

SPRING 2024 EDITION



# CALI JOURNAL

CALIFORNIA ASSOCIATION OF LICENSED INVESTIGATORS



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## About the California Association of Licensed Investigators (CALI)

Founded in 1947, CALI is a not-for-profit organization devoted to protecting and enhancing the private investigation industry in California and the United States.

CALI is the largest Private Investigator association in the world. With 1100 members throughout the country, CALI is focused on advancing the industry through a strong legislative program and numerous educational offerings, including an annual conference, Webinars, new licensee training, professional development programs, and CALI's proprietary Certified Professional Investigator (CPI) designation to qualified investigators in California.

CALI has a full-time lobbyist in Sacramento. CALI's legislative advocate interfaces with California legislators to protect Private Investigators' ability to serve their clients, as well as to support and oppose legislation impacting all California Private Investigators.

CALI strives to protect the consumers' rights while advocating for access to all public records and data that professional investigations can responsibly access.

CALI Active members are licensed by the California Department of Consumer Affairs (DCA) and the Bureau of Security and Investigative Services (BSIS). As a professional organization, CALI is managed by a volunteer Board of Directors comprising members throughout California and an Executive Director, retained full-time to support CALI and its programs.

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### About the CALI Journal

The CALI Journal is a quarterly electronic publication of the California Association of Licensed Investigators (CALI) for general information only and does not constitute legal or professional advice. The statements and opinions expressed in the CALI Journal are those of the authors and advertisers, not necessarily of CALI.

### Contribute to the CALI Journal

CALI encourages members and industry experts to contribute relevant content for publication in the quarterly CALI Journal. We want to hear from you! Submit your article for review to [info@cali-pi.org](mailto:info@cali-pi.org).

To advertise in the CALI Journal, contact Maria Lagunas, Executive Director, at 949-715-5401 or email [mlagunas@cali-pi.org](mailto:mlagunas@cali-pi.org).

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## What's Inside This Issue...

- 4 President's Message
- 7 Letter to PSI
- 9 Save the Date! 2024 CALI Conference
- 12 Welcome New Members
- 14 Looking for a Licensed PI?
- 16 CALI 2024 Legislative Day
- 20 Beyond The Crime: Unveiling the Human Story in Criminal Defense Mitigation
- 23 Good To Know Document for Workplace Investigators
- 25 CALI Live Webinar: Using Social Media and Other OSINT to Assist Investigations
- 26 PI Exam Prep Course
- 28 Spring 2024 NLITE
- 30 Become a Certified Professional Investigator
- 31 Member Shout-Out!
- 32 Essential Strategies for Mastering Subrosa Surveillance
- 34 CALI Online Store
- 35 Bass Reeves: A Legacy for Today's Private Investigators
- 39 CALI Lifetime Members
- 40 Family Law Frauds Are the New Ponzi Schemes
- 43 Former CALI Member Passing: Phil Johnson

# President's Message

Frank W. Huntington, III, CPI



Happy Spring! I hope everyone is enjoying good weather and the longer days! (Hey surveillance folks, did you remember to change the time on your devices?)

We had yet another very successful CALI weekend commencing on Saturday, March 16, with a well-attended NLITE. There were 26 participants of which we gained many new members. The group was very engaged and helped make it a very fun and enjoyable day. Thanks to those participants and to all those that made this and past NLITEs, successful.

On Sunday, CALI held our first in-person board meeting of the year. This was indeed a landmark meeting as we welcomed seven brand new Board members serving for the first time. I am personally very pleased at this new influx of energy as us "old timers" won't be around forever and we need some new blood to keep this great association going into the future.



Along those lines, I have made some new committee chair appointments and want to express my gratitude to those that have stepped up. I have asked each of these chairs to recruit newer CALI members to serve on these committees to further this goal.

On Monday, March 18, CALI held yet another very successful Leg Day, "Campaign for CALI." We had more than 50 attendees from throughout the state descend on the Capitol and meet with our legislators to discuss issues that impact our industry. On top of the list was the current issue we are experiencing with PSI and our enhanced identification cards. I want to assure each of you that CALI is very engaged with the Bureau of Security and Investigative Services (BSIS) and the Department of Consumer Affairs to address this issue. (Please see the letter I wrote to PSI regarding this matter.) I can assure you that BSIS is just as frustrated with this process as we are. As always, thanks to the team at Desmond and Desmond as well as to our Government Affairs Committee (GAC) Chair Francie Koehler, the entire GAC and those who came to Sacramento to participate.



Our 2024 Conference will take place October 17-19, 2024, at the beautiful [DoubleTree by Hilton Hotel Golf Resort Palm Springs](#). The various committees assigned to the conference are doing a phenomenal job including the speaker sub-committee consisting of Jay Rosenzweig, Cameron Jackson and Howard Dratch. I am pleased to announce that we already have our speakers lined up and I have no doubt this year's conference will be one not to miss!

Our annual conferences are currently scheduled out until 2026 and we are already starting to look at future locations. We are considering a special location for 2027 followed by returning to our four-year cycle. Stay tuned.



At the risk of repeating myself, I want to once again thank Lee Wolfe for his outstanding service as the Vice-President of Administration Services. I am pleased to announce that Chad Ragan has been selected by the Board to fulfill that position. I also want to thank Justin Hodson for throwing his hat in the ring and hope Justin will stay involved like I know he will.

