
North Texas Private Investigators Association

North Texas Private Investigators Association



The Informant

*Where Every
Member Counts*
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The Business of Private Investigations: Marketing and Expanding Your Business by Douglas O. Crewse, CFE

[This is an excerpt from The Business of Private Investigations by Douglas O. Crewse, CFE]

The Business of Private Investigations

The main reason why most businesses fail in the first five years of operation is two-fold, regardless of what industry they are in. First, businesses fail due to the lack of cash or poor cash flow. Secondly, businesses fail due to poor management. It cannot be stressed enough that this is a business – you just happen to be a private investigator. If you make sound business decisions and keep in mind that this is a business, you will stand a much better chance of showing a profit and surviving in your business in the long run. Ultimately in the end one must show a profit. You should not be in the business to work long stressful hours taking on large amounts of liability just to break even or lose money.

Your main objective is obviously to get as much investigative work as possible in the investigative areas that you are good at and in the investigative areas that you enjoy doing. Building a client base and having repeat clients and client referrals is very important and should

be foremost in your business strategies and objectives.

You must evaluate your objectives in starting the business or attempting to expand your business. Ask yourself if you want each and every client to be a brand new client with little chance, if any, of being a repeat client. Most family law cases involving divorce and child custody matters taken from the general public fall into that category. If you decide to do these types of cases and do not already have a consistently heavy workload, you probably need to have offer one or more other areas or types of cases and market so that you do have a steady stream of cases coming your way.

When starting out in your business or when re-evaluating your current business, it is a good idea to devise a marketing plan. This plan will include a lot of the ideas and concepts that are included in this course.

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The President's Message



From the Desk of NTPIA President Cliff Trice

Two Dallas attorney firms have consistently used us poor folks up here in Sherman to do asset searches for them for the past five months. Stay with me here; they recently told me that PI work-product has been more consistent and timely, thus more cost-effective than their legal staff (Hum, imagine that). We were also told that our willingness to adopt a "flat-rate" pricing in exchange for a volume business was a big plus in their decision to use a PI service. Since we are only one of several PI services, here's hoping you are one of the other dozen companies they use in the D/FW area. Here's the point:

I believe that what we *may* be seeing is a moment of golden opportunity during this volatile economic down-turn which will be with us for at least the next 18-24 months. While attending the monthly Grayson County Bar Association this week, I noted a serious continuation of the same concern from lawyers since last summer: the dramatic decline in family law clients. Since last summer, there have been several articles in the ABA Journal concerning declines in billable revenues resulting in staff cuts. This decline has forced lawyers to be dragged kicking and screaming into adopting a more client-friendly pricing guidelines, or lose them as a client altogether. Even the more well-heeled clients are rethinking their urge to divorce their no-good, two-timin' spouse... at least at this time; maybe next year. Family law issues are not the only area of law in question here. The opportunity here is to re-

think creative other services to the same clientele?

For those of us who regularly check postings from surveillance or other investigative groups, there are still an incredibly large number of questions asked, by so-called professional investigators who can't even decide what to charge for their services and become involved into a name-calling exercise on these group postings.

It is a warm feeling to see NO member of the NTPIA involved in these discussions. I really enjoy my association and working relationship with confident colleagues (not competitors). I also know that there are a lot more questions that exist from within our membership than there are answers, because I've been there.

I don't know about all the rest of you retired LEO types, but I am able to read the tea leaves well enough to know just how far my retirement is going to take me on down the road. I AM what I do; can't imagine doing anything else, never have. I simply don't like the prospects of **having** to continuing to work with incompetent lawyers and political prosecutors who too often do anything to win. I can't change what they are willing to pay me for an investigation, but I bet I *can* get them to consider more creative and cost-effective short-term services. And I really enjoy learning many of these creative ways from my fellow NTPIA colleagues. You give me strength and confidence.

See you at the Point.

Cliff Trice

Next NTPIA Event:

**February 10, 2010
Midway Point Restaurant
12801 Midway Road
Dallas, TX 75244**

Please RSVP by Monday,
February 08, 2010. You
may RSVP via the website
or e-mail Tom Kelly.

