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# the legal **i**nvestigator

The Official Journal of the National Association of Legal Investigators

## The **Truth** About *Surveillance Systems*

## Reality vs. **TV**

**Bryan Neumeister** | p.4

### **BUSINESS FOCUS** | p.12

Get the scoop on building an ad hoc team at a moment's notice and find out why this ability is becoming imperative for survival in a competitive profession and economic environment.

### **CRIMINAL FOCUS** | p.16

Knowing when to stop investigating can avoid causing problems for your client and the case. Find out how to analyze your case, advise your client, and save both the case and your agency's reputation.

### **NEWS/UPDATES** | p.22

A backlog of 20,000 rape evidence kits on Texas police department evidence shelves are in the news. A senate bill may help pay the \$7M to \$11M price tag for processing and bring justice to victims.



# the legal investigator

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## forensics focus

4

The Truth About Surveillance Systems — Reality vs. TV | p.4

What can realistically be done to enhance surveillance video used in most convenience stores, small businesses, home systems, and supermarkets and what are the limitations?

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## business focus

12

Creating a Team Creates Opportunities for Legal Investigators | p.12

Find out how to build an ad hoc team at a moment's notice and why this ability is not only beneficial, but becoming imperative to survive in a competitive profession and economic environment.

## inside

**CRIMINAL FOCUS** | p.16

When is it advisable *not* to investigate and instead let a sleeping dog lie in an investigation? Find out the critical pitfalls to avoid that create problems for the case or the client.

Learn how to analyze your case, how to think down the road, and how giving your best professional counsel to your client may save the case and your agencies' reputation.

## features/updates

**MESSAGE FROM NATIONAL DIRECTOR** | p.20

NALI National Director Terry R. Cox, CLI talks about NALI news and the 46th Annual Meeting this June in lively New Orleans.

**NEWS / UPDATES** | p.22

Learn why a backlog of 20,000 untested rape kits are on Texas police department evidence shelves, and what's being done to bring justice to victims.



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by Bryan  
Neumeister



There is no one product of software that is good for every job and the computer only gets you in the ballpark much of the time. Very often it comes down to sub pixel blending and averaging by trial and error to get the best results.

# The Truth About *Surveillance Systems*

## Reality VS. TV

We've all seen the TV crime shows where the forensic technician opens the grainy surveillance, then zooms in on a tiny face, license plate or scrap of paper, hits the enhance button and, magically, the image becomes sharp and clear (accompanied by appropriate background music).

We know that's TV, but the question is, what can be done realistically to enhance surveillance video and what are limitations?

“Putting cameras in ceilings is easiest, but they would be much more effective installed at eye level. Proprietors might have a few ceiling cameras installed and feel safer, but other than possible deterrence, these cameras are probably useful only in slip and fall cases, not anything that demands facial recognition.”



I'm going to address the most common surveillance systems. The ones used at convenience stores, small businesses, home systems, supermarkets, etc. This does not apply to the high-end systems used in casinos and those installed at sensitive federal facilities.

**Here is what legal investigators need to know:**

The typical commercial surveillance cameras (even most HD models) have a range of around 21 feet from a subject from which they deliver usable facial recognition data.

When you walk into a super market or pharmacy and look for cameras. They are on the ceiling some 20 feet above the floor. They take pictures of the tops of peoples' heads. We work on two or three surveillance videos a week. Inevitably, in a hold-up scenario, the suspects are wearing a billed cap which obscures the face. They know

the cameras are above them which is why they wear ball caps.

Putting cameras in ceilings is easiest, but they would be much more effective installed at eye level. Proprietors might have a few ceiling cameras installed and feel safer, but other than possible deterrence, these cameras are probably useful only in slip-and fall cases, not anything that demands facial recognition.

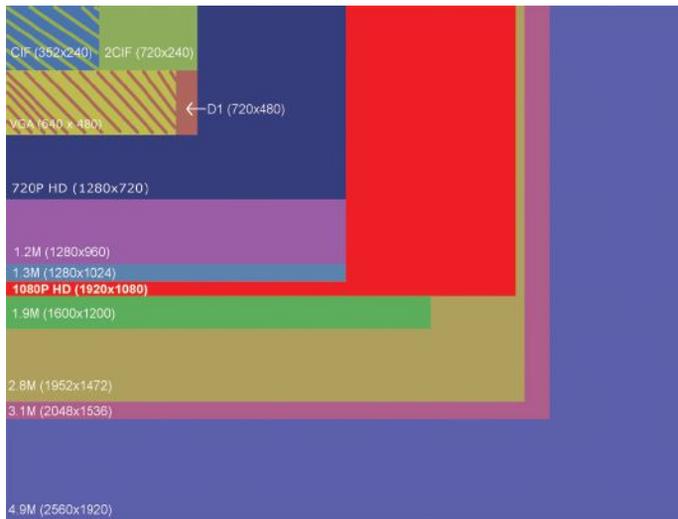
Since the cameras that are closest to the action are looking down at the cap-wearing suspect, we can't usually get a good image to clarify. In these cases we have to rely on the images captured by the cameras that are farther, and possibly caught a better angle of a suspect entering or leaving a scene. But the farther away the camera, the less chance there is of obtaining a useable image. Can that video be "enhanced"?



