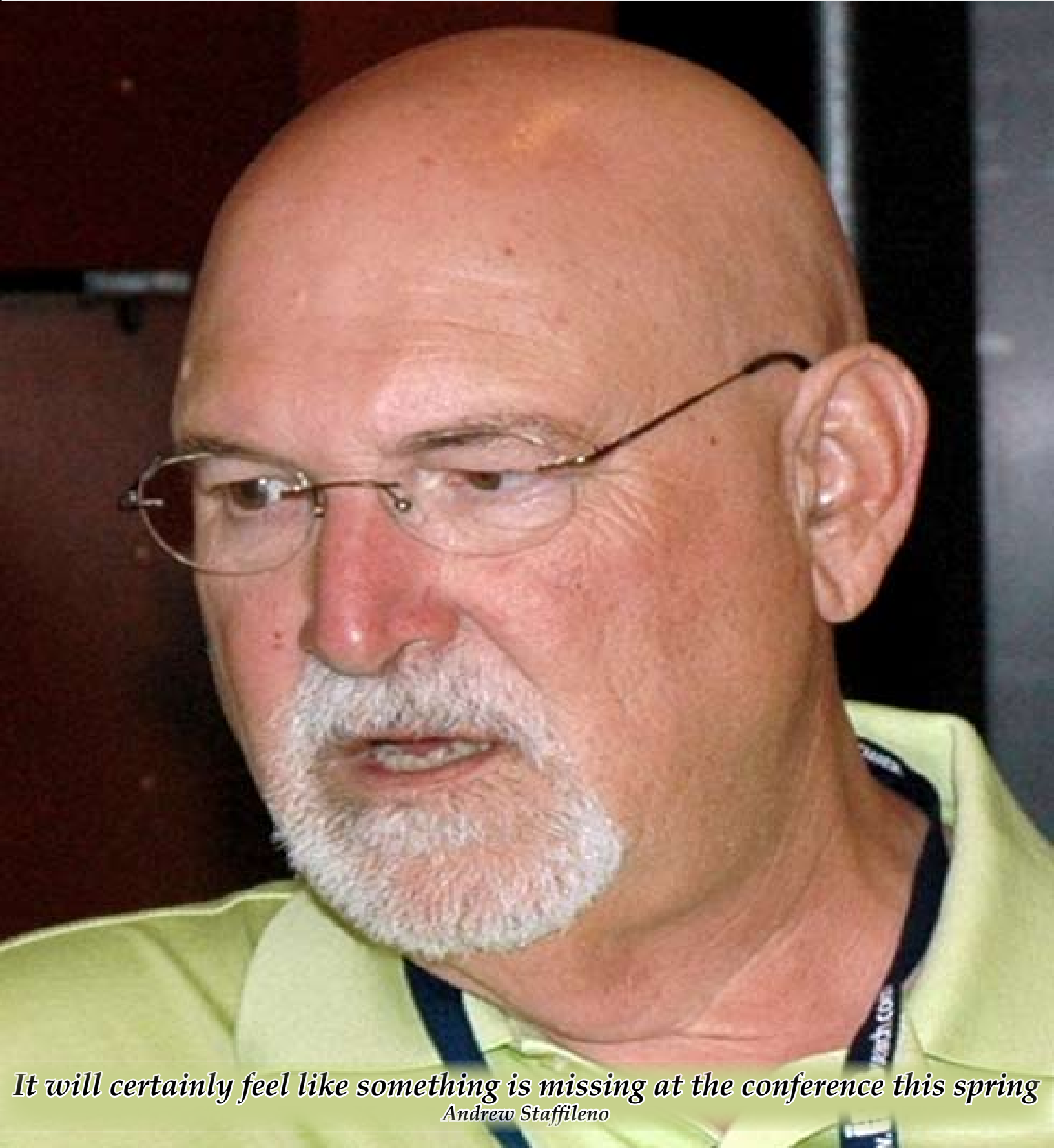


# JOURNAL

*South Carolina Association of Legal Investigators*

SCALI Journal January-February-March 2010 - Vol. 26, No. 1



*It will certainly feel like something is missing at the conference this spring*  
*Andrew Staffileno*

In Memory of Ed Fewell

# SCALI President's Message:



Since our last issue we have lost two friends. One was SCALI member and good friend Ed Fewell. Ed was at every conference, advertised in every issue, and contributed financially when requests went out for sponsors. He taught new PIs and those interested in the profession to serve papers in a legal way. He will be missed so much. J.Redmond Coyle, an attorney in Pickens donated money to SCALI for every Spring Conference for many years. I never got to meet him,

but his support of our association could always be counted on. He was killed by the husband of one of his clients. These deaths remind us that life is short and we should savor every moment, every friendship, and every blessing. May Ed and Redmond rest in peace.

Our Spring Conference is shaping up to be fabulous. Don Wilson has worked hard to secure a great location in Charleston and wonderful speakers. This will be the 25th Anniversary of SCALI and for that reason this conference will be especially memorable. I hope you can all attend.

Thank you Bob Joseph for reworking our website to include new features. The biggest change will be a members only section where we can login and see information that will not be available to the general public.

As always, if I can assist any of you in any way, please let me know. I look forward to seeing you in Charleston in May.

*Vicki*

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## Inside This Issue:

**Cover Photo: *The Late Ed Fewell***

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# From The Editor's Desk:



*We started the year with the loss of a dear friend and colleague, Ed Fewell. As a result, this issue is dedicated to him. We will also be holding the inside front cover in his memory for the next three issues in remembrance of him. Ed always advertised with a full page and never quibbled about prices or looks.*

*In addition, Pickens Attorney J. Redmond Coyle was shot and killed.*

*Our condolences to both families.*

It has been a rough winter, cold, wet, and most of us even had record snowfalls. But now it's time to look forward, not only to Spring, but to the annual SCALI Spring Conference!

I encourage everyone to attend not only the conference, but the business meeting the evening before. It is important for everyone to provide their input in order to continue to further the organization.

Ken and I have made some changes here at the

Journal. From now on, I will assume the role of Editor while Ken will continue with his role as the Advertising Manager.

What does this mean for you? Essentially, that you submit your articles and photographs directly to me via my e-mail address. You will purchase your advertisements through Ken, but will submit the ads to me as well. This doesn't mean that either of us will refuse to help or answer questions, but it makes the workload more streamlined and organized.

If you would like to advertise, Ken is essentially the "money man." If you have questions about the design or how to get a predone ad in the Journal, you would want to ask me.

We have gotten a lot of compliments from inside and outside of SCALI on the new look of the Journal. In order to keep this up, we need commitments for advertising from all of you, as well as we need submissions from members. I would really like to see more articles written by members as there is a vast amount of knowledge and experience out there.

So help us keep the Journal looking good!

THANKS,

*Donna*

# Why Join Your State Associations?

Posted August 01 2007

by Bob Gulinello, Founder & Past NYSPPSA President

Process Serving and Investigation Associations are more than a networking opportunity.

Several people have asked me recently, "Why should I join a state association? After all, it costs \$75 – \$100 per year, and that's a lot of money!" I reply by asking some questions of my own, such as: Do you consider yourself to be a professional? Has the process serving industry been good to you? What can you give back to the industry? Do you believe there is value in working with your peers to bring process serving to a higher level of respectability?

I believe that being part of professional associations brings additional credibility to you and your business. I enjoy being associated with some of the most educated and

knowledgeable people in the industry. When I am seeking new business, I'm proud to tell potential clients that I'm a member of NYSPPSA and NAPPS. This provides me with a network of professionals all over the world. Our board members are elected to their unpaid positions by their peers because they care about the industry and their livelihoods. Professional associations provide newsletters; hot lines that can provide answers concerning service of particular type of process, web sites, membership directories and many other benefits. Also, their members are by far the best the industry has to offer.

It has happened that a good client called me with several rush services that needed to be handled at the same time. The additional manpower I needed

to complete the job was right at my fingertips in my state membership directory. I was recently required to attend a Traverse Hearing. After my name, the first questions that were asked were "Are you licensed and are you a member of any professional associations? Being able to answer in the affirmative added to my credibility and distinguished myself as a professional who cares about his work.

You can certainly get along in this business by yourself. However, you are selling yourself short. Being part of the NYSPPSA has increased my business and I have made some good contacts and great friends. I am able to attend board meetings and brainstorm with representatives of large firms and small companies, We work long and hard to be successful and the

people I work with truly care about the future of the process serving industry.

One or two services will cover the annual dues. Instead of looking at it as an exorbitant bill, it should be considered an investment in the future of your business. The sense of pride and accomplishment I have developed through my membership with the NYSPPSA can't be purchased at any price.

**Bob Gulinello is a NYS Certified Process Server, the Past President & Founder of NYSPPSA and is also a member of the following organizations: Member of NAPPS Member of NJAPPS Member of the NY Better Business Bureau Member of the Society of Professional Process Servers Honorary Member of NYS Sheriffs Association**



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"Breezing" photo by d.b.brisbin



## **Upstate Region Marty Henderson**

**Carolina Investigations  
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**m-henderson@charter.net**

The Upstate Region held its monthly meeting at Logan's Roadhouse in Greenville, SC on Tuesday, February 9, 2010. We had 10 current members attend. It was a very informative time with the small group and it gave everyone a chance to network and also to meet one of the newest members, Bob Dorrah. We spoke about the updates to the website and everyone had a chance to ask questions and get first hand answers. Another topic were nominations to the Awards Committee. Forms were passed out and instructions about nominating a member were provided. Attendees were also advised of the Scholarship Award and instructions on applying for that award. The Annual Conference was discussed and everyone seems to be looking forward to that SCALI event. Our friend, Ed Fewell was remembered and we were also informed that member Carroll Sutton was in the hospital and we were updated on her progress. The Upstate Region meets the second Tuesday of each month. Everyone is invited to attend and bring a friend.

