

JOHNSON & KLEIN LAW
CRIMINAL DEFENSE & CIVIL RIGHTS

January 19, 2020

Members of the Colorado State Legislature
Denver, CO

Dear Members of the Legislature:

I am the Managing Partner of Johnson & Klein, PLLC, a civil-rights and criminal-defense law firm in Boulder. I am writing to you today in support of maintaining Colorado's law regarding the licensing of private investigators.

Our firm is dedicated to protecting the rights, liberties, and reputations of our clients. We represent plaintiffs in civil-rights cases, such as those seeking to hold law enforcement officials accountable for the use of excessive force or to ensure that prisoners are afforded adequate medical care and religious freedom of expression. We also defend adult and juvenile clients against accusations of criminal offenses in federal, state, and local courts. Our criminal-defense cases range from misdemeanors to capital felonies. We represent private clients who can afford to retain us as well as indigent clients under court appointment from the federal and state governments.

It is important to us that the private investigators we use for litigation support investigation services are licensed, bonded, and insured to protect our clients, our work product, and the general public. Investigators act as agents of the attorneys they contract with and are expected to maintain the highest level of professional ethics. They are also entrusted with highly personal financial and other confidential information. Our state's current licensing regime helps protect the confidentiality of such information. Additionally, for the purpose of legal proceedings, it is helpful for judges, jurors, and the general public to be able to rely on the fact that the work of a licensed private investigator is legitimate and professional.

Very Truly Yours,

s/ Gail K. Johnson
Gail K. Johnson

Rachel Roberts Legal Investigations

7765 Wadsworth Blvd #745343

Arvada, CO 80003

(970) 363-6963 phone

www.robertsinvestigations.com

January 27, 2020

Dear Members of the Legislature:

My name is Rachel Roberts and I'm a licensed private investigator in the state of Colorado. I am writing to express concerns over the potential sunset of the Private Investigators Practice Act that went into effect on June 1, 2015.

I have worked a wide variety of state and federal misdemeanor and felony criminal defense cases ranging from complex sexual assault to white-collar financial crime and have investigative experience in all stages of proceedings, from before the filing of charges to post-conviction relief. I am one of 61 active Certified Legal Investigators in the world, and I am also a Board Certified Criminal Defense Investigator. I currently serve as a Senior Director at Large for the Professional Private Investigators Association of Colorado and as the Chair of the Membership Committee for National Association of Legal Investigators. It would be wholly disheartening for me, my colleagues, and for the people of Colorado, to lose private investigator licensing in this state.

Colorado Revised Statutes Rule 8.4(c) notes that it is professional misconduct for an attorney to engage in dishonesty, fraud, deceit or misrepresentation. In September 2017, Rule 8.4(c) was appended to include, "except that a lawyer may advise, direct, or supervise others, including clients, law enforcement officers, or investigators, who participate in lawful investigative activities." The rule change language is concerning and completely contradicting in and of itself, but that is beside the point. A licensed private investigator is an agent of the attorney and as such, must abide by the same ethical obligations as the attorney. But what if that attorney is lacking in their professional ethical obligations? Since we as investigators work at the direction of the attorney, on first glance, this law change appears to allow for an investigator to conduct themselves in a manner that is deceiving, dishonest, and misrepresentative. However, 4 CCR 750-1 (10) states that, "No licensee shall knowingly associate with, or permit the use of his or her name in a business venture by any person or firm which he or she knows, or has reason to believe, is engaging in business or professional practice of a fraudulent or dishonest nature."

The morning the rule change was announced, I received a phone call from an attorney client that I had recently started working for related to a very serious juvenile sexual assault case. The attorney was calling to inform me of the rule

change and to ask me to pose as an investigator for the prosecution in an attempt to get the female juvenile victim to agree to an interview. For moral reasons I would have refused this request regardless of any ethical obligations I am bound to as a licensed investigator and as a member of my professional organizations. However, I was also able to tell this attorney that per Colorado Private Investigator Licensing Laws, I could not and would not engage in any such activity.