"Since the cameras that are closest to the action are looking down at the cap-wearing suspect, we usually can't get a good image to clarify."

*Photo courtesy of Ocean Systems*

## Video enhancement depends on a number of factors.



**1. Camera resolution:** There are basically four flavors of surveillance systems: 320x240, 740x480, 720HD and 1080HD. These formats differ in horizontal resolution and picture size. 320 x240 being the size you see in most split screen monitors; 720x480 or 720x 486, the standard definition format; and , in use more often now, the two current HD formats – 720 and 1080.



**2. Camera lenses:** Wide angle, fixed and zoom. Wide angle is the most common on home security systems and small businesses. Wide angle lenses cover the most area, but tend to distort the outer edges of the image. Though we can correct the curvature many times using computer algorithms, wide angle lenses are not the best for facial recognition due to the lens distortion. They also offer the least effective picture for

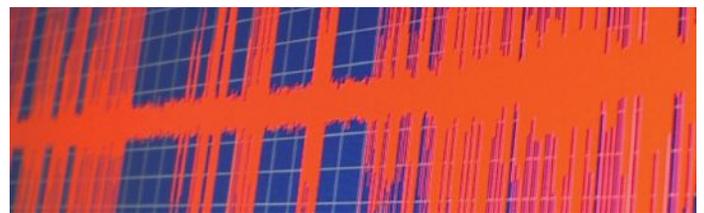
enhancement. Fixed lenses (not wide angle) are often found in multi camera setups. Zoom lenses are primarily used by actively monitored systems. The cameras are usually operated by a person working in a security room.



**3. Recording method:** The most important factors here are “frame rate” and “video compression.” Standard definition television in the United States (NTSC) plays back at 29.97 frames a second. That means that there are about 30 images available for enhancement in a one-second recording. That is a best case scenario for NTSC video. Video takes up a lot of computer space, so in many instances video captured by surveillance systems is captured at a reduced frame rate to save computer disc space. Therefore, there are fewer images available.

The more cameras feeding into a recorder, the more drive space is used up. As a result, manufacturers resort to various measures to compress the size of the recorded file. The more compressed a file, the less space it takes which means there is less data to use for enhancement.

To further save space, most surveillance cameras only record when they detect motion. About 20 percent of the pixels have to detect motion for the camera to trigger recording, again reducing the data available for later use.



**4. Audio:** In some cases audio is recorded through a button microphone on a camera. If all cameras have these, it is greatly useful in identifying a suspect. We have had numerous cases where the audio was more useful than the video. For instance, one robber shouts to the other using his name or some other identifying comment. Also, it may be possible to identify a weapon from the sounds it makes while being fired.

It is important to take the video directly from a surveillance system in its native format or codec. There are over 900 video and audio codecs in use around the world right now. Very often each manufacturer uses proprietary software to play back its files. Downloading the latest player from the manufacturer's site is the next step. In some cases, players are not available for download and have to be requested by contacting the manufacturer.

Flying cross-country to pull video from a surveillance system is not the most efficient way to get things done, though occasionally we do it. Often the surveillance recorder is sent out to us if corrupted data or even erased data needs to be addressed.

The most common way we receive surveillance video is by file server or it is sent to us on a DVD or CD.

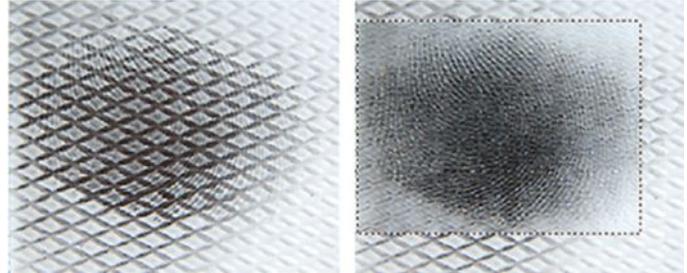


Once we receive the video, we look for "time code" references sent to us by a client. The time is usually stamped on the video by most systems, along with the camera number. The camera number is handy when dealing with big box stores that can have over 120 cameras.

The video is imported in its native codec onto a 64 bit forensic system for analysis. The video is usually broken down into fields or half frames for analysis.

If we are looking for a license plate for example and we find a section with the plate on it, often it is blurry, and over or underexposed. One of the first tools we use is pixel stacking — the same technique NASA uses to enhance pictures from the Hubble telescope. Pixel stacking is taking a picture, cloning it many times, enhancing each clone differently, then mathematically stacking them all

together and having the computers sort out the best stacking combination to deal with a specific issue. There is a lot of interesting science that goes into this, but that's for another day.



**BEFORE**

**AFTER**

*Photo courtesy Ocean Systems*

The most common way forensic software companies attempt to clear up video is by "frame averaging." That is taking a number of frames both before and after a key frame and averaging them together. It is not a bad way to go depending on the type of problem you are dealing with. It is good for correcting motion blur if you are using



**BEFORE**

**AFTER**

*Photo courtesy Ocean Systems*

image stabilizing software along with frame averaging.