Hope to see you at the next meeting.



## **Coastal Region Don Wilson**

**Charlestowne Detective Agency  
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Charleston SC 29417  
Business:  
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**charlestowne1@aol.com**

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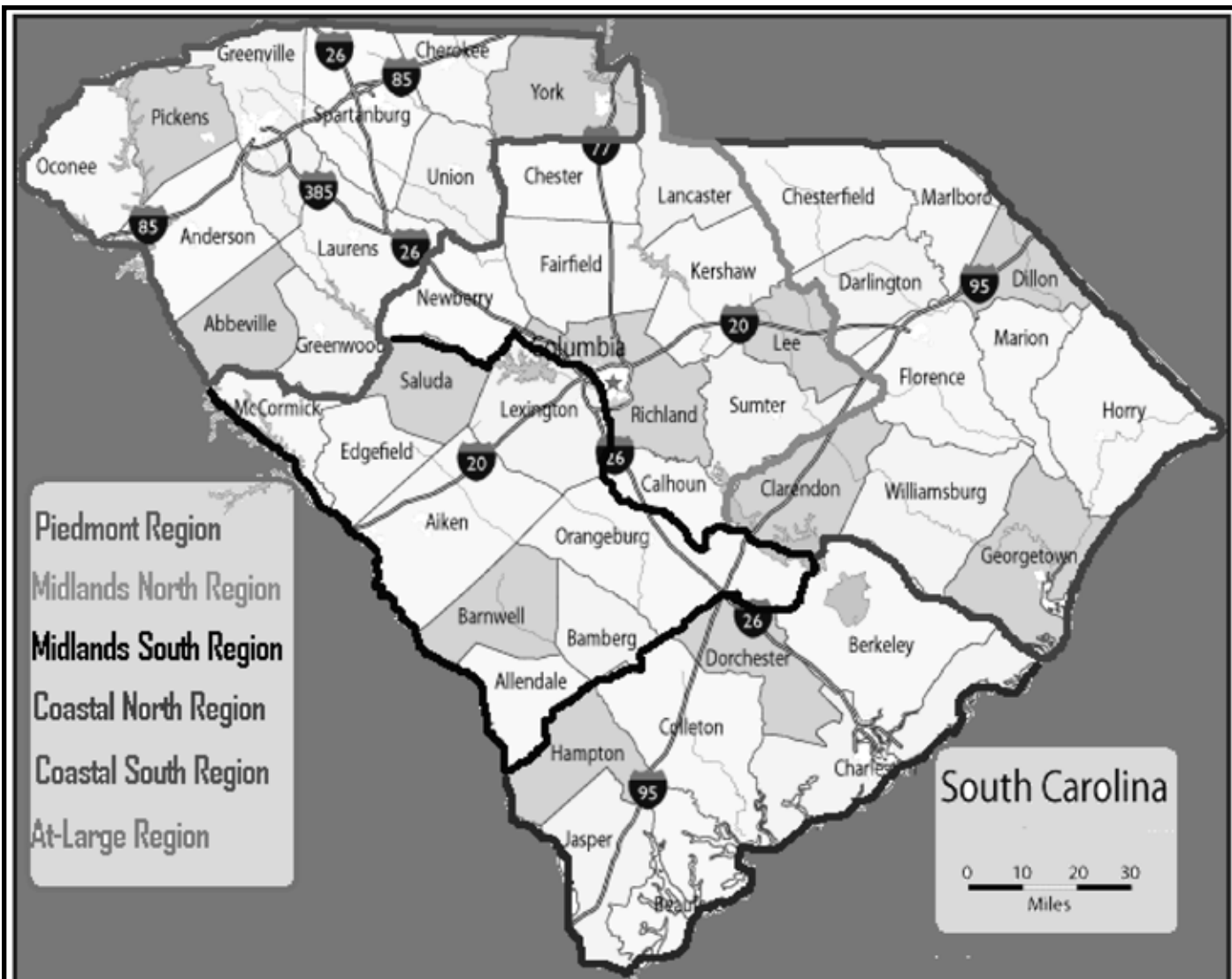
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## **At Large - Frank Rimsek**

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No Report**





## APPROVED REGIONAL CHANGES

The graphic above is the suggested, or as reported in the last Journal “approved” map for redistricting the regions, creating six as opposed to four regions. As you can see by the map, the large Midlands and Coastal regions would be divided into, allowing room for two more Regional Directors.

If you have a comments or concerns about this matter, please contact the Executive Committee. The Regional Directors contact information is provided on their page.

## **Annual Association Banquet and Membership Meeting**

The North Carolina Association of Private Investigators held its 23<sup>rd</sup> Annual Association Banquet and Membership Meeting on January 15 and 16 at the Marriot Downtown in Winston-Salem, North Carolina. The event was hailed a success.

The NCAPI was pleased to welcome Senator Richard Burr, R-NC, as the Keynote Speaker at the Friday Night Banquet. Senator Burr spoke about the importance of a strong and efficient Homeland Security Department; the vision for the future that Dr. Martin Luther King had about our country, jobs and society over forty years ago and how Dr. King's visions have and are becoming reality. The Senator gave insight as to the struggles he and other Members of Congress face in today's political atmosphere in our nations capitol when it comes to introducing legislation. Senator Burr is very supportive of our profession and the legislative issues that affect our businesses and ability to provide services to the public.

Senator Burr concluded his presentation for the evening. Members and NCAPI guest enjoyed a buffet dinner that by the looks of the empty plates, everyone enjoyed.

After dinner, a drawing was held that included all members (present or not) that joined or renewed their membership by January 5, 2010. Bill Lane of Lane and Associates in Shelby, North Carolina won a near shore fishing trip at the Crystal Coast of North Carolina.

Saturday morning's Annual Meeting was kicked off by Forsyth County Sheriff Bill Schatzman's Color Guard who presented the State and National Flags.

NCAPI President Larry Flannery opened the business meeting during which many topics including the never ending 74-C Rewrite, Private Protective Services Board perceived abuse of powers, and one of the most pressing issues was our efforts in the legislative process within the North Carolina House and Senate.

PAC Chairman Bill Fletcher reported on all of the great effort put forth and the level of success reached by our NCAPI Board of Directors and General Membership to defeat Senate Bill-9 and promote the appointment of one of our own to the Private Protective Services Board. Senate Bill-9 which was introduced by State Senator Boseman, D-New Hanover; would have made it illegal for a private investigator to videotape anyone in an occupied room.

After 23 years, the Membership voted to increase the Principal Membership dues from \$50.00 to \$100.00 beginning in 2011. The other levels of membership dues will remain the same.

### **Elections of the 2010 Board of Directors was held. The 2010 Board of Directors elected is:**

#### **President**

**Larry Flannery, Scott & Associates,  
Greensboro**

#### **Past President**

**Ruth Reynolds, Reynolds  
Professional Service, Charlotte**

#### **Vice Presidents**

**Michael Cheek, Priority Plus  
Investigations, China Grove  
Legal & Legislative Committee  
Chairman**

**Audra Coleman,  
Cameo PI, Thomasville  
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**Leroy W. Everhart  
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#### **Gary Pastor**

**Private Eyes, Inc., Greenville  
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#### **Treasurer**

**Jeff Kiker,  
Kiker Investigations, Salisbury**

#### **Secretary**

**Sybil Richards, SPI, Inc., Salisbury**

After the elections, President Flannery recognized and presented plaques to the 2009 Board Members and our PAC Chairman for their service to our association this past year.

The new Board of Directors was sworn in by Past President Ruth Reynolds followed by a brief Board meeting where President Flannery assigned the duties to his vice presidents.

The NCAPI Board and Membership welcomes our fellow professionals of SCALI, especially those SCALI Members who are also licensed in North Carolina to join NCAPI to help us in protecting your professional abilities to do business in North Carolina.

## SCALI SPRING CONFERENCE EVENT INQUIRY

Hello, Detectives! Our Spring Conference-Annual Meeting is coming quickly. Much of the conference is lined up at this point as you can see by the agenda on the SCALI website, which we expect to be a great conference. Notwithstanding, in order to finalize decisions on a few events, it's necessary to query for your desires.

First, with the conference at Charleston, we are unsure if some folks will want to play golf here, or opt for going downtown, instead. There's definitely good golfing and good downtown sight-seeing and shopping, so we're seeking a showing of interest and commitment for golf. If we have a significant interest, we'll work on details.

If you will commit to playing golf on Thursday after during the early registration period, please respond to me individually.

Second, we are unsure how many folks want to participate in a poker tournament sponsored by Tracers Info, to determine the space necessary.

If you want to play poker, after the hospitality suite on Thursday night, please respond to me individually.

Thanks in advance for your support of the SCALI Spring Conference in Charleston at the Lockwood Marriott.