Private investigator licensing does not just exist to keep confidential information out of the wrong hands or for widespread consumer protection; it also exists to ensure that even if a barred attorney – who should know better, but might not act better – asks a licensed investigator to do something they shouldn't, that investigator has the legal, ethical and moral standards of a professional investigator and can fall back on their licensing regulations.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Rachel Roberts". The signature is written in black ink and includes a long horizontal flourish extending to the right.

Rachel Roberts, CLI, CCDI

Committee on Transportation and Local Government
Representative Mather Gray, Chairman
February 12, 2020



TESTIMONY OF JOHN O'DEA IN SUPPORT OF THE CONTINUATION OF THE REGULATION OF PRIVATE INVESTIGATORS (House Bill 20-1207)

Chairman Gray and members of the House Transportation and Local Government Committee, I thank you for the opportunity to submit comments on this measure. My name is John O'Dea and I am a resident of Boulder. I appear in support of extending the sunset on Colorado's Private Investigator licensing law.

My comments today are from four perspectives:

- A former four-term legislator who served on the committee of jurisdiction for PI licensing matters in my home state of Maine;
- A (former) lobbyist on behalf of a state association representing PI's on licensing reform issues;
- A consumer of PI services; and
- A licensed Colorado Private Investigator and Certified Fraud Examiner.

If nothing else, I have an informed, multi-state perspective on these matters. In addition to being a private investigator, I am a Certified Fraud Examiner (CFE). My practice consists largely of due diligence investigations for investors, investigations for plaintiffs in civil legal proceedings and various business-related fraud investigations.

To give you an understanding of my world, in the past seven days, I have dealt with the following:

- Background investigation into a real estate developer for a large building contractor which has capital at risk;
- Due diligence investigation on behalf of new investors buying into a Colorado start-up company;
- A consumer fraud case with multiple victims up and down the Front Range; and
- Ongoing theft of materials from commercial construction sites in three states.

Other weeks have me conducting asset searches for companies and individuals in family disputes, investigating the theft of intellectual property, and assisting Fortune 500 companies with high risk employee terminations to ensure the safety of their other employees. In each instance cited above, access to quality investigative services is necessary to protect the interest of the client.

Let me begin by saying that Colorado's licensing law works. It protects consumers without being onerous, and it provides a mechanism for people to move into the profession in a way that requires new investigators to be competent and ethical. The law ensures that Colorado's private investigators understand their obligations to clients and their role in legal system. Unlike many states, where licensing is used to keep people out of this profession (and many others), Colorado's law provides a mechanism to get new people into the profession. It helps creates opportunity for those who want it.

Another benefit of the Colorado is that license applicants are asked if they have ever been disciplined or had their license revoked in another state. The presence of that question alone helps to keep the

“problem children” out of our state. The requirement that investigators maintain a surety bond has a similar effect as a bonding company will not issue a bond to a person who has faced legal problems in another jurisdiction.

Colorado’s PI licensing law is by far the best one I have encountered any place in the country. As policy makers, you should be proud of that fact. DORA should be proud, too. Their implementation of this law is a regulatory success and we should all be grateful for their efforts. They have been good partners with the industry.

If the licensing law is allowed to sunset, Colorado people and business interests will have no way of knowing if they are dealing with an informed, competent and ethical investigator. Whether a Colorado business in litigation in federal court, a case where a private investigator is working to safeguard a battered spouse or covertly monitor a custody exchange in a child endangerment case, private investigators are routinely entrusted with the most confidential of data. Absent licensing, Colorado businesses and residents would be playing Russian Roulette every time they got online and did a search for “Colorado Private Investigator”.

There are only five states that do not have private investigator licensing – Alaska, Idaho, Mississippi, South Dakota and Wyoming. The combined Gross State Product (GSP) of those five states is less than Colorado’s GSP. With all due respect to our friends in those other states, Colorado is a big player in our nation’s economy – and the adverse effect on Colorado’s business community of not having access to competent, lawful investigators would be significant. That setback would give our state’s businesses a competitive disadvantage against their out-of-state peers. Some would simply find another solution, such as resorting to using licensed out of state investigators. That would be bad for those of us who actually live, work and pay taxes here – and it would also eliminate the regulatory oversight of those investigators performing the work and the resulting protection of Colorado consumers and businesses.

