the Charter attendees who each contributed \$100 for initial expenses. The PALI name was selected and shortly thereafter By-laws, a Code of Ethics, and both an application form and brochure were developed and plans were made for a website. Jim West, a former U.S. Attorney in the Middle District of PA graciously joined us as Legal Counsel. Board meetings the first 4 years were held in McConnellsburg; they have since been held in Harrisburg. All meetings are open to the general membership. PALI's primary focus is twofold: a) to provide the foundation for educational and professional development of its members, and b) thru the website and other formats, to provide a road map to help members develop and grow their businesses.

Kudos to Jim Carino for spearheading the foundation of the Pennsylvania Association of Licensed Investigators! Jim is retired from the Air Force as a Special Agent with over 20 years in field and staff levels with the Office of Special Investigators (OSI). His expertise developed in the areas of criminal investigations, fraud counter intelligence, counterespionage investigations and executive protection. He was liaison with several other foreign investigative/counter-intelligence agencies. Jim served as the U.S. Air Force Representative on the joint U.S. Military/Drug Enforcement Administration Investigative Committee on Narcotics and also The National Task Force on Organized Crime. As Director of Criminal Investigations, he had responsibility for all criminal investigations for the USAF. While Director, he developed and instituted several (then) innovative investigative concepts and programs, such as an Advanced Criminal Investigators Course, crime analysis, mobile forensic training items, undercover narcotics operations and criminal intelligence. In other capacities, he served as an AFOSI Inspector to check worldwide ASAF management effectiveness and procedural compliance and had responsibility for training, guidance, supervision, and policy regarding security violations, and sabotage investigations.

Jim graduated with a BA from Colgate University('55) and with a MA in Political Science in 1970 from the University of Hawaii. He is the founder and Executive Director of INTELNET, a world-wide organization of approximately 400 investigative and security specialists; an active member and officer in numerous other associations, including the American Society for Industrial Security (ASIS); the National Association of Legal Investigators (NALI); Association of Former Special Agents of the Air Force (AFOSISA, Inc.); and the National Council of Investigation and Security Services (NCISS).

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Meet PALI Members

FREDERICK A. BORNHOFEN, CPP, CFE

Bornhofen and Associates

One Sunmere Lane

Elverson, PA 19520

(610) 942-9140

FAX (610)-942-9576

fborn@bellatlantic.net

Mr. Bornhofen has been a leader in the field of industrial security since 1967. In his work with four major corporations, he has consistently moved to positions of greater authority and responsibility. He has served as an internal consultant to the profit minded industries, utilizing state-of-the-art developments to reduce the impact of crime on profits. Mr. Bornhofen's recommendations and his actions have saved his employers and clients millions of dollars and has recovered millions of dollars from criminals. He is regarded by his colleagues as a leader in the area of robbery and violence prevention, commercial security designs, business ethics, terrorism and the conduct of business in hostile countries. He has published in many areas and has lectured at the FBI Academy, Pennsylvania State Police Academy, The Army War College, the Government of Mexico Petroleum Security Conference, the Wharton School of the University of Pennsylvania, St. Joseph's University, West Chester University, in hospital security officer training courses and at numerous professional seminars and social groups.

Mr. Bornhofen offers his services as an independent security consultant, nationally and internationally. He also offers forensic services for the legal industry.

EDUCATION:

B.S., St. Joseph's College, Rensselaer, Indiana, (Mathematics and Physics), 1960

Graduate Studies: Law, Physics, Mathematics, Electronics, numerous seminars and training sessions

Attendance at each national seminar of ASIS for 30 years

PROFESSIONAL HISTORY:

1990 - Present, Principal, Frederick A. Bornhofen and Associates, Elverson, PA

1989 - 1990 Vice President and General Manager, Cap Index, Inc., King Of Prussia, PA

1977 - 1989 Director of Security, The Sun Company, Inc., Radnor, PA

1975 - 1977 Director of Security and Safety, National Tea Company, Rosemont, IL

1970 - 1975 Loss Prevention Manager, Zenith Radio Corporation, Chicago, IL

1967 - 1970 Security Manager, The Magnavox Company, Greeneville, TN

1962 - 1967 Special Agent / ASAC, Office of Naval Intelligence, Washington, DC

CERTIFICATIONS AND AWARDS

Certified Protection Professional (CPP)