As a reminder, CALI does not sell or distribute member information. Occasionally you may receive a solicitation from a vendor offering to sell you a CALI mailing list. These firms mine data from thousands of associations from the public section. The best advice is simply to ignore them. And did you know, on our website you can opt out of the public "Find an Investigator" section if you choose to do so. There is another member only page in which you can look up any CALI member only after signing in located on the membership tab.



Toward the end of last year, we entered into a renewed contract with our excellent Executive Director Maria Lagunas. Until I sat down with Maria to discuss her position, I truly had no idea how much work she really does for us. As a result, we have implemented some new procedures including having limited phone hours for the CALI office which will allow Maria to concentrate on running the association. Having said that, if you have a question regarding CALI, your first call or email should be to your district director or one of the officers before you call the office. A list of directors and officers may be found [here](#).

So, with that, I will wrap this up and once again, express my gratitude to each and every one of you for your membership in CALI. Please, never hesitate to contact me at [frank@fwhuntington.com](mailto:frank@fwhuntington.com) if you have any suggestions, questions, criticism, or whatever!

*F.W. Huntington, III*

Frank W. Huntington, III, CPI  
CALI President

***It's not too early to start thinking about exhibiting or sponsoring  
at the 2024 CALI Annual Conference!***

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**Lee Wolfe**, [info@aslipi.com](mailto:info@aslipi.com) | 530-515-8336



## California Association of Licensed Investigators

February 26, 2024

Janet Garcia  
President, PSI  
18000 W 105th Street  
Olathe, KS 66061

Dear Ms. Garcia:

My name is Frank Huntington. I am a licensed private investigator in California and the current President of the California Association of Licensed Investigators (CALI), the largest private investigator association in the world. One of CALI's main purposes is the review, analysis and occasional promotion of legislation that impacts our industry. One such bill that we sponsored, SB385, was signed into law on September 20, 2019. This bill included a provision that California licensed investigators receive an enhanced photo identification card re-issued every two years. After much research, the California Bureau of Security and Investigative Services (BSIS), our licensing authority, contracted with PSI to provide this service. I wish I could say it has gone well, but it has not.

At the start of the program, my members were finding PSI offices that were closed and had disconnected telephone numbers. When they were able to get in, the vast majority of PSI employees had no clue as to the procedures. Now that more than two years have passed and renewal IDs are cycling in, we are experiencing the same issues. I have private investigators in the field attempting to do their jobs who do not have a current PI identification because PSI cannot get their act together! Their inefficiency has caused significant inconvenience to my members, who are required by law (Section 7529 of the Private Investigator Act) to carry a valid PI photo ID.

For those that have been fortunate enough to receive their identifications from PSI, the quality is less than adequate. The photograph is often inadequate and fades over a short time.

I can share with you the multitude of complaints I have received from PIs throughout the state detailing these issues, including:

- "I went to the local PSI office during regular business hours, and it was closed. The phone was disconnected.
- "I went in to get my initial ID and the staff had no idea what I was talking about."

“My license renewed several months ago, and I still have not received my new ID from PSI.”

Ms. Garcia, this is just a small sampling.

To clarify, the main purpose of this letter is to introduce myself and my association, not simply to complain. I am hoping your company and my association, in conjunction with BSIS, can work together to improve the process, which would of course be beneficial to both of us.

Thank you for your time. Please call me at 916-802-8241 to further discuss. I look forward to hearing from you.

Yours truly,

*F.W. Huntington, III*

Frank W. Huntington, III  
F.W. Huntington & Associates, Investigations  
President-CALI

cc: Lynn Andres  
Chief, CA BSIS

*Save the Date!*



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Brandon Greene, *Paladin Investigations*  
Genno Melena, *Genno Investigations*

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Joseph Donleavy, *Donleavy Investigations*  
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Norm Sokalski, *Norm Sokalski*

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Medhat Georgy, *Falcon One Consulting LLC*  
John Harrigan, *D & J Investigative Services*  
Allen Horner, *National Intelligence Group LLC*  
Mark Johnson, *Johnson Ranch*  
Ted Johnston, *Johnston & Associates Investigations*  
Edgar Rios, *Living Waters Investigation and Protection, LLC*  
Victor Rosales, *Victor M. Rosales & Associates*

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Tedis Baboumian  
Felipa Alexandra Baccari, *AB Forensic Services*  
Adam Grant, *Adam Grant Investigations*  
Sal Lucio, *Falcon Protection Specialists, Inc.*  
Jose Mojica, *JAM Investigations Inc.*  
Servando Ornelas, *Servando Ornelas*  
Gary Peters  
Alexandra Petkov, *SPeye Investigations*  
Keith Rohman, *Public Interest Investigations, Inc.*  
Sean Tabibian

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Shirleen Claiche  
Robert De La Campa, *5A2 Private Investigations*  
Alex Hidas, *The Hidas Touch LLC*

## ORANGE DISTRICT

Carlos Cespedes, *CTC Investigations*  
Evan Corcoran, *Investigative Intel Associates*  
Teresa Golt, *Lipstick Investigations*  
RJ (Robert) Kirschner, *Threat Management And Protection, Inc.*  
Patrick O'Dowd, *Ben Patrick & Associates*  
Christian Olson, *Coastal Pacific Investigations*  
Thomas Ray  
Jason Schwerin, *Atlas Claims Investigation*