Sponsorship requests will soon follow under another cover.

Thanks, Don

DONALD WILSON




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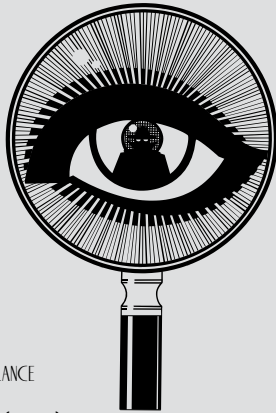
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# SCALI at Wofford College

By David B. Mac Dougall



*The Late Ed Fewell*

Those who think being a PI might be for them have an

business are provided the basics needed to perform their assignments professionally.

Kudos to Don Kneece, Austin Troxell, Bob Joseph, Monty Clark and Ed Fewell who all participated giving freely of their time to make this program a success.



For the first time since its inception SCALI's Basic Training for PI's hit the road taking our program to Wofford College in Spartanburg.

On Monday January 11<sup>th</sup> six SCALI members put on the one day program explaining what the Private Investigation business is really like, what PI's can and can not do, the basics of surveillance, process service, photography, videography, report

writing, computer forensics, electronic surveillance as well as rules, regulations and laws governing Private Investigators.

There were thirty four paid attendees as well as thirty five Wofford students.

This annual program provides the basics of Private Investigating as well as dispelling many of the myths about the business.

opportunity to find out what it is really like. Newcomers to the



*Don Wilson, Vicki Childs, & Marty Henderson*



## *Proposed SC Legislation For Protection of PI's and Process Servers*

There was a discussion at "Basic Training" about this proposed law. I have included the text for your review.

Article 11, Chapter 3, Title 16 of the 1976 Code is amended by adding:

"Section 16-3-1030. (A) It is unlawful for a person to knowingly and wilfully deliver or convey to a process server or licensed private investigator any letter or paper, writing, print, missive, document, or electronic communication or verbal or electronic communication which contains a threat to take the life of or to inflict bodily harm upon the person or members of his im-

mediate family if the threat is directly related to the person's job responsibilities in the normal course and scope of the performance of the job.

(B) A person who violates the provisions of subsection (A) is guilty of the misdemeanor offense of threatening or intimidating a process server or licensed private investigator and, upon conviction, must be fined not more than five hundred dollars or imprisoned not more than thirty days, or both.

(C) For purposes of this section, 'immediate family' means the spouse, child, grandchild, mother, father,

sister, or brother of the process server or licensed private investigator. "

SECTION 2. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the

purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

It seems to me this has nothing to do with an assault or battery and, in reality, offers little protection beyond what we already have.

Dave Mac Dougall

# B LAZER

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Vicki D. Childs  
Owner/Investigator

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**ED FEWELL MEMORIAL**



## Rock Hill Pi Killed In Wreck

# Ed Fewell Had Deep Roots In Rock Hill

Posted on Fri, Jan. 22, 2010

By Matt Garfield

The (Rock Hill) Herald

Ed Fewell, a lifelong Rock Hill resident and member of a prominent local family, died Thursday in a car wreck on Dave Lyle Boulevard.

Fewell, 65, worked as a private investigator, helping clients with process service, domestic surveillance and similar detective jobs. His firm served more than 5,000 court papers a year.

Most mornings, Fewell could be found at the Ebenezer Grill, where he was a regular with the breakfast crowd. Fewell also was active at Oakland Avenue Presbyterian Church and in the Elks Lodge.

Ed knew everybody in town," local attorney Thomas F. McDow said. "Every lawyer in town used his services to some extent."

People who worked with Fewell called him "Hound Dog" for his detective instincts, lawyer Jim Morton said.

Fewell was always quick with a funny story or joke, Morton said, and he'd always be smiling when he told it.

"He was a character," Morton said. "He was smart, very good at what he did. A lot of people knew him in this town."

Fewell spent almost four decades as a member of the Rock Hill Elks Lodge, said Dickie Brackett of Rock Hill, the president of the S.C. Elks Association.

Much of the last 20 years, he was a key member in the civic group's push to raise and donate money to help others in the community.

Right before Christmas, Fewell was instrumental in raising and donating \$7,000 to seven York County charities — and that was just the most recent of Fewell's fundraising endeavors.

"It is hard to find the words right now to describe how Ed will be missed in this community," Brackett said. "Ed had a heart as big as the sky."

"Any time there were contributions to be made, Ed was first in line to give."

The collision happened around 2:30 p.m. on Dave Lyle Boulevard at the Mount Gallant Road intersection, one of Rock Hill's main thoroughfares. Fewell was driving toward downtown on Dave Lyle when his car slammed into the side of the truck, police said. The driver's identity was confirmed by York County Coroner Sabrina Gast. Three witnesses told police the driver of the car drove through a red traffic light before colliding with the semi, said Rock Hill Police Lt. Brad Redfearn.

"We're still conducting our own investigation," Redfearn said. Police hope to learn whether speed and weather could have contributed to the crash.

*"Any time there were contributions to be made, Ed was first in line to give."*

Fewell was taken to Piedmont Medical Center, Gast said, where he was pronounced dead. No one else was hurt.

Fewell opened his own firm, Fewell & Associates, 20 years ago. He attended Erskine College and graduated from the S.C. Criminal Justice Academy as well as the Federal Law Enforcement Training program at Glenco, Ga., according to a firm history.

The Fewell family has deep roots in Rock Hill. The family ran an old cotton warehouse that today stands as a remnant of the early days of the textile industry. The warehouse was built in 1894 as part of the Cotton Factory complex.

*The Herald's Shannon Greene and Andrew Dys contributed.  
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ED FEWELL MEMORIAL

*I first met Ed almost 20 years ago. Since then, he has been a friend and fellow PI who has always been there to answer questions, teach at the Basic PI seminars and support this Association with words and deeds. He was always the first to respond to a call for sponsors, advertisers, and donations. I loved his friendship, his hugs, and his funny emails. I am thankful that I got to see and talk with him last week. He looked so good in his tie and coat and I told him he looked so dapper as I gave him a hug. He just smiled. The SCALI family will miss him. He will always be with us in spirit and his legacy will remain a big part of our Association history. To most of us he will always be "Big Ed" even though his physical size was smaller. But, his heart was bigger than ever and his generosity was large. I am thankful to have known him. May he rest in eternal peace and live always in our memories.*

*Vicki D. Childs, MS  
Blazer Investigative*

*I have known Ed since 1989, when I was a police officer and received a suspicious vehicle call, which turned out to be Ed on surveillance. During my ten years in law enforcement, Ed and I crossed paths on many cases, and I always enjoyed my interaction with him. I had the pleasure of working with Ed in 1999 for a short period of time after leaving law enforcement and over the years, since starting my own agency, he has been a valuable resource to me. He was always available when I had questions and I attribute my joining SCALI to Ed.*

*I spoke with Ed just yesterday at the post office and, knowing now that it would be the last time, I am grateful for the memory. I will miss him.*

*My thoughts and prayers, as well as those of my investigators, are with Ed and his family.*

*Scott P Bernard*

*Ed and I talked just about every day...and enjoyed those emails too (if you were fortunate enough to be on his "short list"). He will truly be missed, especially that southern drawl when he was explaining something.*

*David P Milligan*

*I'm still in shock after reading the notice of Ed's death from an auto accident. Considered a close and honorable friend who gave more than he took. Those that have worked with Ed over the years will sorely miss his banter, easy going ways and wealth of experience. We are gonna miss you Big Man.*

*We will all keep him and his family in our prayers through this tough time.*

*Mitchell F. Barnes*

*I first met Ed, if you can believe this, in the lunch line at a 1996 SCALI conference. I was a young P.I. who felt out of place with all the seasoned investigators around me that day. Ed was easy to spot and for some reason, here we were standing in line. We introduced ourselves and through that conversation, we developed a good friendship over the years. We spoke often. He was always willing to share what he knew or ask what he did not know. Last week, he called me and complained about his workers' comp rates and a workers' comp audit that ballooned his premiums. He was venting more than anything and I did not hesitate to give him the name of our carrier - he would have done the same for me. From time to time, he would drive through Spartanburg, sit in my office with his feet propped up and we would just talk. Sometimes he told me more than I bargained for. That was Ed.*

*You either loved him or loved him -  
how could you not.*

*As the Journal Editor, Ed has always advertised in the Journal and for the past few years, he paid extra to have his full page ad on the inside cover.*

*His response was always, just  
send me a bill, not how much is it.*

*I will have an honorary bottle of Gray Goose at the next SCALI hospitality suite. That was his bottle of choice.*

*I can only imagine that if he touched SCALI this way, what kind of impact this has been with his family. May God bless them.*

*For Ed:*

*Don't walk in front of me, I may not follow.*

*Don't walk behind me, I may not lead.*

*Just walk beside me and be my friend forever.*

*Kenneth R. Walter*

*I first met Ed during one of the Basic PI courses. He has been a steady source of guidance with the Process Service. He and his family are definitely in my prayers.*

*Robert Sirmons*

*A great loss to many. Our thoughts and prayers to family and friends.*

*George and Tracy Hoshell*

I have know "Big Ed" since 1991 when he first came into this business. I met him through his brother, Attorney Sammy Fewell, who I had worked many domestic cases for. I have been served subpoenas by Ed several times on some of the domestic case from other attorneys. I can remember his smiling face when I would pull up beside his vehicle and he would hand me the ubpoena. We always joke about it. The news of his departure really hit home today. He will be missed deeply. So long my FRIEND and may GOD Bless.