There is no one product of software that is good for every job and the computer only gets you in the ball park much of the time. Very often it comes down to sub pixel blending and averaging by trial and error to get the best results.

Up-resizing from standard definition to HD is a mixed bag. There are a number of good tools for this but very often the method used to get the optimal result has to be visually calculated and a plug-ins settings modified manually. In other words, not a pre-set.

Often a surveillance video is going to come down to a few



Photo courtesy of Ocean Systems

# ClearID®

key frames. I might import these key frames into ClearID. A Photoshop plug-in which is designed specifically for forensic work, ClearID offers a strong pallet to work on individual frames. The frames can then be reassembled using a HD editing program back into a video as needed. It is not unusual to use dozens of specific forensic programs and plug-ins for one job.

A moving car through a video sequence is susceptible to "motion blur." There are a number of programs that



address the direction of motion and try to rearrange the pixels in the opposite direction of a blur.

This is handy to lock in on a license plate or window stickers on that moving car. It is of questionable use, per *Daubert*, on people's faces because repairing motion



blur is technically "creating an image" that is not on

the tape. It can be argued that it is enhancing, but that would have to be argued on a case-by-case basis.

**BEFORE**

**AFTER**

*Photo courtesy Ocean Systems*

**How much better can we get?** Usually about two to three times clearer. No surveillance images are the same. There are always issues with lighting, distance, weather and obstructions, including foliage. Surveillance cameras work best on motion related issues: accidents, crashes,



slip and falls, but they fall short on facial ID very often.

For court, I like to present video playing back from an HD laptop to an HD projector via HDMI cable in 1080p. If there is sound we usually play it back over a professional studio monitor set up.



**Restoring corrupted or erased files.** We do quite a bit of recovery on corrupted discs. It is easy to tell if someone attempted to erase a bit of evidence by going through the data logs on the computer drive, which records every activity on a system, even power outs and ons.

Recovering erased material is usually fairly simple as surveillance systems do not shred files. They merely free up the drive space used by the video that was erased. Often the recording will be intact if the system hasn't over-written that space.



We recently had a slip and fall where the equipment had been tampered with and the incident erased. The unit was taken out of service that day. We were able to recover the file as well as note that it had been erased in the data file on the drive.

**VHS tapes.** We are seeing more of the older multiplexed analog (VHS) system tapes showing up in cold case files. These can now be de-multiplexed using special AVID software and a unit called a Time Base Corrector. We have had amazing success with these older videos. We can usually get them up to four times clearer depending on the quality of the tape we are given.

**The bottom line on surveillance systems is "you get what you pay for."**

Don't expect miracles from a four-camera system that was picked up on sale at a big box retailer. If you do have problems, or a case with such a system, give us a call, there is no charge to look at it.

—

Bryan Neumeister has been working professionally with audio and video for over 30 years. He is Certified Audio & Video Forensic expert and testified in federal and state courts, grand jury, and civil and military courts. He works nationwide on cases and as has worked as a technical expert in 23 countries.

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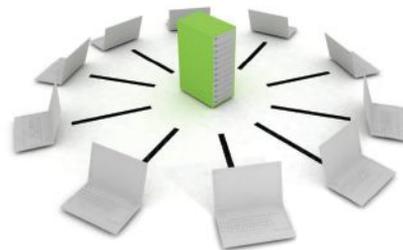
by Dean Beers,  
CLI, CCDI



From a business perspective, the ability to quickly create a case-specific ad hoc team means you no longer have to decline a case that doesn't match up with your particular investigative skills.



Legal investigators do not work alone. As sole practitioners or small firms, the ability to reach out and assemble a team on a moment's notice is not only beneficial, but becoming imperative to survive in a competitive profession and economic environment.



What the ad hoc investigation team is comprised of depends on the case. It can be as simple as retaining an investigator in another location to conduct interviews, take a photograph, shoot video or obtain local reports and records. Or it can grow to include multiple investigators in multiple locations; specialized asset or internet investigators; forensic experts and consultants; and laboratories. The case may require specialized knowledge of a geographic area, topic or operation.



Building your team begins before the case ever comes in. Networking through NALI, attending continuing education, reading and using industry-specific social media builds your Rolodex of people who you one day may need to call on to assist you in an investigation.

When you're networking, always ask yourself how this person may one day benefit you and your client. You're always interviewing everyone for a possible job. And, at the same time, offering your own set of unique skills to others.

Many legal investigators have focused on areas they have both an interest in and possess above-average knowledge and skill; perhaps subject matter expertise — certainly experienced proficiency.

Combining networking and technology, it becomes easy to involve investigators with that advanced knowledge. They can then be part of a core team — those you reach out to most often on your most frequent cases, or an ad hoc team that may work together only once — ever.



Building a team is a case management skill that is particularly important in complex cases. In the early stages, the legal investigator determines what components of the legal strategy and investigative process will require the assistance of more skilled and knowledgeable investigators for specific purposes. These need not be experts, but their specialized knowledge is recognized.