Moreover, because of Colorado’s licensing law, consumers know that when they call a private investigator, that they are getting someone with the training and experience necessary to get the job done for them. Importantly, the licensed professional investigator also knows which cases to turn away. Every licensed investigator can tell you about the cases they turned away because the client’s intentions were unlawful. In an unregulated world, those outcomes would be different.

I urge you to maintain Colorado’s Private Investigator Licensing Law as it stands. It protects Colorado residents,

Sincerely,

A handwritten signature in black ink, appearing to read "J. O'Dea", with a stylized flourish at the end.

John O’Dea
303 Alpha, LLC
PO Box 20091
Boulder, Colorado 80308

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jodea@303alpha.com



2373 Central Park Blvd. - Suite 100, Denver, CO 80238
Tel. (303)803-1611 coakley@coakleykrol.com

January 22, 2020

Colorado General Assembly
200 E. Colfax Avenue
Denver, CO 80203

Dear General Assembly:

I understand that the General Assembly is conducting a sunset review of the licensing program for private investigators. I am a business and consumer protection attorney in Colorado. I was the founder of the Colorado Bar Association Special Committee on Consumer Protection and chaired it for several years¹. Consumer protection issues are very important to me.

In my personal opinion, allowing the law to sunset would be disastrous to consumers in general in Colorado, and in particular to lawyers like me who rely on licensed private detectives to work on cases and serve process. A license is an indicator to me, as a consumer of those services, that the detective is vetted, trustworthy, competent, ethical, and well trained. As you may know, there are considerable problems with unlicensed process servers working in Colorado, and there is some discussion as to licensing them. At this point, at the very least, consumers of those services like myself can hire a licensed detective for that work and know we are getting a quality process server .

I also understand that some have indicated the Colorado Bar Association has not come out in favor of renewing the statute. Getting the Bar Association to take a position on an issue before the legislature requires an internal process to be sure the conflicting interests of all its members are served by the Association taking a position. The default position of the Bar Association is often that it takes no position until this process is conducted and the different interests have an opportunity to weigh in. In my opinion, it would be an error to assume that the Bar Association taking no position means that it supports sunseting the licensing requirement for detectives.

I would also inquire about the position of the Colorado Trial Lawyers Association. It is more likely to take a position than the Colorado Bar Associations, as it tends to represent a more narrow range of competing interests and their members (mostly plaintiffs lawyers) are frequent consumers of private investigator services.

¹ To be clear, I no longer chair this committee and do not speak on its behalf. I mention this only to demonstrate the importance I give to consumer protection issues.

I am also concerned about the potential for abuse of the general public as targets of investigations by unlicensed private detectives. I am concerned that without licensing, any individual, including felons, will be able to set up shop in Colorado as a private detective. In connections with investigations, these individuals will be receiving private, confidential information such as birth dates, social security numbers, and other information I often send my detectives to help them with an investigation. Without licensing, even non-felons will have no incentive to learn about ethics, privacy laws, and so many other issues that detectives need to learn about to keep from crossing the line and abusing clients and targets of investigations. It is easy to imagine a scenario where an unlicensed, untrained private detective violates an individual's privacy, is overly aggressive, or worse.

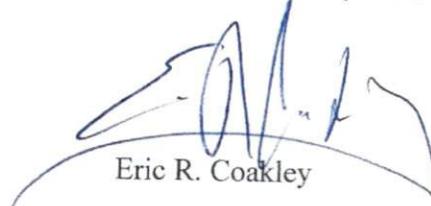
I also worked for several years in the mortgage industry and had a hand in drafting the Colorado Mortgage Broker Registration Act. I'm not sure if you were in Colorado during the time 2007 - 2008, when it became apparent the harm an important but unregulated and unlicensed industry caused to the people of Colorado. Colorado had one of the worst rates of mortgage defaults in the country. Because of the Act, and the hard work of people at DORA implementing that Act, Colorado now has a stable, ethical, reliable and thriving mortgage lending industry. It is important that professions in a position of public trust be licensed and regulated.