**5:00 Board Meeting (open to all members)
6:00 Social mixer and registration
6:30 Meal served
7:00 Continuing Education Program**

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February's Speaker:

**Gene Blanton
Semper Fidelis Leadership**

**Topic: Leadership Techniques for Investigations and
Building your Business**

Word of the Month: [unconscionable](#)

Referring to a contract or bargain which is so unfair to a party that no reasonable or informed person would agree to it. In a suit for breach of contract, a court will not enforce an unconscionable contract (award damages or order specific performance) against the person unfairly treated, on the theory that he/she was misled, lacked information or signed under duress or misunderstanding. It is similar to an "adhesion contract," in which one party has taken advantage of a person dealing from weakness.

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Cardinal Rules For Investigators

These are some principles that have been learned over time by seasoned investigators. These principles should be adhered to each and every day.

- (1) ***Do every case and every investigative lead as though the case was going to trial.*** That way you will always be prepared, eliminate shortcuts and increase your professionalism. This will become very evident when the time comes when a case does make it to court and your testimony or findings are important.
- (2) ***Never compromise your integrity.*** The investigator has their credibility and professionalism on the line every day and if the investigator's integrity is maintained clients will notice and appreciate that fact.
- (3) ***Do the case right and do it right the first time.*** This will save having to conduct some or part of the case over again, which will save valuable time and resources. The lost time re-doing a portion of the investigation is lost opportunity costs to the investigator, which equates to lost revenue. The investigator could have spent their time more productively conducting other leads on other cases and getting paid for their efforts rather than wasting time duplicating work that they will not get paid for in the long run.
- (4) ***When in doubt - don't do it.*** This simple principle will keep you from doing illegal, unethical or immoral investigative leads that may come back to haunt you one day.
- (5) ***Document your investigative findings.*** It is difficult to reconstruct your efforts or the information that you obtained after the fact. It is much better to document that information during or shortly after the investigative lead is conducted.
- (6) ***Never be too busy to do investigative work.*** Investigators must often times, do their own marketing, administrative duties and coordinate these functions between running personal errands and other activities. Your objective is to produce revenue, while still providing quality investigative services. The investigator must continuously prioritize the administrative work and other duties to do investigative assignments desired as they become available. Most of the time administrative duties such as filing receipts and non-essential work can wait until the evenings or weekends when other investigative leads or marketing opportunities are not being conducted.
- (7) ***Do not underestimate the opposition.*** While conducting either investigative assignments or providing consultation, the investigator should never underestimate the opponent, the opponent's information or the opponent's capabilities.
- (8) ***Be prepared to successfully account for the source of each and every piece of information that you have obtained during the investigation.*** This goes back to the principle of documenting your findings.

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- (9) ***Qualify each and every piece of information obtained or not obtained in your investigative findings.*** For example, simply do not report that you checked the courthouse and marriage records do not exist on the subject.

Example

An attorney client once requested that a check be conducted for any and all marriages in a particular county on a female in the past ten years. For this example, this female subject will be called “Jane Q. Public”. The check was conducted and no marriages were located on this individual by that name. After the investigative lead was conducted, the report was carefully worded with precise information qualifying the check that was conducted.

On December 7, 2009 a check of the Index to Marriage Licenses on file at the County Clerk’s Office, Dallas County Courthouse, Dallas, Texas was conducted for the most recent ten (10) year period in the name of Jane Q. Public, which disclosed no listings.

It was later determined that Jane Q. Public had previously been married in Dallas County, however the marriage took place 18 years earlier and under a different name.

- (10) ***Remember that your investigative reports may be read by numerous entities.*** These entities could include your client, your client’s attorney and their staff, the opposing counsel and their staff, an insurance company, claims adjusters and everyone in between. Be professional and have your reports reflect your attention to details, expertise and unbiased investigative results. You might be surprised one day when a new client calls you and tells you that they saw your investigative report on a case that they were working on and liked your work and professionalism and decided to hire you on a completely different case. Remember that your reports are a great marketing tool that showcase your investigative knowledge, expertise, attention to detail and investigative capabilities all the while continuously educating your client on these very topics

The basis for a good and profitable investigative practice involves many principles beyond the cardinal rules for investigators. Some of these investigative axioms are listed below.