Monty Clark

This is such sad news for Ed's family, friends, the legal community and SCALI. I wish I had gotten to know him better during my time in this great organization. I know that the times I have spoken to him by phone with a question regarding this profession especially in the area of process service he was always willing to give me good advice whether he was busy in his day or not. I know that he will be very missed by all. I wish his family and friends my condolences. May God bless them in their time of sorrow. They are all in my prayers.

Christopher R. Hilditch

Being new to the organization, I never had the opportunity to personally met Mr Fewell however with all the emails and accolades regarding his untimely passing I wish I had been afforded the blessing to get to know him. Please know that our thoughts, prayers and condoleces go out to his family and to you his dear friends.

Rick Haskett

The loss of our comrade Ed Fewell comes as a shock and is deeply saddening. I just spoke with Big Ed last week at the basic PI seminar where he presented the "Process Service" course. Just another example of Ed's willingness to go all out to further the cause for SCALI. Ed never, ever, said no when the call went out for help with anything SCALI. He was a true friend and colleague. He will be missed.

Good Bye Ed and God bless.

R. H. "Bob" Joseph, CLI,

I just met Ed at my first SCALI class on the 11th. I am saddened by his death and I only met him once. My prayers go out to all of his family and people who have had the oppurtunity to have known him and spent time with him. He was the kind of person you felt comfortable talking with and that you could learn alot from. I am deeply sorry I will not get the oppurtunity to know him better. Everyone is in my thoughts and prayers.

Donnie Elgin

As a former SCALI Director, I recall Ed always being willing to give a helping hand for our group. He had a very big heart and a loving spirit. He will be missed. My prayers go out for him and his family.

He will be missed. God Bless!

Bonnie Carter

Ed helped many of us even when he did not have the time. Ed was never too busy to help, if he told you he would call you back, Ed would call you back. Ed will sincererly be missed by many. Ed did a lot that many members never knew about to help others.

May God Bless Ed and his family.

Lewis E. Mahaffey

My thoughts and prayers go out to Ed's family. It was shocking and sad news to hear of his passing. The SCALI family has lost a good friend, colleague and professional. I am glad I was able to work with Ed and get to know him more and more over the years. He was a very respectable investigator and played a significant role in our industry and SCALI. He will truly be missed.

Andrew Staffileno

What a fitting honor for Ed to receive the first "Ed Fewell Who's Who award. Ed was a credit to our profession and always willing to lend a helping hand. The phone calls, e-mails and jokes always ment so much. Ed was a good friend to many of us and he will surely be missed. It won't be the same not seeing Ed at the conferences walking around in those shorts and deck shoes.

Ed, you will not be forgotten.  
Go with God my friend.

Wayne Freeman

"My first contact with Ed was a 'pat on the back' & 'job well done' at the conference Jerry & Barb (Roundbuhler) & I helped put together at the Beach some years ago. Ed's compassion and generosity is legendary, his sharing of knowledge and wisdom known by many. I've come in contact with people like Ed during my 40+ years of law enforcement and PI work-but not many. He was a rarity. I admire and applaud the efforts of SCALI members and their Executive Committee with the Who's Who Award and certainly agree you could not have chosen more wisely.

God Bless you Ed,  
hope to see you in Valhalla.

Ron Blanchard

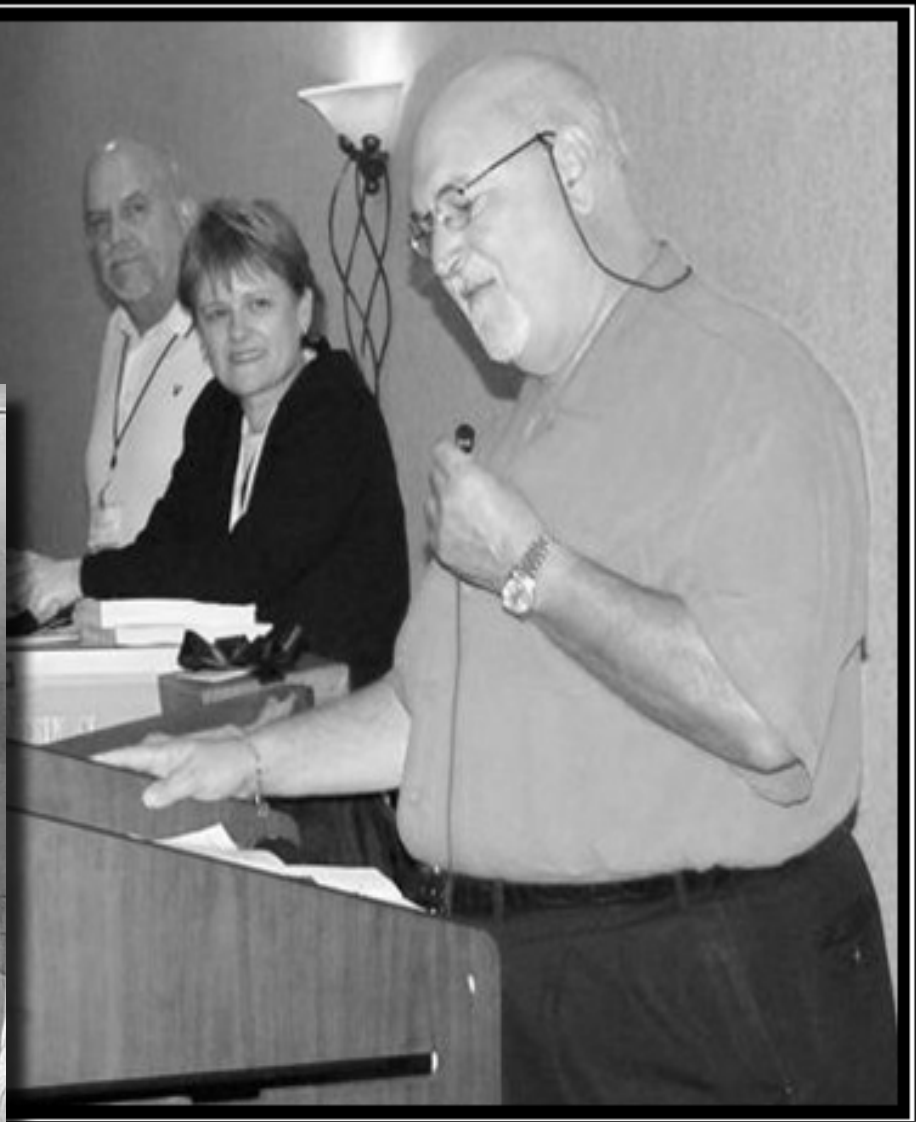
The Executive Committee votes agree with and fully support the Who's Who name change.

Vicki D. Childs, MS

ED FEWELL MEMORIAL







**ED HEWELL MEMORIAL**

*In a mere 10 days SCALI lost two long time supporters and friends. Most of you that know me are aware that I don't usually respond to emails and write even fewer Journal articles, but I felt compelled to at least acknowledge the events of the past few weeks. All of you now know that we lost Ed Fewell to a tragic traffic accident. Some of you may not know that Redmond Coyle (attorney in Pickens) was shot by a client's ex-husband while leaving his office. Any of us could be involved in a traffic accident and unfortunately any of us could anger defendants while serving process. For example, I served the process in Redmond's case and when I walked up on the defendant he was using a chainsaw (which he refused to turn off). So we must be diligent in reminding ourselves that times have changed and clients are more desperate than ever before.*

*I knew Ed Fewell when we were both in law enforcement; we retired the same year and even joined SCALI the same year (1991). We had the pleasure of serving in SCAPI with Jack Geren and others. I was on the Executive Council with both Jack and Ed when we decided to merge with SCALI to make one combined organization to address the educational requirements and professionalism of the industry.*

*Redmond Coyle was one of the attorneys I worked closely with and he also wanted to support the efforts of improving the industry as well. The merger of SCAPI and SCALI began a long and cherished relationship between me, Ed, Redmond, and many of you. There was never a SCALI conference that did not have the monetary support of Redmond. He not only did this as a favor to me but he truly believed in the private investigative industry and wanted SCALI to continue to help make it a professional organization. Ed worked tirelessly behind the scenes to get great speakers, to provide training to new investigators, and to lend his expertise to anyone who asked.*

*One of my favorite memories of Ed was when you "had" him during a robust discussion/banter he would turn it back on you and always ask: "now why would you say something like that?" ---which would send me off in another direction in an attempt to justify my last statement and totally forget the fact that I was winning the original argument! He would later grin that trademark grin and I would know that I had been "had" again!*

*I have no doubt that there is the same type banter going on in Heaven, between Redmond and Ed as to WHO gets credit for forcing me to send in a Journal article today, but I could not let this Edition go to print without acknowledging the contributions of these two great men. SCALI lost two avid supporters and we all lost two mentors and cherished friends. While I am comforted with the assurance of being able to see each of them again, I miss them dearly but am a better person for having had each of them in my life!*

Hyatt Whetsell

*As some of you know, I have known Ed since 1991. I echo all the praise and recognition that has been mentioned today. I am so glad that the Executive Committee moved swiftly and without reservation to rename the Who's Who award.*

*I can remember Ed through our personal contact, and our professional association. Ed and I would call each other from time to time, just to share our lives together and bring each other up to date on any new or past items of interest regarding our investigative ventures.*

*Ed was a religious man with a strong faith and we never forgot that when we spoke to each other or would meet in person.*

*Ed is the best example of hard work, never saying no, strong integrity, faithful, a generous and most loving family man, and most of all, never knowing a stranger no matter what the situation was as it presented itself.*

*I am extremely saddened by his untimely death and wish to be notified as to the funeral arrangements in Rock Hill.*

*Well, I guess Saint Peter can take a break now, because the big man is there and if anything needs to be served, I am sure Ed will be taking care of it.*

*My sincere condolences to his family and friends, we will surely miss him and his candor.*

Jack E. Geren, Jr.