## REDDING/CHICO DISTRICT

Scott Zuschin, *Scott Zuschin Investigations*

## SACRAMENTO DISTRICT

Jeff Berns, *Right Path Investigations*  
Van Ness Bogardus IV, *Northern X-treme Investigations*  
James Clausen, *Clausen Investigations*  
Adina Conroy, *Conroy & Associates, Inc.*  
Thomas Couffer  
Glenn Lewis, *Burton Lewis Agency*

## SAN FRANCISCO DISTRICT

Charles Pfister, *Charles Pfister Investigations & Research, Inc.*

## SAN JOAQUIN SOUTH DISTRICT

Jim Conner, *Occupational Vetting Services*  
Todd Fraizer, *Todd Fraizer Private Investigations*  
Steven Williams, *Ten11 Investigations*  
Jerald Wyatt, *Avant Guard Solutions LLC*

## SAN JOSE DISTRICT

Ethan Jackson, *Jackson Analysis & Investigations LLC*  
David Livingston, *David Livingston Investigations*  
Don Vo, *Dietz Associates Inc.*

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Charlene Edwards, *Trusted Investigations*

## OUT-OF-STATE/BIG 3 & AALPI MEMBERS

David Burden, *Burden & Associates*  
Cheri Valentino, *Valentino Signature Services LLC*

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*Thank you to everyone who attended CALI's Legislative Day!*





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# **BEYOND THE CRIME: UNVEILING THE HUMAN STORY IN CRIMINAL DEFENSE MITIGATION**



*By Anna Stowe  
CEO and Lead Investigator of  
Proven Private Investigators*

# MITIGATION TELLS THE HUMAN STORY.

The process of mitigation in criminal defense involves a thorough exploration of a defendant's life story to uncover any potential factors that might have contributed to their criminal behavior. It's important to understand that mitigation does not seek to excuse the defendant's behavior but rather aims to provide a comprehensive view of the individual, ensuring that the judgment considers the person as a whole, beyond just the criminal act. This exploration is not merely an act of gathering historical data; it is a nuanced examination aimed at understanding the complex web of socio-economic, psychological, and environmental factors that have influenced the defendant's actions. Family dynamics and background are crucial elements in this narrative.

Mitigation specialists adopt a comprehensive and multidisciplinary method to construct detailed social histories, leveraging their collective expertise. Their investigations delve into the nuances of family relationships, the nature of upbringing, and any exposure to trauma or abuse, while also considering the availability or absence of educational opportunities. To do this effectively, they often consult with a variety of experts, including psychologists, psychiatrists, social workers, and educational specialists, who can provide deeper insights into the defendant's mental health, social environment, and cognitive abilities. Crucially, they explore a wide array of specific factors that might have influenced the defendant's behavior. These include diagnosing learning disabilities, identifying mental health conditions, such as depression, bipolar disorder, or schizophrenia; assessing intellectual deficits; and recognizing conditions like autism spectrum disorder. The presence of substance abuse within the family and its impact on the defendant is also a key area of focus.

By uncovering these factors, mitigation specialists aim to present the defendant in a more humanized light, emphasizing how their actions may have been shaped by a complex interplay of personal challenges and environmental influences.

The role of mitigation goes beyond merely presenting mitigating factors to the court; it involves crafting a coherent narrative that connects the defendant's personal history with their criminal behavior. By doing so, mitigation specialists aim to provide the court with a deeper understanding of the individual, which can be pivotal in the sentencing phase. This is particularly crucial in capital cases, where the difference between a death sentence and life imprisonment can hinge on the effectiveness of the mitigation strategy.

Moreover, the mitigation process highlights the importance of a holistic defense approach. It underscores the need for criminal justice systems to consider the broader social, economic, and psychological contexts in which crimes occur. By integrating insights from family dynamics and background into mitigation efforts, defense teams can argue more persuasively for sentences that reflect not only the gravity of the crime but also the potential for rehabilitation and redemption.

In conclusion, the exploration of family dynamics and background in mitigation investigations serves a vital function in the criminal justice process. It provides a more nuanced and compassionate view of defendants, advocating for a sentencing approach that acknowledges the complexity of human behavior and the transformative power of understanding and empathy. This approach not only aids in the pursuit of justice, but also contributes to a more humane and equitable legal system.



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## GOOD TO KNOW DOCUMENT FOR WORKPLACE INVESTIGATORS

I have worked 26 years in law enforcement, with most of my years in investigation. For the last seven years, I have worked as a private investigator, with much of my time spent on workplace harassment investigations. These investigations differ from criminal investigations since no one is going to jail or prison. Instead, an employee may face discipline and/or termination and usually must participate in the ongoing workplace investigation.



By Carol Mona  
CMI Resources

If you are new to workplace harassment investigations or currently work them, I wanted to share a document that I suggest you become familiar with, if you are not already. During my law enforcement career, I was not familiar with this document and had never even heard of it because it is directed to companies who have employees. This document is the California Department of Fair Employment and Housing Workplace's "[Harassment Prevention Guide for California Employers.](#)" This nine-page document was created by the California Civil Rights Department for guidance to California employers and to clarify an employer's obligation when it comes to workplace harassment, prevention, and correction of wrongful behavior.