➤ **Account for your time**

- Account for actual investigative time
- Take into consideration administrative time
- Take the time to pursue potential marketing opportunities
- Calculate into your business plan other miscellaneous time
- Ensure that you invoice properly for your time
- Do not be too busy to do investigative assignments.

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➤ **Do not be too busy to talk to a client or potential client.**

- Take the time to talk to clients. That way you are not just a telephone number in a yellow page advertisement but a real life person answering questions in an intelligent manner and educating that client or potential client.
- Take the time to educate your clients.
- Take the time to cultivate the client.
- Reinforce additional services that you offer.
- Suggest a face-to-face appointment.
- Do not be afraid to discuss fees.
- Do not be afraid to ask for retainers.
- Do not sell yourself short. You have a lot to offer.
- If you exude confidence and professionalism in yourself and your services, the resultant will correlate with more cases and added revenue.
- Keep records of potential inquiries and potential clients for follow-up contacts.

➤ **Schedule your time to be productive**

- Work on administrative items in the evenings or on weekends or when investigative leads and marketing opportunities are not appropriate.
- Prioritize the investigative leads to do them efficiently and effectively.
- Prioritize the marketing plan to be efficient and effective.
- Understand that there is a difference between being efficient and being effective.
- Set realistic goals and objectives.
- Do not confuse activity with accomplishment.

Conclusion

It is my sincere hope that you have learned new ideas, gained insight into your investigative practice and learned some helpful principles to follow to better your business decisions and marketing strategies. By learning these principles one's learning curve is shortened and the "growing pains" of running an investigative

business by trial and error will diminish allowing you to benefit from your hard work. Now go out and build your business into a profitable enterprise, work hard and have fun!

About the Author

Douglas O. Crewse obtained an engineering degree from the United States Military Academy, West Point, New York and was a Special Agent Federal Criminal Investigator commanding units in the U.S. Air Force Office of Special Investigations. After Doug obtained his MBA from Texas Tech University, he founded Investigative Associates, Inc. specializing in corporate, legal and financial investigations. Doug is a Certified Fraud Examiner (CFE) and has been a guest lecturer for corporations and numerous investigative associations for over 30 years. He has written several books on investigative topics and is a frequent contributor of investigative articles on a wide variety of topics to numerous investigative journals. He is the owner, founder and manager of Investigative Associates, Inc. He can be contacted through his website at www.InvestigativeAssociates.com.

Cyber Crimes Terms and Definitions (Part 2)

by L. Scott Harrell
Courtesy of Pursuit Magazine (December 2009)

Hacker: someone involved in computer security/insecurity, specializing in the discovery of exploits in systems (for exploitation or prevention), or in obtaining or preventing unauthorized access to systems through skills, tactics and detailed knowledge. In the most common general form of this usage, “hacker” refers to a black-hat hacker (a malicious or criminal hacker).

Internet Bots: also known as web robots, WWW robots or simply bots, are software applications that run automated tasks over the Internet.

Internet troll (or simply troll in Internet slang): someone who posts controversial and usually irrelevant or off-topic messages in an online community, such as an online discussion forum or chat room, with the intention of baiting other users into an emotional response[1] or to generally disrupt normal on-topic discussion.

Joe Job: a spam attack using spoofed sender data. Aimed at tarnishing the reputation of the apparent sender and/or induce the recipients to take action against him (**see also e-mail spoofing**).

Keystroke Logging (often called keylogging): a method of capturing and recording user keystrokes. Keylogging can be useful to determine sources of errors in computer systems, to study how users interact and access with systems, and is sometimes used to measure employee productivity on certain clerical tasks. Such systems are also highly useful for law enforcement and espionage—for instance, providing a means to obtain passwords or encryption keys and thus bypassing other security measures.

Lurker: a person who reads discussions on a message board, newsgroup, chatroom, file sharing or other interactive system, but rarely participates.