*Although I am now retired from the P.I. Business, I still remember old friends and Ed Fewell was definitely one of them. He teased me a lot, but always in jest. An extremely knowledgeable person in the investigative field and would help anyone at any time. The investigative industry is absent one great guy. All of his friends and acquaintances and especially SCALI members will miss him deeply.*

*Our prayers go out to him and his family.  
God bless and keep you Big Ed.  
I will always remember you.*

Alfred D. & Nora M. Ferrante

*It is with a shock and sadness that I read the news of our friend's untimely passing.*

*I think it is a fitting tribute that we rename the Who's Who award in his honor.*

*My prayers go out to his family and friends in this time of sadness.*

Steve

Much like Ken I first met Ed at my first SCALI conference last May, and I really didn't speak to him until lunchtime. Literally not knowing anyone and a newcomer to the industry I seek out the who's who in this new profession before approaching anyone, As I sat across from him during the conference it was within an hour I took notice of the acquaintances he knew and respect for him, And I knew then I had to meet this man. I introduced myself to him at lunchtime, and he advised me that my 30 + years in law enforcement will be very helpful in my new career. I remembering him advising me "don't cash in all your favors owed to you on one case." That evening after meeting other significant icons of this profession during the conference I thoroughly enjoyed a night of telling jokes and war stories with Ed & friends, in Marty & Guy's room. Though I never got to work with him, but I'm sure it was an honor for those who had.

It is extremely sad to see that Ed is gone, so while, we his friends, are in a state of probation and reverence, let us seek the divine strength & wisdom form our creator to be with his family & friends. And as we continue to pursue our own destiny's let his memory ever be a reminder that there dwells within man, an imperishable and immortal spirit, over which the world has no dominion and death no power. Well done thy good and faithful servant, see you heaven.

Tommy Blackwood

I Ed & I met sometime in the mid 90's at a SCALI conference. I recall Ed's white shirt and tie year after year. Ed was one of the first I always looked for at our conferences. I chuckle now as I vision his pleasurable face in the crowd and when our eyes met the smile appeared. It was a pleasure to shake his hand and pat him on the back as I knew our private conversations as well as general conversations ould always be of interest. He always ask, "How's our buddy Hyatt" meaning Hyatt Whetsell.

Ed was not a regular poker player but was always included in Invitations to participate in our games. He also did not play golf but was always included in invitations To play. Ed was just the type of guy you wanted to be around. His serious manner as well as his joking manner was always interesting and entertaining.

Over the years he was asked to participate in many of our committees as well as donate his time and money for different events. He did so without hesitation.

I sincerely hope that I was as much of a friend to you as you were to me.

A true honor to have known you and to be considered a friend. I will forever continue to search for your smiling face at our conferences, but I also realize you are in our heavens taking care of matters..

Forever,  
Guy

I didn't know Ed personally, but got emails on occassions, but when I saw his face or heard his name, I felt the wisdom, and professionalism about me. This is a sad tragedy, that none of us ever want to feel within our family of friends and Investigators. He will be greatly missed, well thought of, and never forgotten. My prayers are with his friends and family..

Donna Robertson

It is with great, great sadness that I announce that longtime SCALI member Ed Fewell died this afternoon as the result of a car accident. Ed was a devoted member of our Association and a man who has

donated money and time at any time he was asked. He was part of an original group of us that formed SCAPI which later combined with SCALI. He

participated every year as an instructor in the Basic PI course and loved teaching new members about process service. He was a personal friend to many of us and a man who would always lend a hand. I am proud to have known him and I know I speak for all of SCALI when I say he will be missed so much.

As soon as more information becomes available, I will send it. Please remember Ed and his family in your prayers.

Vicki

I have read each and every e-mail posted here regarding our friend and colleague, Ed Fewell. Some brought a smile; some a tear.

There is nothing I can add to the myriad of eloquent tributes posted by SCALI members who, as I, revered Ed's knowledge, wisdom and friendship.

If you didn't have the benefit of knowing Ed simply read these e-mails for an accurate account of the Ed Fewell I knew for over 20 years.

Ed truly cared. He cared for his family; he cared for his profession; he cared for people and he cared for SCALI. It showed in all he did.

Ed's was a life lived well, albeit too short. To say I'll miss him is an understatement.

Dave Mac Dougall  
As he did for eleven years Ed was presenter at "Basic Training" 2006.

# Clients Allege They Paid \$150,000 To Detectives For False Information

Moira Welsh Staff Reporter

Published On Sat Dec 19 2009

Private investigators Cullen Johnson, a former Toronto police officer, and Elaine White are to face fraud charges before a judge in October.

DAVID COOPER/  
TORONTO STAR

Two private investigators appeared in Newmarket court Friday on charges they defrauded their clients.

Cullen Johnson, a former top Toronto police officer, and Elaine White stood silently while the court clerk read aloud six counts of fraud, for "providing false financial information" about people their clients paid them to investigate.

Johnson and White, who had been living in the Bahamas, both pleaded not guilty and asked for a trial before a judge alone. Johnson faces three of those fraud charges while White faces five.

Justice Howard Chisvin presided over their first court appearance since the Ontario Provincial

Police laid the charges last summer. Chisvin scheduled the trial for Oct. 18, 2010, although assistant Crown attorney Harold Dale said he is pushing for an earlier date. The trial is expected to last roughly three weeks.

The Toronto Star ran a story in November, detailing the allegations against Cullen and Johnson from their alleged victims, who police say lost more than \$150,000 in fees to the private investigators.

In one case, a well-respected retired provincial politician was falsely accused of having \$2.3 million offshore.

In another, a Toronto school employee suspected her good friend and lottery partner schemed her and two friends out of a \$5.7 million jackpot. Despite numerous authentic-looking bank records allegedly conjured up by the detectives, the allegation was untrue.

And in a third case, a Pickering woman paid

more than \$21,000 to get financial information on her ex-husband, allegedly receiving dozens of documents stating he had millions hidden in offshore bank accounts when in reality he did not.

An earlier Star investigation into private detective agencies found that the Ontario government has no control over investigators.

Private investigators are licensed by a division of Ontario's Community Safety and Corrections Ministry. A provincial licence can be obtained for \$80 – there isn't even a test – and no investigator in recent years has had a licence taken away.

Internal Affairs is Johnson's company, with offices in Newmarket and Nassau, Bahamas. Before he retired in 1996 he was a detective sergeant on the Toronto Police Force and his online biography says he served as executive assistant to two former police chiefs.

Global Solutions is White's company. She was an investigator with a subsidiary of Lindquist Avey, a forensic accounting firm in Toronto.

Prior to the November story, Johnson sent the Star an email saying he will be vindicated.

"There is no truth to any of the allegations in question. I intend to defend myself vigorously in relation to these matters at the appropriate place and time." Johnson also stressed that he and White run "distinctly separate businesses."

Friday's court appearance lasted roughly 10 minutes. When it was finished, Johnson and White left the courthouse quickly and walked to the parking lot together.

# SCALI 2010 SPRING CONFERENCE AGENDA LOCKWOOD MARRIOTT – CHARLESTON, SC

## Thursday – May 13, 2010

- 3:00 PM Executive Council Meeting – EC Members Only  
3:00 PM Early Registration  
5:00 PM General Business Meeting – Regular Members Only  
7:00 PM Hospitality Suite – All Registered Attendees  
8:30 PM Poker Tournament sponsored by Tracersinfo

## Friday – May 14, 2010

- 7:30 AM Registration  
7:50 AM Welcome – Vicki Childs, SCALI Director; Don Wilson Coastal Regional Dir  
8:00 AM Dan Demers – Intelligenitics - DNA in criminal and civil cases  
8:50 AM Break  
9:00 AM Woody Best – Self Defense Theory for PIs and Process Servers  
9:50 AM Break – 10 Minutes  
10:50 AM Woody Best – Self Defense Practice for PIs and Process Servers  
11:00 AM Ed Tomas - Counter intelligence, counter terrorism, security vulnerability  
12:00 Noon **Lunch – SLED Presentation – Paul Atencio**  
2:00 PM Mike O’Kelly – Forensic crime analysis  
3:50 PM Break – 10 minutes  
4:00 PM Jay Bender – FOIA updates/issues  
5:00 PM Adjourn for Day  
7:00 PM Awards Dinner –

## Saturday, May 15, 2010

- 9:00 AM IRB Representative – GLBA  
9:50 AM Break – 10 minutes  
10:00 AM Fred Whitehurst – PhD, J.D.  
who will discuss forensic chemistry, drug identification, and other lab related issues.  
11:00 AM Fred Whitehurst –  
12:00 Noon **Presentation of Certificates /Adjourn**  
1:00PM Fred Whitehurst – Workshop

# PICKENS LAWYER SHOT, KILLED SHOOTER LATER DIES FROM SELF-INFLICTED WOUND

*Most of you may not recognize the name, but a well known attorney in the Pickens, SC area was shot outside his office last night. Attorney, J. Redmond Coyle was a very long time SCALI supporter, thanks to the efforts of our Pickens SCALI member, Hyatt Whetsell. Mr. Coyle had donated funds to every SCALI event held in the upstate and had advertised previously in the SCALI Journal and spoke at conferences. Below is the article from the web. Please keep his family in your prayers. Condolences also go out to his longtime friend and SCALI member Hyatt Whetsell and other members who knew him.*

PICKENS — A prominent Pickens attorney was gunned down behind his law office around 5 p.m. Wednesday afternoon, according to Pickens police.