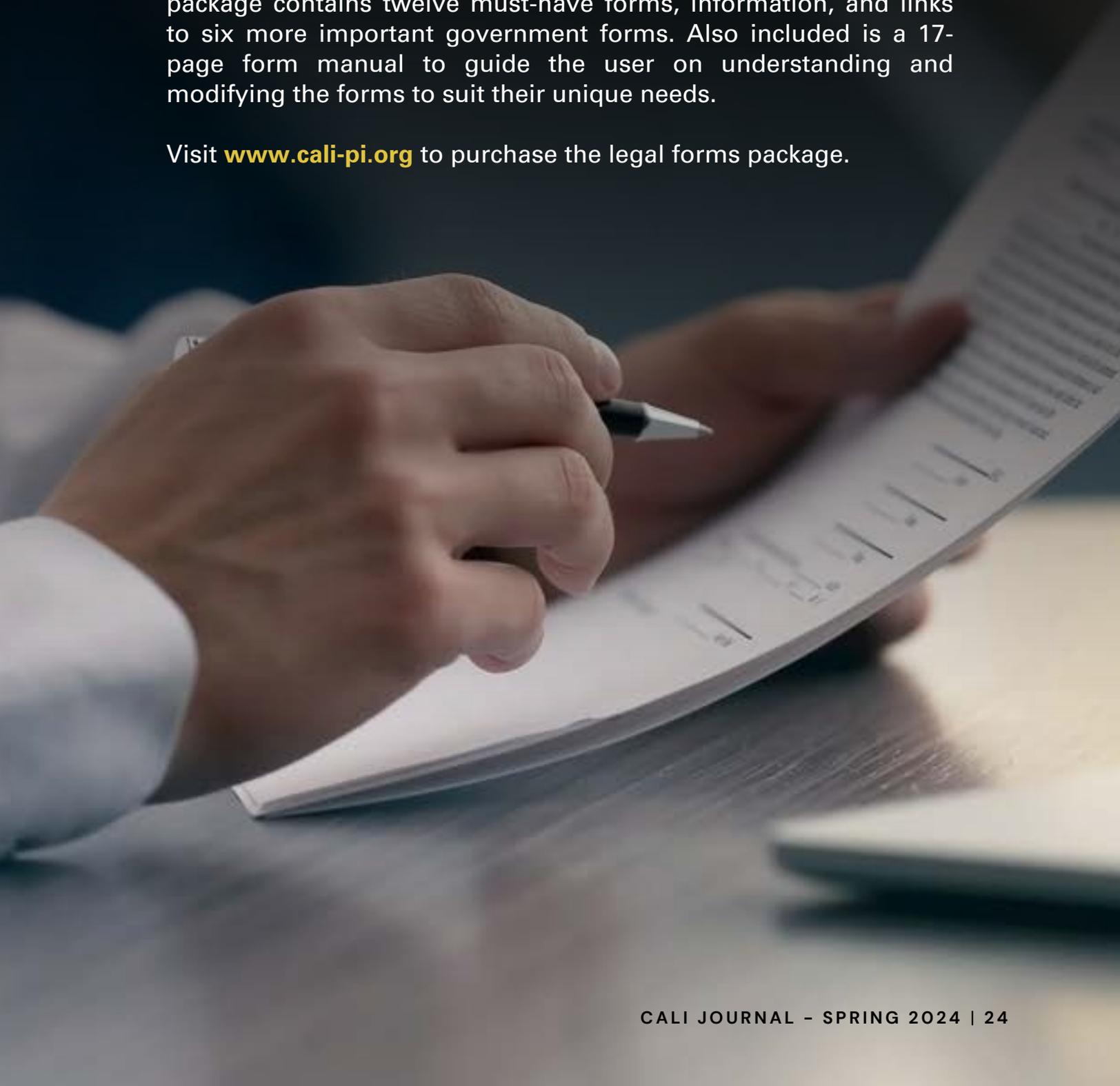
I encourage every workplace investigator to review and become familiar with this document for two important reasons: First, it answers a lot of questions a workplace investigator may encounter while conducting a workplace investigation regarding what an effective anti-harassment program should include, basic steps to conduct a fair investigation, recommended practices for conducting workplace investigations, and implementing effective remedial measures. Secondly, if you are called to give testimony for a specific investigation you performed for a business, there is a good chance the opposing side will ask if you are familiar with the document and if you conducted your investigation in accordance with the recommendations.

I hope this information is helpful. Be safe out there.

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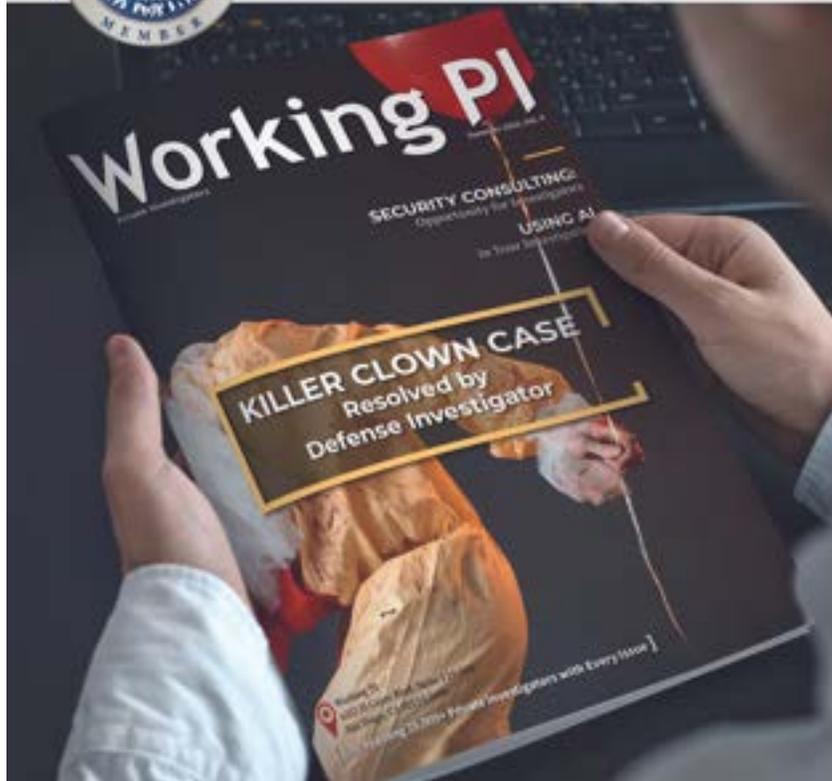
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CALI Lifetime Member **Nanci Hicks**, PI 8831, owner of Nan Lee Investigations, wanted to share with us how proud she is to be a member of CALI since 1983.