Malware: software designed to infiltrate or damage a computer system without the owner’s informed consent. The term is a portmanteau of the words malicious and software. The expression is a general term used by computer professionals to mean a variety of forms of hostile, intrusive, or annoying software or program code.

Money Mule: a person who transfers money and reships high value goods that have been fraudulently obtained in one country, usually via the internet, to another country, usually where the perpetrator of the fraud lives. The term money mule is formed by analogy with drug mules.

The need for money mules arises because while a criminal in a developing country can obtain the credit card numbers, bank account numbers, passwords and other financial details of a victim living in the first world via the internet through techniques such as malware and phishing, turning those details into money usable in the criminal’s own country can be difficult. Many businesses will refuse to transfer money or ship goods to certain countries where there is a high likelihood that the transaction is fraudulent. The criminal therefore recruits a money mule in the victim’s country who receives money transfers and merchandise and resend them to the criminal in return for a commission.

Nigerian 419 Fraud Scheme (or an advance fee fraud): a confidence trick in which the target is persuaded to advance relatively small sums of money in the hope of realizing a much larger gain.

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Peer to Peer (or "P2P"): computer network that uses diverse connectivity between participants in a network and the cumulative bandwidth of network participants rather than conventional centralized resources where a relatively low number of servers provide the core value to a service or application. P2P networks are typically used for connecting nodes via largely ad hoc connections. Such networks are useful for many purposes. Sharing content files (see file sharing) containing audio, video, data or anything in digital format is very common, and realtime data, such as telephony traffic, is also passed using P2P technology.

Pharming is a hacker's attack aiming to redirect a website's traffic to another, bogus website.

Phishing is an attempt to criminally and fraudulently acquire sensitive information, such as usernames, passwords and credit card details, by masquerading as a trustworthy entity in an electronic communication. PayPal, eBay and online banks are common targets. Phishing is typically carried out by e-mail or instant messaging,[1] and often directs users to enter details at a website, although phone contact has also been used.

Phreaking: a slang term coined to describe the activity of a subculture of people who study, experiment with, or explore telecommunication systems, like equipment and systems connected to public telephone networks. The term "phreak" is a portmanteau of the words "phone" and "freak". It may also refer to the use of various audio frequencies to manipulate a phone system. "Phreak", "phreaker", or "phone phreak" are names used for and by individuals who participate in phreaking. Additionally, it is often associated with computer hacking. This is sometimes called the H/P culture (with H standing for Hacking and P standing for Phreaking).

Pigeon Drop: the name of a confidence trick in which a mark or "pigeon" is convinced to give up a sum of money in order to secure the rights

to a larger sum of money, or more valuable object. In reality the scammers make off with the money and the mark is left with nothing.

Piggybacking: a term used to refer to access of a wireless internet connection by bringing one's own computer within the range of another's wireless connection, and using that service without the subscriber's explicit permission or knowledge. It is a legally and ethically controversial practice, with laws that vary in jurisdictions around the world. While completely outlawed in some jurisdictions, it is permitted in others. Piggybacking is used as a means of hiding illegal activities, such as downloading child pornography or engaging in identity theft. This is one main reason for controversy.

Pod Slurping: the act of using a portable data storage device such as an iPod digital audio player to illicitly download large quantities of confidential data by directly plugging it into a computer where the data is held, and which may be on the inside of a firewall. As these storage devices become smaller and their storage capacity becomes greater, they are becoming an increasing security risk to companies and government agencies. Access is gained while the computer is unattended.

Rootkit: a program (or combination of several programs) designed to take fundamental control (in Unix terms "root" access, in Windows terms "Administrator" access) of a computer system, without authorization by the system's owners and legitimate managers. Access to the hardware (i.e., the reset switch) is rarely required as a rootkit is intended to seize control of the operating system running on the hardware. Typically, rootkits act to obscure their presence on the system through subversion or evasion of standard operating system security mechanisms. Often, they are also Trojans as well, thus fooling users into believing they are safe to run on their systems. Techniques used to accomplish this can include concealing running processes from monitoring programs, or hiding files or system data from the operating system

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Scam Baiting is the practice of pretending interest in a fraudulent scheme in order to manipulate a scammer. The purpose of scam baiting might be to waste the scammers' time, embarrass him or her, cause him or her to reveal information which can be passed on to legal authorities, get him or her to waste money, or simply to amuse the baiter.