Coroner Kandy Kelley confirmed that J. Redmond Coyle, 61, of 734 Placid Cove Way, Salem, was taken to Cannon Memorial Hospital where he was pronounced dead.

Pickens Police Chief Tommy Ellenburg said a man shot Coyle multiple times before shooting himself. The incident took place in the parking lot behind Coyle's 303 E. Main St. office, he said.

Jerry Dean Crenshaw, 61, of 420 Martin School road, was taken to Greenville Memorial Hospital for treatment where he was later pronounced dead from a self-inflicted gunshot wound, according to Kelley.

Crenshaw is accused of shooting Coyle, Ellenburg said.

Following the shooting, traffic near

the scene was almost at a standstill as drivers slowed down to see what was happening.

Police taped off the parking lot behind the office as deputies with the Pickens Sheriff's Office assisted at the scene.

One of Coyle former clients, Mitchell Evatt, stood near the taped-off area as the investigation went on into the evening.

Evatt said he had known Coyle most of his life and that the attorney helped him with both his divorce and disability case following a work-related accident.

Tuesday morning, officers were not allowing the media to take photos at the scene.

However, a note on Coyle's office door read, "Office closed due to untimely death of Mr. Coyle. All appointments canceled. Clients will be contacted at a later date." There are no flowers or anything in front of the door.

Police do not have a motive in the shooting so far but say preliminarily that Coyle may have been involved with a case with Crenshaw.

See [www.pickenssentinel.com](http://www.pickenssentinel.com) for and Wednesday's print edition for further details.

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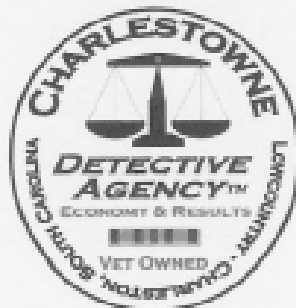
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## The Latest, But Not Last Word, On Corporate Service In South Carolina

By David B. Mac Dougall

In August 2009 the South Carolina Supreme Court issued an opinion that should be of concern to all in this state who serve process.

The case involves a lawsuit filed against a motel following a drowning in their pool. After service on the motel they failed to respond to the complaint and the trial court denied their motion to lift the entry of default. The motel claimed the service of the Summons and Complaint was improper and void.

The opinion relates that the process server arrived at the motel to serve the summons and complaint. He asked the desk clerk to speak with the manager. The manager, who was also the corporations Agent for Service, was out of town for several days.

During a telephone conversation between the manager and process server the manager

told process server he could leave the papers with the desk clerk. The process server did so.

When the motel failed to answer the complaint an entry of default was entered. The trial court found that the service was effective. The motel appealed arguing that the trial court was wrong in finding that the service was effective. The South Carolina Supreme Court found the service proper and effective. In their decision they stated:

*"Service upon a corporation may be made "by delivering a copy of the summons and complaint to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process."*

Rule 4(d) (3), SCRPC. Rule 4 serves at least two purposes: it confers personal jurisdiction on the court and

assures the defendant of reasonable notice of the action. Exacting compliance with the rules is not required to effect service of process.

Not every employee of a corporation is an agent of the corporation for the purposes of service of process. Whether an employee may accept service on behalf of a corporation depends on the authority the corporation conferred upon the employee. In order to determine whether an employee is an authorized agent, the court must look to the circumstances surrounding the relationship and find authority which is either express or implied from the type of relationship between the defendant and the alleged agent. While actual authority is expressly conferred upon the agent by the principal, apparent authority is when the principal knowingly permits the agent to exercise authority, or the principal holds the agent out as possess-

ing such authority.

In this case even if the desk clerk did not have actual authority the court found that she had apparent authority to accept service of process. When the process server initially entered the motel office the desk clerk was the only employee present. This represented to third parties that she was in charge. The process server and manager both testified that the manger told the process server he could leave the papers with the desk clerk or he could come back when the manager returned. Under these facts the court found that the manager knowingly permitted the clerk to exercise authority to accept service of process. For these reasons the court held that the service of the desk clerk was proper.

To read the entire decision go to:  
<http://www.sccourts.org/opinions/HTMLFiles/SC/26709.htm>

### *H 4214 has been introduced into the South Carolina House of Representatives.*

#### *This is the germane portion of the bills text:*

It is unlawful for a person to knowingly and willfully deliver or convey to a process server or licensed private investigator any letter or paper, writing, print, missive, document, or electronic communication or verbal or electronic communication which contains a threat to take the life of or to inflict bodily harm upon the person or members of his immediate family if the threat is directly related to the person's job responsibilities in the normal course and scope of the performance of the job.

offense of threatening or intimidating a process server or licensed private investigator and, upon conviction, must be fined not more than five hundred dollars or imprisoned not more than thirty days, or both.


(C) For purposes of this section, 'immediate family' means the spouse, child, grandchild, mother, father, sister, or brother of the process server or licensed private investigator. "

David B. Mac Dougall

(B) A person who violates the provisions of subsection (A) is guilty of the misdemeanor

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# Hit the Hill – 2009

by David B. Mac Dougall



Marty Henderson and I represented the South Carolina Association of Legal Investigators at the NCISS Hit the Hill campaign in Washington, D.C. on Thursday September 24, 2009. We joined sixty six other Private Investigators from twenty two states who descended on Congress to make them aware of our professional concerns.

The primary objective of Hit the Hill was to inform Congress that the availability of Social Security numbers is crucial to the accuracy of information databases used by Private Investigators.

During our meetings we explained that if Congress bars the sale of Social Security numbers to businesses, like AutoTrack, IRB, Merlin and Locate Plus, the accuracy of these databases will diminish considerably.

We noted that the public can be protected by barring the sale of Social Security

numbers to all but those with legitimate, lawful, investigative purposes.

Marty and I had a face to face meeting with South Carolina Congressman Joe Wilson. It turns out that Joe is a supporter of our efforts and is opposed to having Social Security numbers barred from use by legitimate businesses such as Private Investigators.

Marty Henderson with Joe Wilson

During a hectic day Marty and I met with most of the South Carolina Congressional Delegation.

We reacquainted ourselves with Laura Evans in Senator Jim Demint's Office. She recalled meeting Bob Joseph, Mike Spane and me last year. We renewed our objection to Congress barring the sale and use of Social Security numbers to the databases we use.

Marty Henderson, Laura Evans and Dave Mac Dougall at Senator DeMint's office.

In Congressman John Spratt's office we had a lengthy meeting with Kat Hutchison and Joe Harris. They were very receptive to our plight and efforts.

At Congressmen Gresham Barrett's office we met with Tara O'Neill, a recent Clemson graduate. While she is

new to this position she listened intently and indicated she and the Congressman would give our concerns full consideration.

Tara O'Neill of Congressman Gresham Barrett's office

We met with staff members of Senator Graham, Congressman Bob Inglis and Congressman Henry Brown's office and all agreed to relay our concerns to their congressman.

Each person we met was given a packet of information provided by NCISS as well as a copy of the S. C. A.

L. I. Journal.

Congressman Pete Sessions of Texas was the keynote speaker at the NCISS luncheon on Thursday. Representative Sessions has been a longtime supporter of NCISS and the Private Investigative industry. He was presented with an NCISS award and posed for photos with Marty and me.

I am convinced that the time and expense invested in this effort is well worthwhile. Marty and I were proud to represent the South Carolina Association of Legal Investigators.

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May want to pass this around. This bill is for a total ban of the use of hand held devices while driving. It would be a great problem for our industry. I for one need my guys to have the ability to communicate while doing moving surveillance. On face value, it would include also the use of 2 way radios.

The bill is in the Senate for approval. Please contact your legislators and see if we can get them crush the overall "Ban On Use" to make it require "Hands Free Operation" and exclude "Two Way Radios" from the bill.

Glenn Harrell

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Closing date will be April 20, 2010, in order to get everything to Bob for the printers. Preferably, please have everything to me by next week. Already, I have ad copy rolling in.

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Additionally, I suggest folks register early, because we have negotiated a great group rate for the Marriott, with POSH accommodations you'll like, and may not be able to get any additional rooms at the last minute. Mid May is spring prime time in Charleston, and Charleston is long termed a tourist "destination city", which substantially impacts room rates upward, particularly around weekends; other hotels were firm to double our rates for Friday night and shove us back into the middle of the week.