I support the mandatory licensing of private investigators. If there is an opportunity to testify regarding this issue, I would like to be invited. And as always, if you would like to discuss further please do not hesitate to call or write. This issue is important to me.

Thank you very much for considering my concerns.

Sincerely,

COAKLEYKROL, LLC



Eric R. Coakley



January 15, 2020

To Whom It May Concern:

We are attorneys and have been practicing civil rights, criminal defense and Title IX law for 22 and 25 years respectively.

We understand that the Professional Private Investigators Association of Colorado is facing an uphill battle as the PI licensing bill is under sunset review. We entrust other investigators with sensitive and confidential information for criminal defense matters. We are concerned if the licensing bill does not pass, without the condition of licensing, there will be lack of confidence by judges, DA's, educational institutions, and witnesses in the investigators work. Additionally, we will not be able to give our clients the needed assurance that their work is covered under my ethical umbrella. We do not see any way that sunseting can positively impact our profession's legitimacy or our work product's value in legal proceedings.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Iris Eytan', with a long, sweeping horizontal stroke extending to the right.

Iris Eytan

A handwritten signature in blue ink, appearing to read 'Dru Nielsen', with a stylized, cursive script.

Dru Nielsen

January 29, 2020

Dear Members of the Colorado General Assembly:

I have been a practicing criminal and juvenile defense attorney in Colorado for the past eleven years. I started my career as a Colorado State Public Defender, and I now run a solo practice. I represent children, adults, and victims in courtrooms across Colorado.

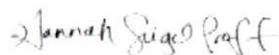
In the majority of my cases, I hire an investigator to assist me with a number of tasks, including locating and interviewing victims and witnesses, collect confidential records, review discovery, serving subpoenas, and much more. It is crucial that the individuals I hire to help me with these highly sensitive investigation services are licensed, bonded, and insured to protect our clients, our work product, and the general public.

Investigators act as agents of the attorneys they contract with and must to maintain the highest level of professional ethics. Investigators are often provided with highly personal financial and medical records. Additionally, investigators are provided with the name and contact information for witnesses and victims in criminal cases. Current licensing statutes prevent this information from landing in the wrong hands. It is imperative for the judges, jurors, and the general public to know that the work of a licensed private investigator is legitimate for the purpose of legal proceedings.

I urge you to renew the PI Licensing bill; the integrity of the criminal justice system depends on these protections.

Feel free to contact me if you have any additional questions.

Sincerely,



Hannah Seigel Proff, Esq.

RE: Private Investigator Licenses

To whom this may concern,

I am writing this letter as a concerned member of the Colorado criminal defense lawyer community. I am concerned that the Colorado legislature is going to let the current legislation which regulates Private Investigators lapse.

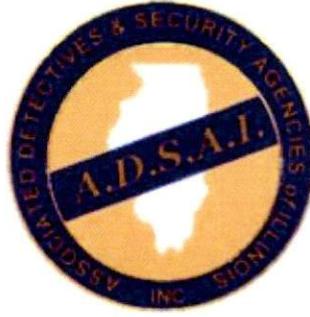
I have worked as a criminal defense lawyer for over 10-years. Private Investigators play a crucial role in a criminal defense lawyer's constitutional obligation guaranteed by the Sixth Amendment. The legal system attempts to determine the truth by using an adversarial system. The search for truth will negatively be impaired if Private Investigators are no longer regulated by the State of Colorado because the quality and integrity of the profession will be derogated.

Private Investigators need to be regulated to ensure that the profession continues to only employ quality people whose ethics are beyond reproach. Criminal defense lawyers trust Private Investigators with sensitive information and call on them to conduct ethical investigations. I need to know any Investigator that I hire is complying with the ethical rules. Continued regulation of the industry provides me reassurance that licensed Private Investigators are ethically trained and competent to assist me in protecting the liberty of individuals facing the power of the Government.

Best regards,

Joshua D. Amos

Steven Siegel
President



Kathryn LeFevour, PCI
Secretary

January 31, 2020

To: Colorado General Assembly Members

I am writing to ask for your support regarding proposed Colorado legislation that will continue the licensing of private investigators.