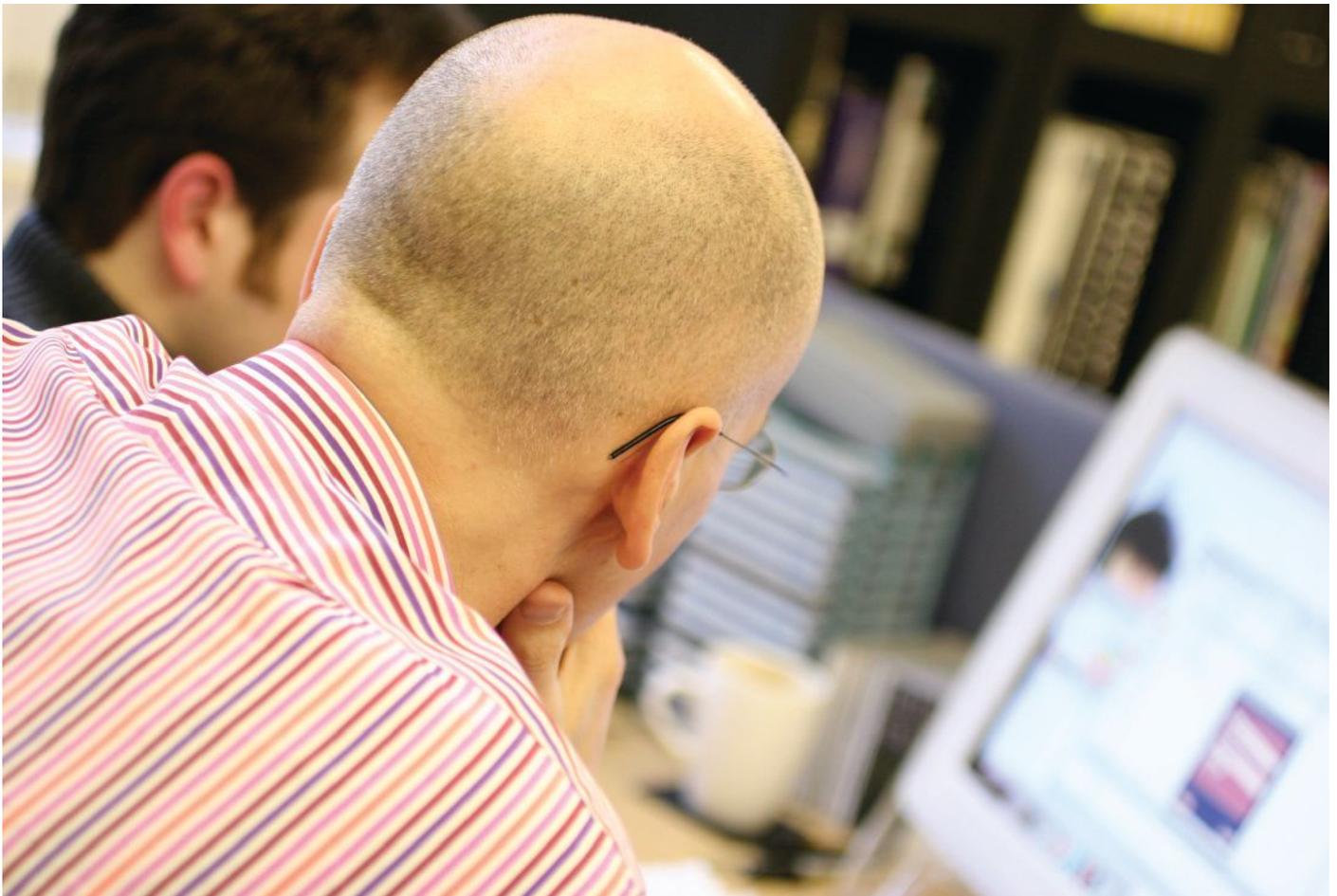
In a product liability case the investigative foundation is completed, witnesses are found and interviewed. Perhaps the primary investigator has no applicable knowledge of the product mechanics. Through networks, including the value of NALI, an investigator with the appropriate skills and knowledge can be found.

Questions are routinely posted to the NALI listserv requesting a tidbit of knowledge or the assistance in a specialized field — such as physical injury or tactical and personal combat, perhaps the protocols of person protection or assistance with a scene reconstruction. It is time to build on the network of learned peers and

construct an ad hoc team of exceptional legal investigators.

Technology has made it practical to quickly build and manage an ad hoc team and manage all the information the team produces. We can now send reports, photographs, videos and test results at the push of a button. In less than a decade, sharing case materials required printing or saving to a medium, sending by express delivery and having a telephone conference. Now, a team of legal investigators, clients and experts can web conference and view the material concurrently; material sent with the push of a button in mere minutes. Technology has brought the concept of the advanced legal team to areas that may not have been previously possible.

“Having a core team and resources reduces the missed opportunities.”