Thank you, Nanci and all our members, for contributing to the PI industry and our organization all these years.

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# Essential Strategies for Mastering Subrosa Surveillance



By Justin Hodson, CPI  
Hodson PI, LLC

In the realm of private investigations, surveillance is a critical and complex technique. It demands extensive preparation and astute decision-making skills. This article delves into the key aspects of effective subrosa (undercover) surveillance operations.

**The Importance of Preparation:** Effective surveillance begins with thorough pre-investigation. This includes exhaustive research through databases, as well as comprehensive analysis of social media. Such groundwork aids in identifying potential surveillance locations and subjects, and prepares investigators for unexpected field occurrences.

**Strategic Use of Technology:** In the digital era, leveraging technology for strategic planning is essential. Tools like Google Maps are invaluable for identifying optimal surveillance sites, assessing accessibility, and reducing the risk of detection.

**Equipment Readiness and Supplies:** Ensuring that all surveillance equipment is in optimal condition is crucial. This includes having cameras ready with fully charged batteries, maintaining clean vehicle windows for clear recording, ensuring adequate fuel, and carrying necessary items like cash, notepads, and versatile clothing.

**Field Tactics and Low-Profile Operations:** Maintaining a discreet presence in the field is vital for successful surveillance. Key tactics involve strategic positioning, using dark window coverings for concealment, and being prepared for any situation, including interactions with law enforcement or being compromised.

**Ethics and Legal Considerations:** Conducting surveillance within legal and ethical boundaries is paramount. Investigators must understand the laws regarding privacy and surveillance to avoid legal issues and maintain the integrity of the investigation.



**Effective Communication and Teamwork:** Clear communication with team members is essential for real-time updates and coordinated efforts. This facilitates quick decision-making and enhances the effectiveness of the surveillance operation.

**Documentation and Reporting:** Accurate and detailed documentation throughout the surveillance process is fundamental. This includes taking comprehensive notes, making regular video recordings with time stamps, and promptly reporting significant incidents.

**Adaptability and Decision Making:** Surveillance requires adaptability and quick, informed decision-making in response to changing situations. This flexibility is key to overcoming challenges while maintaining the surveillance goals.

Surveillance, particularly in undercover operations, is an art that requires skill and strategy. Success hinges on thorough preparation, strategic execution, and the ability to adapt to unique challenges of each investigation. By following these guidelines, investigators can ensure the collection of authentic and factual evidence while respecting the privacy and dignity of the subjects. This comprehensive approach not only achieves investigative objectives but also upholds the standards of excellence in the field of private investigations.



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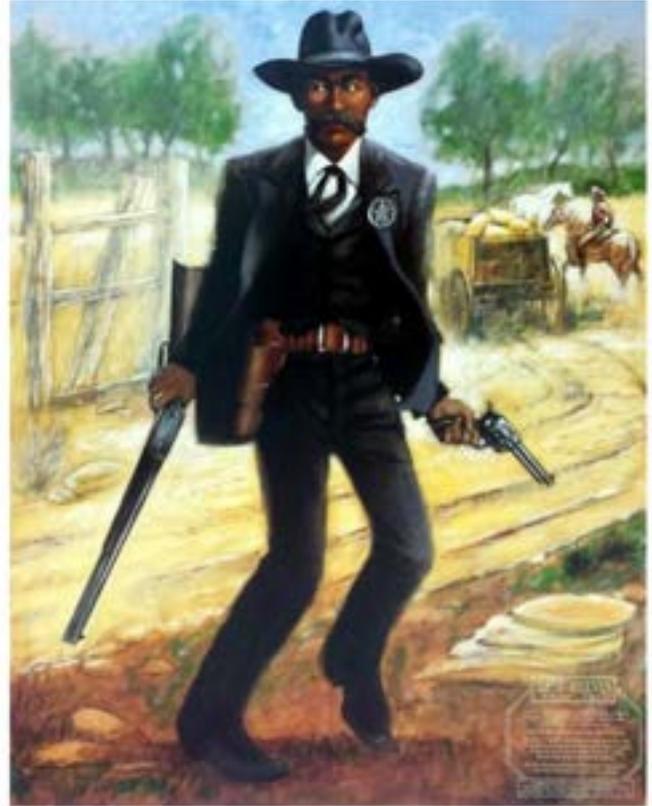
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# BASS REEVES: A LEGACY FOR TODAY'S PRIVATE INVESTIGATORS