Without a continuation of licensing, the program is scheduled to repeal in September 2020. Colorado is currently one of 45 states with a PI licensing law. Colorado PIs, as well as most "legitimate" PIs, are very passionate of the continuation of PI licensing and allowing the program the opportunity to mature.

Because of the sensitive and confidential nature of the work and cases we are regularly assigned, it is crucial for consumer protection and public safety components to remain in place. The licensing of private investigators ensures those components remain intact and gives consumers confidence that they can entrust a PI with the use and protection of proprietary, sensitive and confidential information.

Without proper licensing, unscrupulous private investigators can expose the general public and clients to financial, emotional, psychological and physical harms. Some of which are irreparable.

Prior to PI licensing in Colorado, a client with malicious or nefarious intentions could readily hire an unscrupulous PI. With licensing in place, there have been a reduction in complaints that reflect the effectiveness of the program. Please do not hesitate to contact me if you have any questions or would like to request more information.

Kind Regards,

Steven J Siegel

Steven J Siegel
President
Associated Detectives and Security Agencies of Illinois
219-689-5181
steveadvil@hotmail.com
www.adsai.org



NALI

NATIONAL ASSOCIATION OF LEGAL INVESTIGATORS

February 6, 2020

Colorado General Assembly
200 E. Colfax Avenue
Denver, Colorado 80203

RE: Private Investigator Licensing in Colorado

Respectfully, we are writing to request your support regarding continued licensing of private investigators. As you know, without a continuation of licensing, the program is scheduled to sunset in September of 2020. Colorado is currently one of forty-five states that licenses private investigators and security firms, and it is very important that this program be allowed the opportunity to mature.

Due to the sensitive and confidential nature of the work and assignments that private investigators regularly conduct, it is crucial for consumer protection and public safety components to remain in place.

Prior to the licensing law taking effect, there were many unscrupulous individuals claiming to be private investigators who exposed the general public and clients to real harm.

Our organization, the National Association of Legal Investigators (NALI), represents professional legal investigators. When investigators take on an assignment, we want to ensure they have the professional expertise, ethical acumen, and proper vetting to provide the best results to their clients. Without a licensing component, anybody off the street can claim to be a private investigator or security agent, which could be a direct threat to consumer safety. In addition, licensing prevents those individuals with nefarious purposes from acting without oversight. Like forty-four other states, a strong licensing framework in Colorado allows the industry to have ethical and competent professionals conduct legal and private investigations.

At this time, NALI has fourteen members licensed in Colorado. Thank you for your consideration and we urge you to extend this legislation.

Best Regards,

John M. Lajoie, CLI
National Director
NALI

Nicole Gray
Legislative Committee Chairperson
NALI



MAILING ADDRESS:

**3936 Hwy. 52 North, #118, Rochester, MN 55901
(507) 281-1377**

“Private Investigators & Protective Agents Serving MN Since 1994”

www.MAPI.org

February 5, 2020

State of Colorado
General Assembly Members
Denver, CO

RE: Colorado Private Investigator Licensing in 2020

Dear General Assembly Members:

I am writing on behalf of the Minnesota Association of Private Investigators & Protective Agents, which is a Professional Association of Private Detectives and Protective Agents Licensed in the State of Minnesota. We have over 60 Licensed Members in our Assoc., and have been offering Continuing Education Seminars to our Members twice per year since 1994. Our industry has been regulated by the Minnesota Private Detective and Protective Agent Services Board for over 30 years, and their five Member Board and Executive Director are charged with ensuring the Investigative and Security Service Practitioners in MN meet MN Statutory qualifications and training for licensure, and maintain the standards set forth in *MN Statutes, Chapter 326 and MN Administrative Rules, Chapter 7506*, (which are available online for your review).