From a business perspective, the ability to quickly create a case-specific ad hoc team means you no longer have to decline a case that doesn't match up with your particular investigative skills. Having a core team and resources reduces the missed opportunities. You can now tell your client that your team can take care of each of their needs. And, you can.

—

Dean A. Beers, CLI, CCDI is an expert in criminal defense homicide and civil equivocal death investigations. He is certified in Medicolegal Death Investigations and is a Colorado POST-certified instructor, and has served as a forensic autopsy assistant. He has lectured extensively and authored multiple articles, peer-reviewed white papers, and provided expert testimony on Protocols of Private Investigation, and Forensic Investigation of Injury Pattern Analysis, as well as consulted as a subject matter expert in Equivocal Death Analysis, Injury Causation, Time of Death, Crime Scene Analysis, Investigative Protocol, Evidence Protocol, and Forensic Photography. He is the author of Practical Methods for Legal Investigations: Concepts and Protocols in Civil and Criminal Cases, released by CRC Press in February 2011, and previously Professional Investigations: Individual Locates, Backgrounds and Assets & Liabilities. He founded his agency in 1987 and operates it with his wife Karen S. Beers, BSW, CCDI, with whom he codeveloped Death Investigation for Private Investigators online continuing education for 14 states.

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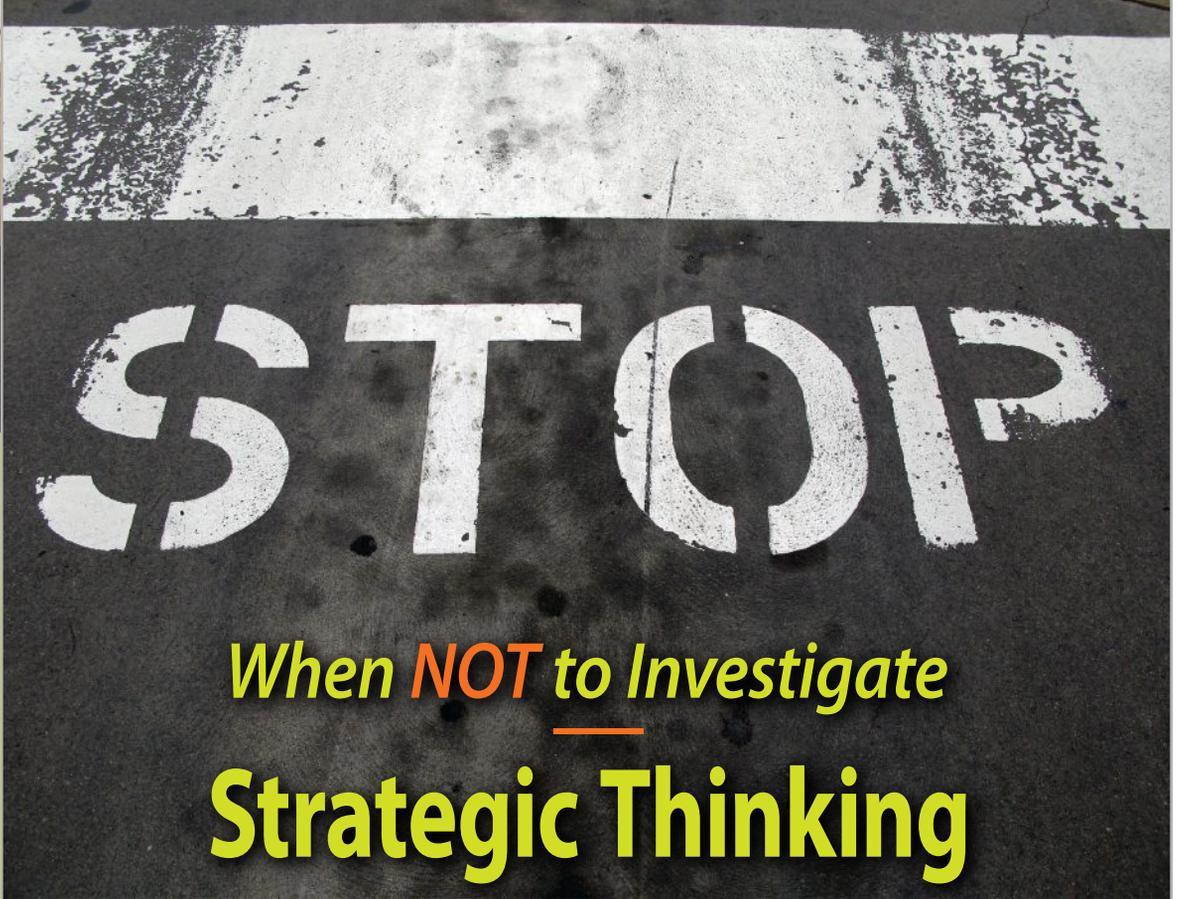
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by Ellis Armistead



Analyze your case, think down the road and don't be afraid to give your best professional counsel to your client. In the end, it may save the case.

Sometimes it is better to not investigate.

That may seem counter-intuitive to investigators because, well, that's what we do. But, doing less sometimes accomplishes more.