Thanks again for your SCALI support!

Don

# Beware: The Cell Phone Trail

by Dave Danforth, Aspen Daily News  
Columnist  
Sunday, December 27, 2009

The most formidable weapon against you is the one you use all the time — your cell phone.

The Ohio Supreme Court helped users out a little this week when it ruled that law enforcement agencies need a search warrant before they can ransack private cell phones for contacts and recent calls. Previously, detectives needed no warrant to recover and search a cell phone, likening it to a closed container that can be searched with no warrant if seized during an arrest.

No other state supreme courts have ruled on cell phone searches. The U.S. Supreme Court has decided no case on the subject, and federal courts have differed.

But even if you stay out of legal trouble, you're hardly out of the woods. There are dozens of bill collectors, private investigators, political operatives, spurned lovers and ex or current spouses who'd love to take a look at the contents of your cell phone, or use it to access your most popular websites.

The National Enquirer might have obtained some of Tiger Woods' favorite cell phones had it paid a "private data collector" under \$100 for access to the records they boast they can buy by posing as a

legitimate customer. The controversy over how easy it is to obtain cell phone information broke out with Congressional hearings on the subject in 2006 — even if photo access requires that you physically have the phone.

What if your phone simply falls into the wrong hands? Even your friends might be curious to know who's on that list of 500 numbers each phone can keep. Or, more to the point, whose presence on that list might be a surprise.

No court decision can protect a cell phone user from the grievous consequences of a lost phone that falls into the hands of — well — your enemies.

The law enforcement controversy arose, like many others like it, from a drug arrest. Police wanted to

know whether a known undercover informant was among the suspect's most recent calls. When the suspect challenged the cell phone search, prosecutors said its directory was like an address list found on a suspect when arrested. The Ohio Supremes disagreed, noting that cell phones are "unique" for the bonanza of digitized information they hold.

Now let's behold the more dangerous consequences that can befall the unwary cell phone addict.

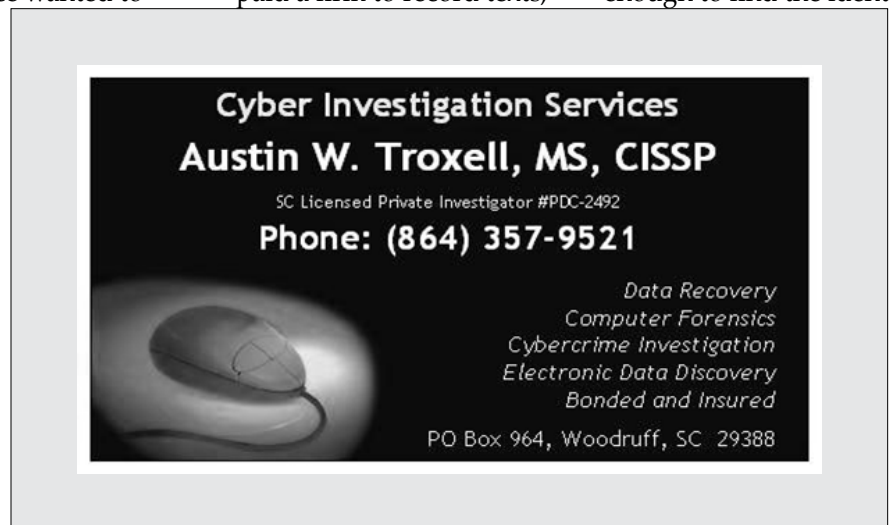
The mayor of Detroit and his lover were forced to leave office after their affair was detailed in newspaper accounts of steamy text messages stored on their phones. Their downfall lay in their use of city-owned cell phones, rather than private models. Detroit had paid a firm to record texts,

where most are normally deleted.

Numerous public officials, including some in Aspen, have inconveniently appeared to forget that their cell phone records — or those whom they call — can be made public upon request. When the public pays for such gear or officials' salaries, they can get the fruits of such use upon request.

Text messages between members of the otherwise forgettable Election Commission here created a stir when they contained embarrassing notes coaching them on how to do their jobs.

More than a few relationships have crashed when a cell phone call list gets inspected by an otherwise unsuspecting soul. It's easy enough to find the identity



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behind any cell number.

Privacy advocates have suggested moves for safeguarding cell phone information. They're topped by asking your cell phone provider not to keep an itemized list of numbers called. Insist on a password to protect your phone or account information, and don't use an easy one, such as the name of a child, pet, or your birthday.

In some cases, users ask their cell phone providers to never give a reminder even if you forget your own password. That way, you — or an imposter — will have to

show up at a carrier's retail cell store with ID.

A useful method of protecting private information is to imagine the data on your cell phone that might be of interest to the FBI. The federal agency has said it sometimes purchases the information from private data collectors or private investigators.

Those particularly conscious of their privacy ask their providers to disconnect the automatic feature on cell phones enabling Internet access. That cuts off the same access to someone

who might recover or steal the phone.

There are useful features for a user who's lost his phone. Cell phone thieves get caught because most modern phones have a built-in tracker that uses global positioning technology to pinpoint their location — just as on any episode of "NCIS," "Law & Order," or "CSI."

Cell phone users received a little protection when the Ohio Supreme Court last week ruled to require a search warrant on a cell phone. But such warrants,

while they may slow down a probe, are generally easy to get.

The larger danger is to those who are law abiding, but who forget the host of inquiring minds who will pay for the data your cell phone so conveniently stores, or rejoice if they can get it for free.

The Usual Suspect is a founder of the Aspen Daily News and appears here Sundays. Reach him at [ddanforth@aol.com](mailto:ddanforth@aol.com).

## *Former Employer Used 'Pretexting' To Get Access To Personal Phone Records*

Court records reveal that a former employee's phone records were obtained by a service hired by a detective agency by "pretexting" and gaining confidential information under false pretenses. In the victim's case, someone called her telephone carriers and pretended to be her. Her former employer, the ultimate client, received her phone records as part of an investigation into whether the former employee was stealing business from the company. The jury found that the "pretexting" in the employee's case invaded her privacy.

Every investigator should read this article as it reveals serious missteps made by the investigative agency that could have been averted. It's articles such as this one that helps feed legislators with the ammunition needed to create laws and legislation to regulate our profession

Jimmie Mesis  
NCISS Legislative Chairman

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# South Carolina Cases

## *Ladson Man Pleads Guilty To Forgery*

Columbia, S.C. Jan. 11, 2010

A Ladson man was convicted of forgery in connection with insurance paperwork, the S.C. Attorney General's Office announced Monday.

Carl Lee Brown Jr., 42, of 4490 Hardwood St., Ladson, in Dorchester County pleaded guilty to forgery with no dollar amount specified. Brown pleaded guilty under N.C. v. Alford. An Alford plea differs from a traditional guilty plea, but the consequences are the same.

Judge Diane Goodstein of the First Circuit Court sentenced Brown to three years suspended to two years probation with 40 hours of community service, with the condition that he must complete an adult literacy

program and attempt to complete his GED.

SLED officials reported that on Nov. 3, 2008, Brown agreed to cut down two trees in the yard of Charles Tompkins. He told Tompkins that he had insurance and the next day presented a letter that appeared to be from the S.C. Department of Consumer Affairs Contractors State License Board. The letter stated that Brown had a valid workers comp insurance policy.

A week later, Brown returned and presented what appeared to be a certificate of insurance. Tompkins contacted the Workers Compensation Commission and was told that the paperwork was a forgery.

Brown later told SLED that he has no insurance and another person helped him make the forged paperwork on a computer.

The case was prosecuted by the S.C. Attorney General's Office.

The South Carolina Insurance News Service reports a few interesting facts related to insurance fraud:

The greatest number of complaints were due to automobile insurance fraud (57%) and personal/commercial property fraud (12%) followed by workers compensation fraud (11%) and health/medical fraud (10%).

Cases have come from all around the state of South

Carolina and break down by region as follows:

- o Low Country - 37% (175)
- o Pee Dee - 22% (106)
- o Piedmont - 22% (103)
- o Midlands - 19% (88)

Charleston County reported both the highest number of complaints made (29) and the highest total amount of insurance fraud reported with \$ 921,756.49 reported in insurance fraud.

*The South Carolina Insurance Fraud Hotline, 1-888-95-FRAUD, is available 24 hours a day, 7 days a week for reporting insurance fraud, which can be a felony in South Carolina. All reports remain confidential.*

## *South Carolina Arson Hotline Tip Solves Great Falls Arson*

Reward to be presented to Tipster Thursday

Columbia, S.C.  
October 13, 2009

A tip to the South Carolina Arson Hotline (1-800-92-ARSON) helped solve the arson case of two homes in Great Falls.

The tipster will appear in person to receive the \$2,000 reward at 10:30 a.m. Thursday at the Great Falls Fire

Department at 506 Chester Avenue in Great Falls.

The fires occurred on October 4, 2007 at 5901 and 5919 Richburg Road. The arson case was investigated by the South Carolina Law Enforcement Division and South Carolina Farm Bureau Insurance Company.

According to investigators the fires caused approximately \$30,000 in damage. After the homes

were destroyed by arson, a tip called in to the South Carolina Arson Hotline (1-800-92-ARSON) led to the arrests and convictions of Tera Minors, Dawn Neely and Amy Sheppard. The arsonists plead guilty and received a five-year sentence, suspended to probation.