By Lindon Lilly,  
Rhino Investigation &  
Process Serving LLC



In the annals of American law enforcement, Bass Reeves stands out as a legendary figure, renowned for his remarkable career as a Deputy U.S. Marshal between the late 19th century and early 20th century. Born into slavery in Arkansas in 1838, Reeves escaped captivity during the Civil War and possibly served on the side of the Union. A trailblazer in his time, Reeves broke barriers as one of the first African American lawmen west of the Mississippi River. Policing over 75,000 square miles (about twice the area of Ohio) in the Oklahoma Territory, he patrolled the largest federal authority in U.S. history. Reeves once nabbed 19 suspects in a single bust. Despite being illiterate, Reeves spoke five Native American languages, memorized warrants, and never made a mistaken arrest. Reeves was so feared that infamous outlaws like Belle Starr surrendered upon learning he had a warrant for their arrest.



## **HISTORICAL CONTEXT AND REEVES' PIONEERING ROLE**

While serving as a Deputy U.S. Marshal in the Oklahoma Territory, Reeves faced the challenges of a post-Civil War racially divided society, where his effectiveness as a lawman transcended racial barriers. Reeves' tracking abilities, marksmanship skills, and unwavering commitment to justice made him a formidable figure in a region where the rule of law was tenuous. Surviving numerous gunpoint situations, Reeves was struck by a bullet only once—emerging victorious. Reeves worked in law enforcement until just a couple of months before his death in 1910 at the age of 71. During his twilight years, he worked as a police officer for the Muskogee Police Department. Reeves walked a beat that was crime-free for two years. During all the years he wore a badge, Reeves was credited with more than 3,000 arrests.



## **ADAPTING TO MODERN CHALLENGES**

If teleported to the present day, Reeves would undoubtedly encounter a vastly different landscape in the field of private investigation. The advent of technology, changes in legal procedures, and the evolution of social norms present new challenges for investigators. Although Reeves had impeccable investigative instincts, he would face a learning curve when navigating the intricacies of modern tools, forensic science, and digital evidence.

## **TECHNOLOGY AND INVESTIGATIVE METHOD**

In Reeves' Day, investigations relied heavily on keen observation, tracking, and interpersonal skills. During the 21st century, modern investigators harness the power of innovative technologies, such as surveillance cameras, forensic analysis, and digital forensics. Reeves' tracking abilities would find resonance in deciphering digital trails, but navigating the intricacies of cyber investigations and data analysis would require a new skill set.





## **LEGAL FRAMEWORKS AND DIVERSITY IN THE PROFESSION**

Reeves broke barriers as an American lawman in a racially charged environment of the post-civil war. Today, the profession of private investigation has become more diverse and inclusive. Modern African American investigators are protected by laws, yet challenges related to racial biases persist. Reeves' example of navigating a racial society could provide valuable insight for contemporary investigators advocating for professional equity.

## **LEGACY AND INSPIRATION FOR TODAY'S INVESTIGATORS**

Reeves' career continues to inspire modern private investigators. Today's private investigators should always exhibit the tenacity, courage, and commitment to justice that characterized Reeves' illustrious career.



Reeves' legacy serves as a reminder of the resilience required to overcome challenges and break barriers. The strides made by African Americans in law enforcement owe much to trailblazers like Reeves, who paved the way for a more inclusive and diverse professional landscape.

In conclusion, while the challenges and tools in the world of private investigation have evolved significantly since Reeves' time, his legacy endures as a symbol of courage and determination. Modern private investigators can draw inspiration from Reeves' pioneering spirit, adapting his principles to navigate the complexities of contemporary justice. The journey from Reeves' era to the present underscores the remarkable progress made and the relentless pursuit of a society that is not just more just but entirely achievable. Embrace the positive changes that have unfolded and know that you play a part in this inspiring journey toward a better world.



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# FAMILY LAW FRAUDS ARE THE NEW PONZI SCHEMES

## *Why are divorce and probate fraud increasing?*

By David Pelligrinelli, Founder and president of Active Intel Investigations



**P**ivate investigators have always been on the front lines of preventing and discovering fraud. Up until recently, the most common types of fraud cases worked by agencies were corporate embezzlement and Ponzi schemes. In 2019, our agency and our colleagues began seeing an uptick in the number of cases involving fraud in divorce and probate cases. In this article, we are going to look at how these frauds are conducted, why they are becoming so common, and how to investigate them.

Probate and divorce matters can be categorized as family law cases, in that they pertain to a family event. In both examples, a significant life changing event has taken place, either the death of a family member or dissolution of a marriage. There is another common factor in both instances: There is to be a transfer of assets to various parties, often a substantial amount.

## **PROBATE FRAUD**

In a probate case, the assets of the deceased are distributed pursuant to the documented will of the decedent or by order of law if intestate. The recipients of the decedent's assets, or heirs, are typically close family members, such as spouse, children, even grandchildren. This is supposed to be a simple, straightforward action, with little difficulty. However, complications can develop when one or more people associated with the deceased feel that they deserve more than they are entitled to or look at the death as an opportunity to improperly divert assets to their benefit. This can be referred to as a fraudulent conveyance.