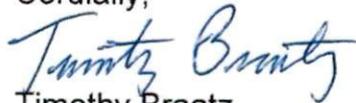
Our Association along with numerous other State Licensed Private Investigator and Security Associations throughout the U.S., are also Members of the National Council of Investigation & Security Services (NCISS), which is a National Association of Private Investigators & Security Professionals. They focus on industry related Legislative issues at both the National and State level. **It has come to our attention that the State of Colorado is possibly going to allow the recently established Private Investigator Licensing Program to be Repealed in Sept. 2020, unless additional legislation is acted upon to continue the Program.**

Personally, I have been a Licensed Private Investigator in Minnesota and Wisconsin since 1994, and in the State of Iowa since 2003, and prior to that I worked for Private Investigator firms that are Licensed in Maryland, Virginia, West Virginia, and Pennsylvania, and I have over 32+ yrs. experience as a Private Investigator. I have been a Board Member of MAPI since 3/2013, and have been President of the Association since 5/2016. A majority of the Members of the Minnesota Assoc. of Private Investigators and Protective Agents are former Law Enforcement and or have been Licensed as Private Investigators and or Protective Agents in MN for 20+ years. We all support legislative issues relating to Licensing and or some form of Regulation and Continuing Education Training in the Private Detective and Protective Agent fields.

Given the sensitive and confidential nature of information handled and services provided by Private Investigator and or Security Professionals every day to Members of the General Public, Area Businesses, Law Firms, and Governmental Agencies, it is hard to imagine that "Unlicensed" or "Untrained" individuals or businesses possibly with malicious and nefarious intentions would be able to operate in the State of Colorado without any State regulation or oversight. **Therefore, we STRONGLY URGE that you continue your Private Investigator Licensing Program, so that your Citizens and Businesses have some State Agency to file Complaints to or at least have the assurances that the Investigative businesses they are dealing with have met the State issued standards of Licensing to operate in your State.**

If you have any questions, feel free to call me at **(507) 281-1377** or send me an E-mail at atpi1@aol.com. Thanks for your consideration, and good luck resolving this very important issue that effects the Citizens and Businesses of Colorado.

Cordially,



Timothy Braatz,
MAPI Board President

(Enclosures)



WASHINGTON ASSOCIATION OF LEGAL INVESTIGATORS

P.O. BOX #6, EVERETT, WA 98206-0006 - wali@wali.org - www.wali.org

Colorado General Assembly
Denver CO

January 30, 2020

Re: Private Investigator Regulation

To whom it may concern:

I understand Colorado is considering letting the statute that establishes regulation of private investigators sunset after only a couple of years of being in force. I encourage you to act with the public's best interest in mind and retain this statute.

I have been a state-licensed private investigator in Washington and in British Columbia for over 25 years. I am a past-director of the Private Investigators Association of British Columbia and am the current president of the Washington Association of Legal Investigators.

I can say with confidence that establishing private investigator licensing regulations help protect the public from fraud and abuse. It provides consumer protection so that the public is assured that the person they are entrusting has at least some qualifications and doesn't have relevant criminal histories. It also gives them a place to seek redress when they are taken advantage of either financially or emotionally.

Private investigators are entrusted with considerable personal, private, and publicly sensitive information about their clients and others involved directly or indirectly in their cases. That information, if not properly safeguarded, can be misused and cause personal and economic harm. to the public, and to the great state of Colorado..

Your state's regulation of private investigators is important to your states economic success by preventing anyone from outside the state from coming in and stealing local small business opportunities from your citizenry, and serves to foster the pursuit of excellence within the Professional Private Investigators Association of Colorado.

Also, many insurance firms who provide professional insurance (E&O, CGL) to reliable and ethical private investigators may require that they be properly licensed in their state.

For those reasons and the safety of your residents and others around the country, I urge the Great State of Colorado to maintain its licensing standards for private investigators.

Sincerely,

Neil Harrison CPI, CAI
WALI President



World Association of **Professional Investigators**

24th January 2020

Colorado General Assembly,
200 East Colfax Ave,
Denver CO 80203

Dear Colorado General Assembly Members,

I am communicating with you in regard to the proposed review of the licensing regulations for the private investigation sector in the State of Colorado.

I am the current chairman of the UK Professional Investigation Association (WAPI) World Association of Professional Investigators, our Association wish to express our concern, and our support for the continuation of licensing for professional private investigators in your state.