Collectively, legal investigators are curious by nature and the thought of not investigating a particular aspect of a case goes against every instinct. However, every investigator must learn when to let a sleeping dog lie and not create more problems for the case or the client. The legal investigator should avoid the temptation to over investigate.

Inherent in this premise is that the investigator be willing to so advise the client, be it an attorney or private party, that in the investigator's best judgment a particular witness should not be interviewed

or a certain path in the investigation not be followed. It may be hard to give this advice, as the investigator's billable hours may be diminished. Yet as professionals, we have that responsibility to our clients.



It is no secret that law enforcement investigations and insurance investigations are often conducted under time and fiscal pressure that may result in a less than complete investigation. There are cases where it may be advantageous to the case to leave the investigation incomplete.

For example, consider the eyewitness to a crime who states that he cannot identify the suspect. In an effort to be thorough, it is tempting for the investigator to re-interview this witness just to be sure. Some investigators go so far as to re-construct lineups hoping to confirm the witness cannot identify the client. The danger in this approach is that the investigator may inadvertently educate the witness or refresh the witness's recollection to the point that a seemingly innocuous witness becomes a star witness for the prosecution. Merely contacting that witness may cause him to re-think his statement to the police, do some investigating on his own and become an important, if not devastating witness.



Similarly, in an accident case the witness who, favorably to the case, states that the client did not disregard a traffic signal, may qualify that statement upon re-questioning.

CASE # 1514541982 DATE 10-25-98 DIV. HOA  
TYPE OF OFFENSE AGG. ASSAULT  
LOCATION OF OFFENSE 12368 SW Fwy  
COMPL. NAME STATE OF TEXAS  
PARTY ARRESTED  
DESCR. OF PROPERTY (1) METAL SHARD  
OFFICERS J.P. Rouse #111998

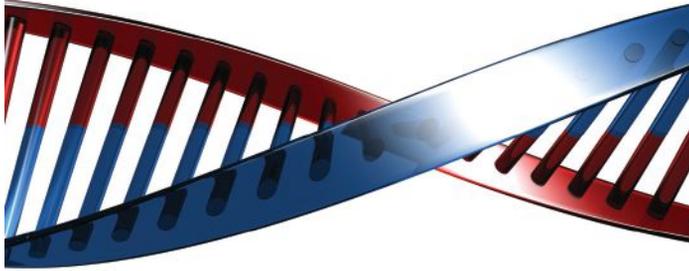
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Independent testing of physical evidence can be another trap for the legal investigator. It is not uncommon for a client and/or attorney to want to have inconclusive evidence re-examined to prove a certain point in a case. Often the results of that testing must be shared with the



prosecution. Be careful of what you ask for.

There was once a man on trial for murder who was Asian American. A lone hair was found at the scene and the hair expert could only tell that the hair came from someone of Asian descent. The client's defense was that he had never been at the scene or anywhere near the scene and knew no one connected with the scene or crime.



The client decided he wanted the hair tested for mitochondrial DNA (new technology at the time) to prove it was not his. His attorney and investigators acquiesced, the hair was sent to a lab for DNA testing and the results came back essentially matching him to the hair. He is doing life in prison.

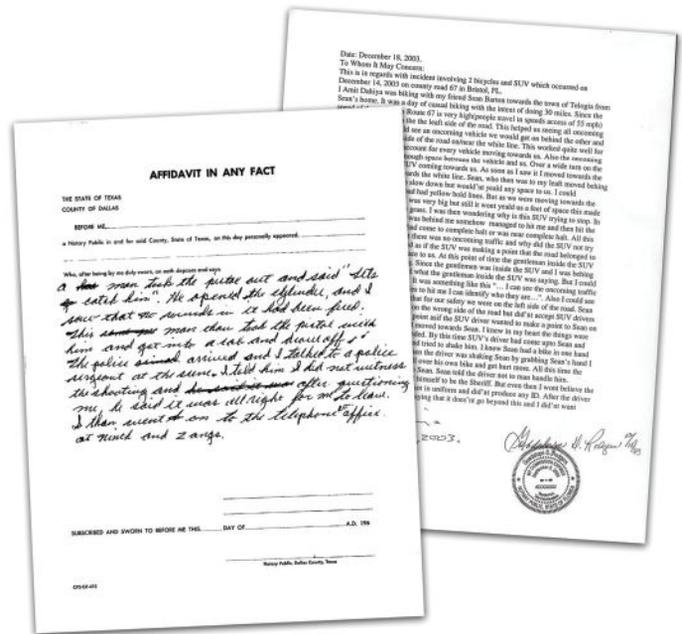
The mistake in this case was believing the client, and in a desperate effort, testing what was a relatively innocuous piece of evidence and turning it into the prosecution's main piece of physical evidence. Strategic thinking was lacking.



In another case, a public official made a statement in the press that was very favorable to the defense. There was a temptation not to interview him, but on further reflection, since the statement had only been made to a reporter, the decision was made to proceed with the interview. As it turned out, the witness stated the public statement was made only for public consumption and he went on to tell the investigator his version of what

really happened in the case. Failure to interview this witness would have been a disaster at trial.