Script kiddie (occasionally script bunny, skiddie, script kitty, script-running juvenile (SRJ), or similar): a derogatory term used for an inexperienced malicious hacker who uses programs developed by others to attack computer systems, and deface websites.

Shareware: a marketing method for computer software in which the software can be obtained by a user, often by downloading from the Internet or on magazine cover-disks free of charge to try out a program before buying the full version of that program. If the "tryout" program is already the full version, it is available for a short amount of time, or it does not have updates, help, and other extras that buying the added programs has. Shareware has also been known as "try before you buy". A shareware program is accompanied by a request for payment, and the software's distribution license often requires such a payment.

Smishing: short for "SMS phishing" (SMiShing) is an attempt to get cellular phone and mobile device owners to download a Trojan horse, virus or other malware by clicking on a link included in a SMS text message.

Sneakernet: a tongue-in-cheek term used to describe the transfer of electronic information, especially computer files, by physically carrying removable media such as magnetic tape, floppy disks, compact discs, USB flash drives, or external hard drives from one computer to another.

Snarfing: information theft or data manipulation in wireless local-area networks (WLAN).

Social engineering: the art of manipulating people into performing actions or divulging confidential information.[1] While similar to a confidence trick or simple fraud, the term typically applies to trickery for information gathering or computer system access and in most cases the attacker never comes face-to-face with the victim.

Sockpuppet: an online identity used for purposes of deception within an Internet community. In its earliest usage, a sockpuppet was a false identity through which a member of an Internet community speaks while pretending not to, like a puppeteer manipulating a hand puppet.[1] A sockpuppet-like use of deceptive fake identities is used in stealth marketing. The stealth marketer creates one or more pseudonymous accounts, each one claiming to be owned by a different enthusiastic supporter of the sponsor's product or book or ideology. A single such sockpuppet is a shell; creating large numbers of them to fake a "grass-roots" upswelling of support is known as astroturfing.

Software cracking: the modification of software to remove protection methods: copy prevention, trial/demo version, serial number, hardware key, CD check or software annoyances like nag screens and adware.

Spamming: the abuse of electronic messaging systems to indiscriminately send unsolicited bulk messages. While the most widely recognized form of spam is e-mail spam, the term is applied to similar abuses in other media: instant messaging spam, Usenet newsgroup spam, Web search engine spam, spam in blogs, wiki spam, mobile phone messaging spam, Internet forum spam and junk fax transmissions.

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Spear Phishing: Targeted versions of phishing have been termed spear phishing.[19] Several recent phishing attacks have been directed specifically at senior executives and other high profile targets within businesses, and the term whaling has been coined for these kinds of attacks.

Sporgery: the disruptive act of posting a flood of articles to a Usenet newsgroup, with the article headers falsified so that they appear to have been posted by others. The word is a portmanteau of spam and forgery.

Spyware: is computer software that is installed surreptitiously on a personal computer to intercept or take partial control over the user's interaction with the computer, without the user's informed consent.

While the term spyware suggests software that secretly monitors the user's behavior, the functions of spyware extend well beyond simple monitoring. Spyware programs can collect various types of personal information, such as Internet surfing habit, sites that have been visited, but can also interfere with user control of the computer in other ways, such as installing additional software, redirecting Web browser activity, accessing websites blindly that will cause more harmful viruses, or diverting advertising revenue to a third party. Spyware can even change computer settings, resulting in slow connection speeds, different home pages, and loss of Internet or other program.

Stealware: refers to a type of software that effectively transfers money owed to a website owner to a third party. Specifically, stealware uses an HTTP cookie to redirect the commission ordinarily earned by the site for referring users to another site.