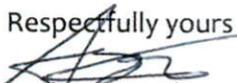
Here in the UK, the Sector has been struggling for over 50 years to become regulated as a means of protecting the public from dishonest or disreputable persons who call themselves PI's. Many with little or no training, experience or knowledge of the applicable legislation and ethical standards which are maintained as a direct result of licensing.

Over these past years there have been many instances of fraud and mishandling of cases entrusted to unregulated fraudsters, whom without regulation can advertise freely, thereby collecting upfront fees without ever having been vetted.

Without regulation, there is no formal complaint system of professional sanctions to ensure the probity and competence of a profession which in many instances deals with the vulnerable in society.

As an International Association of Professional Investigators, we would urge the Board to retain regulation in the State of Colorado to both protect the public, enhance the services provided and ensure that those engaged in the Sector are properly vetted, qualified and competent to perform an essential service in the due process of law.

Respectfully yours


Anthony Smith

Chairman

WAPI – World Association of Professional Investigators

UNITED BY VOLUTION

The World Association of Professional Investigators Limited

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December 18, 2019

Colorado General Assembly
Denver CO

Re: Private Investigator Regulation

To whom it may concern:

I understand Colorado is considering letting the statute that establishes regulation of private investigators sunset after only a couple of years of being in force. I encourage you to retain your statute.

I have been a state-licensed private investigator in Arizona for almost 20 years. I am a past-president of the Arizona Association Licensed Private Investigators and have been that association's legislative chairman for the past decade.

Three years ago, I was appointed by the director of the Arizona Department of Public Safety to sit on the statutorily-created hearing board over private investigators and security guards. I have been the board chairman for the past year. Our board conducts disciplinary hearings and licensing appeals regarding licensing.

From that vantage point, I can say with confidence that regulation protects the public from fraud and abuse. It provides consumer protection so that the public is assured that the person they are entrusting has at least some qualifications and doesn't have relevant criminal histories. And it, gives them a place to seek redress when they are taken advantage of either financially or emotionally.

R³ INVESTIGATIONS

Private investigators are entrusted with considerable private information about their clients and others involved directly or indirectly in their cases. That information, if not properly safeguarded, can be misused and cause personal and economic harm. Without oversight, that access can be abused and there would be little recourse for the public.

Licensing does not create significant barriers for entry into the profession, but prevents the least qualified or criminal behaviors from hanging out a shingle.

Your state's regulation of private investigators is important, too, beyond your borders because their work is not confined to within your state. When I or anyone else need assistance of an investigator in Colorado, I want to know that the investigator I hire has been vetted and can be held accountable. Similarly, Colorado investigators reach into other states to accomplish their work.

For those reasons and the safety of your residents and others around the country, I urge the State of Colorado to maintain licensing standards for private investigators.

Sincerely,

A handwritten signature in black ink, appearing to read 'RR', with a long horizontal stroke extending to the right.

Rich Robertson
Certified Legal Investigator



NATIONAL COUNCIL OF INVESTIGATION & SECURITY SERVICES, INC.

The National VOICE of the Private Investigation & Security Industries

www.nciss.org

PO Box 200615, Evans, CO 80620

Email: nciss1976@yahoo.com Phone: 1-800-445-8408

BOARD MEMBERS

February 10, 2020

President
Andrea Orozco

First Vice President
Wes Bearden

Colorado General Assembly
200 E. Colfax Avenue
Denver, CO 80203

Second Vice President
Michael Julian

On behalf of the National Council of Investigation and Security Services, (NCISS), I respectfully request your support to continue the licensing program for private investigators in Colorado. This licensing program provides regulation which protects the integrity of the work done in private investigations.

Third Vice President
Lisa Turley

Secretary
Candace Ivey

Our organization represents private investigators and security service professionals nationwide. It is our goal to support and uphold the values and standards of our profession. Because of licensure, PIs are required to have background checks, evaluations, and adhere to standards of practice, confidentiality, conflicts of interest, and ethics. PI licensing is the single-most effective way to protect consumers who need to utilize investigation work. Without licensing, it is more likely that individuals without proper evaluation will be allowed to conduct investigation activities which discredit the practice of those who are legitimate.