Analyzing every witness statement and how it impacts the case is vitally important. If, for example, a witness provided a favorable statement to the police shortly after the crime, the investigator should analyze carefully the advisability of re-contacting the witness and giving them a chance to recant or worse, remind him or suggest to him facts that are not favorable to the case.



Conflicting statements made by a witness in the course of an investigation are another problematic area. The temptation is to approach the witness and try and resolve the conflict. Think twice before you act. It may be better for the witness to be confronted on the stand or in a deposition with their conflicting statement.

Contacting the witness and asking, "Which statement is right?" may allow the witness to resolve the conflict and deny the attorney the chance to discredit the witness on the stand.

The lesson to be learned is to think ahead and think through the possible ramifications of each investigative task. The scorch the earth investigative strategy may not be in the best interest of the case. The investigator should question the impact of not conducting an inquiry and the effect the decision will have on the case.

There are no hard and fast rules in this decision matrix. Decisions on the direction of an investigation are collaborative, strategic decisions to be made by the attorney with counsel from the investigator. Every investigation should be complete and thorough, yet strategically planned.

Question the potential downside. For example, does contacting a witness risk the potential of hardening the witness's recollection, or does it risk giving away the defense strategy? Does not contacting a witness risk the defense being surprised at trial? There is no right or wrong answer—the answer is in the facts and the evidence in the case.

Analyze your case, think down the road and don't be afraid to give your best professional counsel to your client. In the end, it may save the case.

H. Ellis Armistead, CLI is the President of Heartland Investigative Group and a former NALI National Director. He is an expert in police procedure and crime scenes and is recognized as one of the leading death penalty defense investigators in the nation.



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# MESSAGE FROM THE NATIONAL DIRECTOR

by Terry R. Cox, CLI



If I missed seeing you in Memphis then I truly look forward to seeing each at our 46th Annual Meeting in New Orleans , June 13-16, 2013. It is going to be a Grand Conference in true NALI tradition as we celebrate our 46th Anniversary.

It is a New Year – 2013. NALI’s 46th year!!!!

Since this is being written early due to publication deadlines, by the time this hits your mailbox, The 2013 Mid-Winter Conference in Memphis will be over and if you weren’t there you are hating yourself right now. A special “Thank You” to our presenters, vendors and our Julian Vail Management Team (Val, Larry, Karen & Greg (Karen’s Husband) for bringing together an outstanding conference.

The EC took up a number of business items and began conversations on several areas that we feel may need updating to keep NALI in the front and relevant. The Minutes of the EC Meeting are to be posted on the website in the Members Only Section for your review.

There was CLI testing and I have already posted a “Congratulations” to each new CLI on the list serve.

This event was an exciting time for each of us to learn timely and relevant information and to share time with our colleagues at our social events.

Your Executive Council is diligently working on issues that come along and your Executive Officers are working in conjunction with our management team at Julian Vail to conduct the everyday business of NALI. We are financially stable but we are continuing to be good stewards of NALI’s finances by continuing to exercise good economic policies in our expenditures.

Our membership renewals for 2012 – 2013

were as expected with a few members not renewing due to a variety of reasons. However, we have accepted several new members and have several more applications currently being processed so our membership numbers should be close to the same.

I would like to recognize and congratulate our new members who have been approved since January 1, 2012:

- |                    |                   |
|--------------------|-------------------|
| Lisa S. Reed       | Anthony J. Biello |
| Dwight Posey       | Andrea Mitchell   |
| Dennis Root        | Thomas E. Fischer |
| James Lyons        | Daniel K. Kelly   |
| Alvin K. Brown     | Daniel A. Ryan    |
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| Michael Youngs     | David Rich        |
| John P. Belich Sr. |                   |

Please send them a note and welcome them to NALI.

We bid farewell to longtime member, Davey Clark, CLI who retired at the end of January. Davey was a long time and valued member of NALI for 29 years (26 as a CLI) and we all wish him well in his retirement.

Finally, “Be Proud” to be a member of NALI.

If I missed seeing you in Memphis then I truly look forward to seeing each at our 46th Annual Meeting in New Orleans, June 13-16, 2013. It is going to be a Grand Conference in true NALI tradition as we celebrate our 46th Anniversary. You will not want to miss it. Complete conference information will be available soon.

“Keeping You Informed...”



### **National Association of Legal Investigators Certified Legal Investigator Program Elevating the Standards of the Profession**

In 1967, the founding members of the National Association of Legal Investigators (NALI) came together to form an association of professional legal investigators united by common goals- goals to enhance and elevate the profession by establishing a forum and platform in order to provide professional development and continuing education to the legal investigator. In 1978, NALI created the Certified Legal Investigator (CLI) Program, which established an avenue for legal investigators to earn a revered professional board certification unparalleled in the history of the investigative profession. Through rigid examination, oral ethical testing, role playing, statement taking, and white paper authorship, NALI gave the legal investigator an opportunity to be considered one of the highest skilled investigators in the world. After passing the CLI Examination and attaining the CLI designation, there can be no doubt that the CLI is the best of the best!