Certified Fraud Examiner (CFE)

Fellow, St. Joseph's College

Senator, U.S. Jaycees

Licensed Private Investigator, Pennsylvania

Cover Story for Security Magazine, October 1987

Distinguished Service Medal, The Vidocq Society, 1995

Board Certified Forensic Examiner, ABFE

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Continued on page 7

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MEET PALI MEMBERS (Continued)

FREDERICK A. BORNHOFEN, CPP, CFE

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PROFESSIONAL AFFILIATIONS

Member, American Society for Industrial Security, (ASIS), (formerly, Vice Chairman, National Standing Committee on Terrorism, former member, Safeguarding Proprietary Information National Committee.)
Former President, Philadelphia and Chicago Chapters of ASIS
Member, Board of Trustees, Citizens Crime Commission of the Delaware Valley,
(formerly Chairman, Security Directors Committee)
Trustee and Case Manager, The Vidocq Society
Secretary, Pennsylvania Association of Licensed Investigators
Member, Police Chief's Association of SE Pennsylvania
Member, Chester County Pennsylvania Police Chief's Association
Vice President, Intelnet
Member, Montgomery County Private Detectives Association
Member, Federal Investigators Association
Security Advisor, Wellness Community of Philadelphia
Member, Council of International Investigators

LEADERSHIP POSITIONS:

Founding Member, International Security Management Association (ISMA)
Former Member, The American Society For Industrial Security Foundation
Former Chairman, Citizen's Crime Commission of the Delaware Valley, Security Directors Committee
Former Cochairman of the National Association of Convenience Stores (NACS) Security Council
Former Member, American Petroleum Institute (API) Security Council
Former Cochairman, Program against Cargo Theft, (PACT), US Department of Transportation
Former member of the US Overseas Security Council (OSAC), US State Department
Former Vice Chairman, American Society for Industrial Security Standing Committee on Petroleum Security
Former Member, International Society of Crime Prevention Practitioners
Former Member, Pennsylvania Crime Prevention Officers' Association

MILITARY SERVICE:

US Army Reserve: Infantry instructor and member, Army Security Agency, 1960 to 1966: Honorably Discharged.

Tech Notes

Bob Kresson

Technology is an exciting aspect of our business. I am looking forward to taking this opportunity to bring news of the very latest that the research and development in our industry has to offer. My name is Bob Kresson. I am the newly appointed Director of Technology for P.A.L.I. I am a licensed investigator in the State of PA., and have twenty-six years experience in this field. In those years, my firm has grown from a one-man operation to a multi-dimensional agency with an arsenal of products and services. We have consulted with NBC, ABC, WTAE, WPGH and the FOX networks.

Working in conjunction with the NTSB, Pgh. Television station, WPXI, and several State Police Departments, we were able to install a surveillance system on a vehicle, crashing a train into the vehicle at forty miles per hour, creating a force of more than 125 G's. We obtained live action video of this impact that was crystal clear. Law enforcement agencies across the nation now use this video as a part of their safety training.

In my upcoming articles, I will introduce you to cutting edge technology. Our field is a burgeoning one, and we know the competition is fierce. In order to succeed, we rely on information that will provide us with immediate impact on our business and our bottom line. I will be keeping you apprised of upcoming shows, seminars and newly released tech devices, including TSCM "Debugging," GPS Tracking Devices, and Digital video Recorders. I will also be keeping you current with the latest covert, automated surveillance systems.

Technology is redefining the way that investigators conduct business. With science partnering with technology an investigator is able to be more efficient and therefore more productive.

I look forward to bringing you more on this vital topic and thank you for the opportunity to present it to you.

I welcome your questions, comments and suggestions. Please feel free to e-mail me at bobkresson@msn.com.

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Calendar of Coming Events

Business/Board Meeting (3 x / year): Wednesday, June 26, 2002

Business/Board Meeting: Wednesday, October 9, 2002

Business/Board Meeting: Wednesday, February 19, 2003

(Above to be held in Harrisburg, PA at Barry Ryan's Office)

Seminars

Reading – Tuesday, March 19, 2002 (definite)

Monroeville – Thursday, April 4, 2002 (definite)

Reading – Wednesday, September 11, 2002