The South Carolina Arson Hotline has been a joint program of the South Carolina Insurance News Service, SLED and the Independent

Insurance Agents and Brokers of South Carolina since 1982.

The rewards are funded by the Independent Insurance Agents and Brokers of South Carolina Foundation. In this particular case South Carolina Farm Bureau Insurance Company, the insurer of the damaged houses, added to the reward.

# South Carolina Ranks No. 7 in the Nation for Heavy Equipment Theft

Columbia, S.C. October 27, 2009

The National Equipment Register (NER), an ISO company, and the National Insurance Crime Bureau (NICB) today released their first joint heavy-equipment theft report. The report illustrates how equipment owners and insurers pay hundreds of millions of dollars a year to replace stolen equipment. The report also highlights the significant indirect costs to the economy, such as project delays to critical infrastructure projects and delayed building occupancy.

The report draws on data from the National Crime Information Center (NCIC), NER and NICB to produce a comprehensive analysis of heavy equipment theft.

In 2008, 13,511 theft reports were submitted to NCIC. In descending order, the five states with the most inci-

dents of heavy equipment were Texas, Florida, North Carolina, California, and Georgia. Together, those five states accounted for 43 percent of the total equipment theft. Rounding out the top 10 were Oklahoma, South Carolina, Tennessee, Illinois, and Missouri. The top 10 states accounted for 61 percent of all thefts.

South Carolina also ranked No. 6 in the nation for the average equipment theft between 2005 and 2007, and No. 9 in the nation for the average equipment recovery between 2005 and 2007.

The South Carolina Law Enforcement Division led a multiagency investigation resulting in one of the most successful equipment recovery operations in the United States to date, according to the National Insurance Crime Bureau. Agents from SLED worked with the Georgetown County

Sheriff's Office, Marion County Sheriff's Office, Dillon County Sheriff's Office and the National Insurance Crime Bureau in a 31-piece equipment recovery case. Some of the machines recovered included four Caterpillar 320 excavators, two Caterpillar D-6 dozers, two Caterpillar 930-G loaders and two Caterpillar 730 off-road trucks.

In 2008, only 21 percent of the heavy equipment stolen in the United States was recovered. That compares with a 57 percent recovery rate for all other motor vehicles.

The report is another benefit of the NER-NICB strategic alliance announced last year, which enabled data sharing between the two organizations, said Joe Wehrle, NICB's president and CEO. NER's extensive databases of heavy equipment ownership and theft

information coupled with NICB's access to NCIC data and our national network of investigators specializing in heavy equipment identification and recovery provide an unprecedented security environment for heavy equipment owners and insurers.

David Shillingford, president of NER, noted that Information sharing is a force multiplier. Equipment owners and insurers have joined together to provide law enforcement with the information needed to quickly identify suspicious equipment, leading to millions of dollars of recoveries each year and significantly increasing the risk of arrest for equipment thieves. Those buying used equipment should exercise due diligence through IRONcheck before making a purchase. That will make it harder for thieves to sell stolen equipment.

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# Police, Investigator Swabbed For DNA In Jeff Davis Case

## *Dna Testing Of Law Enforcement Officers Underway*

Posted: Dec 28, 2009 1:34 PM EST Updated: Dec 29, 2009 12:23 PM EST

KPLC E-News  
by Brandon Richards bio | email

LAKE CHARLES, LA (KPLC) - Law enforcement officers who work for agencies that are investigating the mysterious deaths of eight Jeff Davis Parish women are having their DNA tested so it can be compared with evidence from the cases.

Jeff Davis Sheriff Ricky Edwards said the move is an attempt to silence "gossip and rumors" that a law enforcement officer may be involved in the serial

killings. Edwards said both former and current officers who have any involvement with the cases will be tested.

Private investigator Kirk Menard, who was hired by some of the victims' families, has also had his DNA tested.

"A member of the task force called me and asked me if I would consent and I said sure," recalled Menard. "I have nothing to hide."

Menard said he was tested two months ago.

"Anyone that's been involved in this investigation should be swabbed," said Menard.

Edwards said he announced the new DNA policy months ago and he did not understand why members of the media were reporting on it now. Regardless, Edwards said the DNA testing process, like the death investigations, will be a "long and continuous process."

Scandal has plagued the Jeff Davis Sheriff's Department in the past. In 2007, Chief Detective Warren Gary has pulled from the JD8 investigation and fined \$10,000 after it was revealed he purchased a truck from a potential witness. Another detective, Paula Guillory, was ultimately fired after losing evidence about one of the suspects.

Menard said he believes the local law enforcement in charge of investigating the serial killings need more outside help, such as the FBI. Menard said he would also like to see a few other people in the community, have their DNA swabbed as well.

"I have a few possibilities that I can't comment on, but from what I understand they haven't been swabbed," said Menard.

For more information about the Jeff Davis serial killings, click here.

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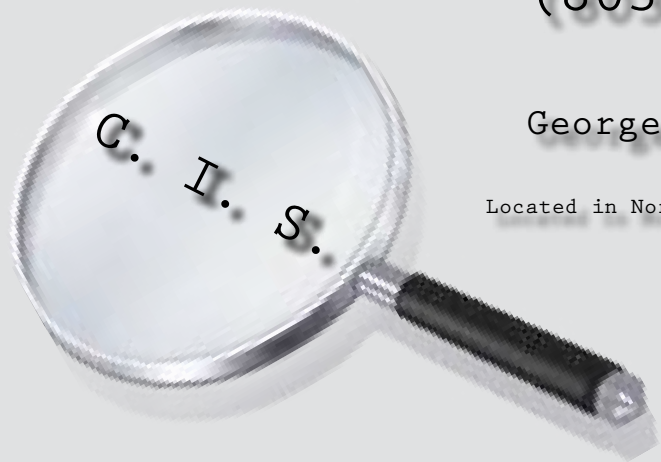
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# SCDCA INFORMATION ABOUT PRENEED CONTRACTS & LICENSES

Columbia, SC.....On July 1, 2006 the South Carolina Department of Consumer Affairs (Department) assumed regulation of Preneed Burial Contracts from the Board of Financial Institutions. Since that time, the Department has been made aware that a number of banks throughout the state have questions about handling preneed funeral contracts. To address these questions, the Department contacted the South Carolina Banker's Association for their input and guidance on the information provided below. Preneed funeral contracts are regulated under the South Carolina Code of Laws §§ 32-7-10 et. seq. and § 40-19-290(E). The funeral home must be licensed with the Department to sell preneed funeral contracts, and the seller must be a licensed funeral director in South Carolina.

## Funding

Preneed funeral contracts may be funded by money or a burial insurance policy. If it is funded by money, the funeral home (provider) has thirty days to deposit the funds after the contract is executed. When depositing the funds the funeral home must furnish the payment and a copy of an approved contract to the financial institution, as well as any additional forms required by that financial institution (for tax purposes, etc.). The account must be a trust account.

Section 32-7-20 (B) states "the provider receiving the payments is declared to be a trustee of the payments, and shall deposit the payments in a financial institution. All of the interest, dividends, increases, or accretions of whatever nature earned by the funds deposited in a trust account must remain with the principal of the account and become a part of it, subject to all of the regulations concerning the principal of the fund contained in this section." In addition, "All taxes on the fund must be paid in accordance with the Internal Revenue Code and applicable rules and regulations."

The trust account can be established as an individual trust for each contract or as a common trust fund. The financial institution would maintain accounting for each individual deposit and furnish a quarterly report to the funeral home, as well as the Department. The trust account must be carried in the name of the provider, but accounting records must be maintained showing the amounts deposited and invested, and interest, dividends, increases, and accretions earned on them, with respect to each purchaser's contract.

All earnings accrue to the trust but the provider may withdraw ten percent of the annual earnings of the trust to cover trust administration.

## Revocable vs. Irrevocable Contracts

A preneed contract can be revocable or irrevocable. If the purchaser chooses to make a preneed contract revocable, he or she has the right to revoke it at any time with a written demand to the funeral home. The funeral home has thirty days from receipt of the demand to notify the financial institution to authorize the refund of the trust and income, less any amount due to pay taxes or trust administration. The funeral home has the right to retain ten percent of the earnings in the portion of the final year before termination.

If a purchaser chooses to make the preneed contract irrevocable, the purchaser has thirty days to consider the decision and reverse it. After thirty days the funds must stay in trust until the contract is performed.

If the purchaser fails to make payments as provided in the contract, whether revocable or irrevocable, the contract is voidable at the option of the funeral home and may retain ten percent of the amount paid on the contract as a fee and return the remaining funds to the purchaser.

## Transfers

A preneed funeral contract may be transferred to another provider only upon the prior written request of

the purchaser or the beneficiary of a deceased purchaser. The selling funeral home must be paid a fee equal to ten percent of the contract face amount and ten percent of the earnings in that portion of the final year before transfer.

## Performance and Payout of a Preneed Funeral Contract

The funds must not be paid by the financial institution until a certified death certificate and a certified statement that all of the terms and conditions of the agreements have been fully performed are furnished by the funeral home to the financial institution.

# *SOUTH CAROLINA ASSOCIATION OF LEGAL INVESTIGATORS*

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Thank you for your support of SCALI

*Bob Joseph, CLI - List Serve Coordinator*

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