Trojan horse (or simply Trojan): a piece of software which appears to perform a certain

action but in fact performs another such as transmitting a computer virus. Contrary to popular belief, this action, usually encoded in a hidden payload, may or may not be actually malicious, but Trojan horses are notorious today for their use in the installation of backdoor programs. Simply put, a Trojan horse is not a computer virus. Unlike such malware, it does not propagate by self-replication but relies heavily on the exploitation of an end-user (see Social engineering).

Vishing: is the criminal practice of using social engineering and Voice over IP (VoIP) to gain access to private personal and financial information from the public for the purpose of financial reward. The term is a combination of "voice" and phishing. Vishing exploits the public's trust in landline telephone services, which have traditionally terminated in physical locations which are known to the telephone company, and associated with a bill-payer. The victim is often unaware that VoIP allows for caller ID spoofing, inexpensive, complex automated systems and anonymity for the bill-payer. Vishing is typically used to steal credit card numbers or other information used in identity theft schemes from individuals.

VoIP Spam: the proliferation of unwanted, automatically-dialed, pre-recorded phone calls using Voice over Internet Protocol (VoIP). Some pundits have taken to referring to it as SPIT (for "Spam over Internet Telephony").

War dialing: a technique of using a modem to automatically scan a list of telephone numbers, usually dialing every number in a local area code to search for unknown computers, BBS systems or fax machines. Hackers use the resulting lists for various purposes.

Wardriving: the act of searching for Wi-Fi wireless networks by a person in a moving vehicle using such items as a laptop or a PDA.

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Warspying: detecting and viewing wireless video; usually done by driving around with an x10 receiver. Warspying is similar to “Wardriving” only with wireless video instead of wireless networks.

Web crawler (also known as a web spider or web robot or – especially in the FOAF community – web scutter): a program or automated script which browses the World Wide Web in a methodical, automated manner. Other less frequently used names for web crawlers are ants, automatic indexers, bots, and worms. This process is called web crawling or spidering. Many sites, in particular search engines, use spidering as a means of providing up-to-date data.

White Hat: the hero or good guy, especially in computing slang, where it refers to an ethical hacker that focuses on securing and protecting IT systems. Such people are employed by computer security companies where these professionals are sometimes called sneakers.[citation needed] Groups of these people are often called tiger teams.

Zombie computer (often shortened as Zombie): a computer attached to the Internet that has been compromised by a hacker, a computer virus, or a Trojan horse. Generally, a compromised machine is only one of many in a Botnet, and will be used to perform malicious tasks of one sort or another under remote direction.

About the Author

L. Scott Harrell has been a professional investigator for over 17 years. He began a career in the intelligence and investigations trade-craft when selected to work with several intelligence units while serving our country in the United States Navy. Since his discharge he has worked with Fortune 500 companies, owned and managed two very successful agencies in Texas, Florida and Louisiana. He is also a noted speaker, mentor and author of eight (8) investigation-related books.

Boulder Cops: Stalker Put Electronic Surveillance in Ex-Girlfriend’s Home

by Howard Pankrantz
The Denver Post

A 37-year-old man has been accused of stalking his ex-girlfriend by repeatedly sneaking into her residence over a period of months, installing voice recorders in the home, spyware on her computer and sending her threatening e-mails.

Sarah Huntley, spokeswoman for the Boulder Police Department, identified the suspect as Christopher Spiewak of Boulder. Huntley said Spiewak is being held for investigation of domestic-violence related to stalking, second-degree burglary, computer crimes and repeated harassment. She said Spiewak was arrested about 11:25 p.m. Friday.

Huntley said the investigation started when the woman called police reporting a burglary. After talking to the victim, Huntley said officers interviewed Spiewak, who was cooperative. Based on information obtained from the ex-girlfriend and Spiewak, an arrest was made, said Huntley.

Huntley said Boulder detectives told her that the lengths that Spiewak went to to harass his former girlfriend are not unusual.

Huntley said stalkers will often go to extreme lengths to find and harass former girlfriends.

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NEXT NTPIA EVENT

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Gene Blanton

“Leadership Techniques for Investigations and Building your Business ”



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