Many times the theft of assets occurs even before the person dies. A relative or friend can begin to siphon off assets through several methods prior to the actual death, believing that there is no oversight. This is especially common where the fraudster is a close associate or caregiver of the elderly or terminal person. Withdrawing from bank accounts, transferring stock, even deeding over property are tempting methods of unjust enrichment. The person stealing money might even be an actual heir who would be receiving assets from the will, but may want a greater share than they are entitled to.

Why should these thefts be investigated? In some cases, the genuine heirs may not want to pursue retribution against the scammer out of some misplaced feelings of care for their family member. However, even if the "victim" heirs wish for the suspected stealer to keep the extra assets, that is not what the deceased family member wanted. Remember, the word "will" is not just the name of the piece of paper. It is the declaration of their final wishes, their legacy. By allowing a dishonest person to get away with taking more than their fair share, it is dishonoring the testament of the lost relative.

In addition, the corrupt family member is free to exist within the family unit without consequence. Remember, this person would presumably attend future family functions, holidays, reunions, even babysit others' children.

How is probate fraud investigated? Start by running asset searches on both the deceased person and the suspected fraudster. You are looking for transfers or equivalent changes in asset amounts, not necessarily asset types. Look for all asset types: real estate, vehicles, corporate assets, and, of course, bank accounts. In one case, we saw that a grandchild of a deceased man had removed a classic car from a storage barn and transferred the title into his own name. When the asset search came back on the grandfather, no one noticed the missing vehicle on the asset list because most family members were not aware of the car. However, the asset search for the grandson showed the classic car recently titled in his name and a title check showed that the last registered owner was the grandfather. None of the other family members would have wanted the car, but the vehicle was worth approximately \$35,000, therefore the four actual heirs would have benefitted by approximately \$8,000 each if the car had been sold.

When reviewing assets, also trace back six to 12 months, especially if the decedent was ill. Many times, caregivers and other associates will see the opportunity for asset diversion while the family is distracted by concern for the relative.

## **DIVORCE FRAUD**

Diversion of assets in a divorce is more understandable. Divorcing spouses are already at odds with each other, so trying to defraud the other party is not usually a stretch of morals.

If the formula for a distribution of a certain asset was 50/50, for example, and the husband conceals a \$100,000 asset, he immediately benefits by not having to disgorge \$50,000 to his spouse. There are various income schemes that can be run. In one case we worked, a lower-earning spouse directed their employer to hold their pay raise, commissions, and bonuses for eight months during the divorce proceeding. This artificially reduced income was used in the calculation of spousal maintenance due from the higher-earning spouse, and resulted in a higher amount to be established. The investigative discovery came from documenting the sales records of the adversarial party, which showed her sales actually had gone up just prior to the divorce but her pay went down. Subsequent interviews with the employer uncovered the conspiracy, from which the employer benefitted from some extra capital to use in the meantime.

Another common divorce fraud scheme is prepaid income taxes. A spouse can send a lump sum to the IRS at any time, even if taxes are not due. This becomes a credit to the tax account of the taxpayer and can be refunded later or applied to future tax liabilities. Look for large payments to any recipient that may be refunded later, especially if they are not customary or do not match prior years' activity. Be aware that financial disclosure forms or requirements often are blatantly misrepresented. We have heard of some divorce attorneys even advising their own clients that misstatements or omissions on these forms are acceptable, as they don't expect them to be verified.

### **WHY THE INCREASE?**

These cases are much more common, according to the latest FBI statistics, for two main reasons: social "moral hazard" and inflation. Remember the fraud triangle: a fraudster will need to have all three elements to offend: motivation, opportunity, and justification.

The elevated estate values in the current economic environment certainly increase the motivation. A typical \$40,000 family estate in 2008 might not be worth messing with. However in 2024, an \$800,000 batch of assets makes fraud much more tempting. Stock prices, 401k increases, home value appreciation, and income escalation all contribute to bigger numbers tempting the scammers.

Opportunity is enhanced because people are now more aware of financial mechanisms. Relatives know about family assets and spouses more often share financial responsibility.

The justification component of the fraud triangle is the most escalated factor. People are much more likely to feel offended and slighted by others, which fosters a sense of entitlement to more of a share of wealth as compensation for their rage.

For the private investigative agency with experience in fraud, financial crimes, and even petty scams, adding family law fraud as a practice area can be a way to deploy your skillset and expertise to help keep potential victims from losing assets that are rightfully theirs.

### **BEST PRACTICES TO PREVENT FAMILY LAW FRAUD:**

- Executor of an estate should NOT be a close family member or heir.
- All probate cases should have fully documented asset searches.
- Divorce cases should have all financial representations verified.
- Bank accounts should be back traced for a few months prior to the death.
- Close friends or relatives of divorcing parties should be checked for recent asset receipts.
- Asset activity should be monitored prior to a divorce.
- New debts against an estate close to the date of death should be investigated.

## FORMER CALI MEMBER PASSING: PHIL JOHNSON



Phil Johnson (former long term CALI member) passed away on January 24, 2024, at his home in Portugal. The following is a eulogy that was read at Phil's services, on February 1, 2024.

My name is Lucinda, I am a friend and neighbor of Yin and Phil. Yin has asked me to say a few words about Phil (The Mister) today and share with you all, some of his unique characteristics and life.

Phil was born in Bradford, England on the 1st of April 1952. He was a true Yorkshire lad to his soul, proud of his county and his White Rose (Yin/wife).