Treasurer
Candace Ivey

Chairman of the Board
Brad Duffy

Region 1
Tim Gilbert

Private investigators play an important role in legal matters. Their work in assisting law enforcement, attorneys, insurance companies and individual public consumers is validated by the licensing regulations. Licensing is critical to upholding the integrity of the profession, which benefits consumers and Investigators alike.

Region 2
Paul Cicarella

Region 3
Robert Dunn

Thank you for your consideration.

Region 4
Kelly Riddle

Sincerely,

Region 5
Tina Thomas

Brad Duffy
Chairman of the Board, NCISS

Region 6
Kelly Cory

Members at Large
Michael Cook
Dean Gluth
Brandy Lord



530 E. McDowell Rd. #107-217, Phoenix, AZ 85004

Phone: (623) 271-9311 * Fax: (800) 897-3701

Email: info@opscis.com

www.opscis.com

OPS Consulting and Investigative Services, LLC

January 30, 2020

Colorado General Assembly
200 E. Colfax Avenue
Denver, CO 80203

RE: Colorado Private Investigator Licensing

To whom it may concern:

I am writing to oppose the de-licensing of Colorado private investigators, as the results of failing to maintain professional licensing standards would have catastrophic and unintended consequences for not only Colorado citizens, but those who regularly engage Colorado private investigators in commerce. I am the President of OPS Consulting and Investigative Services LLC, a Phoenix based licensed private investigation company, who regularly does business with Colorado licensed private investigators. I hold a Juris Doctor and retired as a Special Agent from the Arizona Attorney General's Office. I have previously served as the Secretary of the Arizona Association of Licensed Private Investigators.

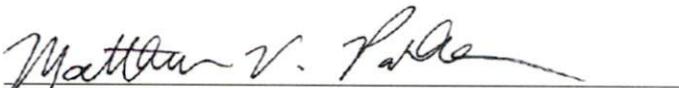
First, and foremost, licensing of private investigators protects consumers against unscrupulous fraudsters who are looking to exploit victims in times of great personal angst. Namely, most consumers are hiring private investigators when facing a personal family situation or legal crisis. I pose this question, why do states require general contractors to be licensed? It is a result of too many consumers being defrauded by those who claim to possess the minimum competency to perform the necessary scope of work needed by consumers. The same holds true for licensed private investigators. The license ensures consumers have recourse against unscrupulous and deceitful business practices.

Additionally, licensed private investigators provide an invaluable service to the civil court and criminal justice systems. Licensed investigators provide critical litigation support, testifying as to the veracity of matters, and help move cases through the court system. We are a necessary check-and-balance to overreaches of government or private parties in contentious civil litigation. For example, if the police make a bad arrest, the government has the full weight and credibility of the officer's investigation. However, as history has dictated, law enforcement does not always get it right. Licensed private investigators provide the accused a necessary counterbalance, in terms of obtaining objective information and credibility, to and allow for the triers of fact (judges and juries) to make the most informed decision possible. Suppose anyone can be an investigator, what credibility does a layperson, who does not meet any minimum competency have against a trained, certified, and experienced police officer? The answer is none. The scales of justice require a delicate balance and licensed private investigators are a critical component to this end.

Finally, the de-licensing of private investigators will have negative economic impact on your State. It will allow out-of-state companies to actively perform services in your State, unchecked from oversight, removing not only necessary supervision, but a loss of crucial local tax dollars from remaining in the state. At present, all revenue generated by private investigators in Colorado remains taxable revenue which benefits its citizens. Delicensing means, my company could freely solicit clients in Colorado, perform remote services, and draw away necessary revenue from your local economy. Financially, this would be extremely irresponsible.

In closing I pose the following question: Why would Colorado wish to lose critical tax revenue from a well-established industry, harm the balance to the civil and criminal justice systems, and fail to protect consumers against unqualified people posing as investigators? It is a ludicrous proposition that simply does more harm than good. Please keep licensing Colorado private investigation licensing in effect.

Respectfully,



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