In 2010, the strength of the CLI Program has reached heights unimagined in 1967 and only dreamed about in 1978. The mere fact that there are less than one hundred CLI's worldwide is testament to the skill level necessary to pass the rigid and difficult CLI examination. Certified Legal Investigators now enjoy recognition of their achievement in the legal and investigative community, in the court room, and by their employers. A legal investigator can, and often does, receive additional financial benefit when an employer recognizes the added value of expertise after earning the CLI designation.

The sterling reputation the CLI Program now enjoys was not established overnight. Over the last twenty seven years, our CLI committees and chairpersons have diligently imparted an enthusiastic and energetic approach to the program in many more ways than will ever be imagined. My hope is that all legal investigators will embrace the program with the same energy and enthusiasm. I know I will.

Legal investigators who make a commitment to obtain the designation of CLI elevate the profession and, more importantly, themselves. Just ask a CLI! Friends, any person who has experienced the challenging process of CLI certification will tell you the experience and benefit was well worth the time, effort, and energy. Earning the CLI designation is one of the most rewarding highlights in any investigator's professional career, a pinnacle experience. Yet it pales in comparison to the lifelong benefits Certified Legal Investigators impart to those they serve the client. Challenge yourself. Take the CLI examination. You won't regret it, ever. Thank you.

Respectfully,

David W. Luther, CLI  
NALI CLI Chairperson

Contact Chairperson David Luther, CLI for information on the  
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# WINTER 2013

## Testing State's Huge Backlog of Rape Evidence Kits Comes With Hefty Price Tag

*In Texas, an estimated 20,000 rape evidence kits sit untested.*

By BRANDI GRISSOM

There are some 20,000 untested rape kits sitting on evidence shelves in police departments across Texas, the state Department of Public Safety estimates. Each box with samples of hair, skin and clothing represents one of the worst moments of the victim's life, a crime that was followed by hours in a doctor's office submitting the most personal evidence.

"For nothing to be done with it is a revictimization of that person," said Victoria Camp, deputy director of the Texas Association Against Sexual Assault. "And I think that is unfair."

In 2011, Texas lawmakers approved a bill by Senator Wendy Davis, Democrat of Fort Worth, that required law enforcement agencies to audit the number of untested rape kits in their evidence rooms and report that information to the Department of Public Safety. Now that the state has counted the number of kits, lawmakers will have to determine in the 2013 session how much money it will take to clear the backlog.

"We'll have to go back in next session and see what we can come up with," Ms. Davis said.

Over the years, thousands of untested kits collected in police evidence rooms, a result of tight budgets, overworked crime labs and a common law enforcement philosophy that testing rape kits was useful only if a stranger had committed the assault.

As law enforcement agencies test the kits and identify DNA from assailants, Ms. Davis and advocates for sexual assault victims are hoping to track down rapists and solve cases.

Initially, the auditing requirement met with resistance from some law enforcement agencies. Some worried that requiring DNA testing on all rape kits could do more harm than good. In many cases, that evidence would not prove helpful to catching more perpetrators, and often the vic-

tims decide not to prosecute. Forcing all the kits into the lab, they worried, might further clog the system. Despite an October 2011 deadline to report their untested backlog, so many had failed to do so that in May, Ms. Davis sent a memo reminding police agencies that they were required to obey the law.

The pace of reporting improved, and now the department reports that more than 130 of the more than 2,600 police agencies have submitted information about their backlogs; many of those reporting are the biggest agencies. Ms. Davis said officials were confident the remaining departments were making efforts to report their untested kits. The departments so far have reported about 15,900 untested kits. Because some agencies have not reported figures, the D.P.S. estimates that there are about 20,000 untested kits statewide.

The department estimates it would cost the state \$7 million to \$11 million to clear such a testing backlog. It would be less expensive but would take longer if the department did the testing in-house, rather than outsourcing the tests. "The funding is the million-dollar question, literally," said Ms. Camp, of the Texas Association Against Sexual Assault. "I don't have a good answer for that."

Some agencies, like the Houston Police Department, are seeing results from clearing the backlog. The city uses a fee collected from strip-club patrons to pay for kit testing. In July, testing led to the arrest of a man who was charged with a 2003 rape. Ms. Davis said she was hopeful that a bill that the United States Senate approved on New Year's Eve would help pay for the tests. The Sexual Assault Forensic Evidence Reporting, or SAFER, Act by United States Senator John Cornyn, Republican of Texas, would provide financing for states to test backlogged rape kits. It will be reintroduced to the new United States House and Senate.

If that measure does not pass, Ms. Davis said, she will work with lawmakers to find the money in Texas to pay the bill.

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# By the Numbers

**30M** = Number of public cameras operating in the U.S. shooting over 4 billion hours of footage per week

Average number of times per day individuals in a city were recorded by a surveillance camera (2007) = **75**

**20,000** = Number of metro area cameras Chicago police can access (2012)

Decline in total monthly crime in the Baltimore tri-district area following surveillance camera installation = **35%**

**\$1B** = FBI spending on putting together a facial recognition database of footage from public security cameras

Silver



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