Phil was very fortunate to be surrounded by women from a young age, being brought up by his parents. He went to Rhodesway School in Bradford. After leaving school, Phil took his first job as an office boy at a private detective agency in Bradford, England

This was a formative time for his future career, as he was mentored by a former chief inspector of the Bradford police. After a few years, Phil married and had a son, Phil Jr., who sadly passed away 12 years ago.

Phil, for a few years, had his own detective agency before joining the Bradford City Police, where he served for several years. During Phil's law enforcement career, he met Yin and began dating.

He made a strong impression on young Yin with his big smile, which led to their marriage a couple of years after they met. They had just celebrated their 38th wedding anniversary in December of 2023.

They shared a love of travelling far and wide, combining work and pleasure. This included significant time spent in Hong Kong, Italy, Canada and California (where Phil's love of San Francisco began).

Phil learned to snow ski when he was 40, and Yin picked up the recreational sport as well. The two loved the sport very much, which lead Phil and Yin onto other Alpine sports, especially ski jumping.

Yin and Phil also travelled to New Zealand, where Yin got Phil into kayaking. They loved the sport so much that they subsequently went on to kayak different rivers and lakes all over the United States and Europe.

On the food front, Phil was very special, and his likes were known far and wide. We all knew Phil had a bit of passion for the odd cake or two, and Spam prepared in any form, for a good pork pie and of course his favorite, Lindor chocolates.

Phil was a bit of a dancer; he was a fan of the movie "Saturday Night Fever" and even had a gorgeous flared white dancing suit.

Phil was also known as "Mr. Snake Hips" by many, and he loved the Motown classics.

So back to his career, after a stint as a "Bobby" (policeman), Phil started up with Yin in 1987, JJ Associates International, an investigation agency in Leeds, where they worked together with a large team for over 30 years.

After many years attending court sessions and boring surveillance stints, they decided they'd had enough of all that, and wanted to combine their love of travel with working remotely from wherever they were.

There started their transition to working online, which he loved and could be seen where-ever, tapping away on his phone or laptop, doing his business.

This led to them moving to Portugal and the Algarve, with its good IT infrastructure enabling them to do their job, and where many of us have been so fortunate to meet Phil.

Of course, moving to the Algarve, led to much local exploration, and visiting local festivities together with friends, but not much beach time as Phil was an avid sand hater!

"Seville" (Spain) became Yin and Phil's favorite place that they adored visiting and eating lots of culinary delights and taking many of their friends along, to share their love of the city.

Phil was an active "Freemason" based in Bradford, also being a past Master Mason of the lodge, where they performed many charities fund raising events, which Phil very much enjoyed.

Phil also joined the Masonic Lodge in Boston, while in the U.S. and visited many other lodges worldwide. Phil was known for his colorful wardrobe. He had 100s [[hundreds]] of Hawaiian shirts, which became JJ Associate's trademark business wear. But in reality, Phil just liked wearing those shirts!

Phil was such a funny man, and shared laughter with many friends and colleagues worldwide. His laugh was very distinctive and recalled by many. Yin of course, misses him terribly, but we know he will be up there having an imperial time looking down on us with a smile and love in his heart for everyone in his life.

On a personal note, Phil was a long time CALI member and a close and loyal friend and colleague to many of us, Sean Ditty, Rocky Pipkin and me (to name a few). He and Yin helped many of us in our case work here in the United States and abroad.

As mentioned in his tribute, Phil had an amazing, friendly and inviting personality. He and Yin took the time to attend many of our CALI Conferences and lit up any area or conversation he was in. As a colleague, Phil was an outstanding researcher and investigator. He was without a doubt one of the "Best" of the Best on in our profession, worldwide.

Phil will certainly be missed, however will live on, in the hearts and memories of his family, friends and colleagues.

Rest in Peace, Amigo.

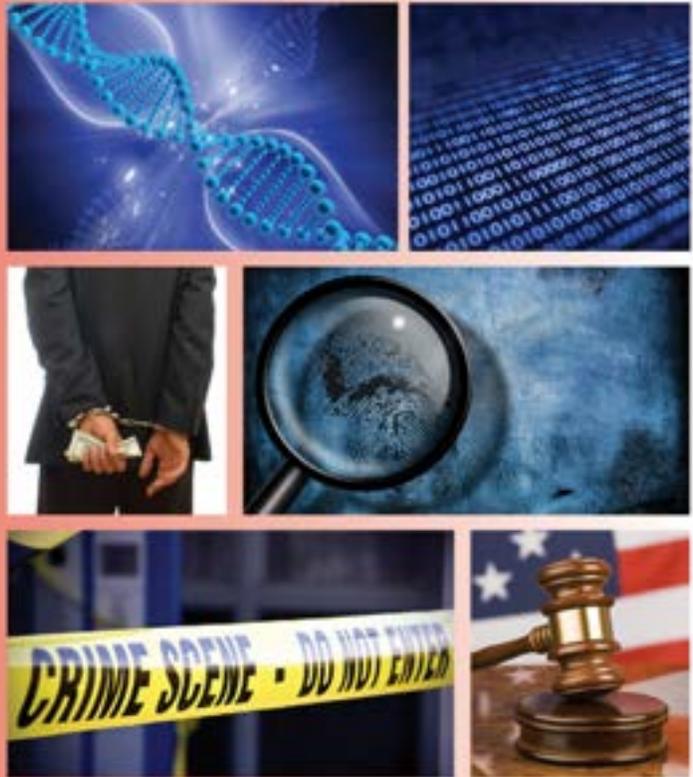
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