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cfinsider

Journal for the Certified Forensic Interviewer

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Letter from the Chairman of the CISA Advisory Committee



David E. Zulawski, CFI, CFE
Chairman CISA Advisory Committee

I have been thinking about the results of the survey we did regarding using the torture on high-value terrorists to obtain intelligence information. For those of you who may have forgotten the results of the 416 CFIs who responded to the survey they were:

"Do you believe torture is an acceptable means to obtain legitimate intelligence?"

yes — 35%

no — 47%

undecided — 18%

This question was obviously ambiguous since it left the reader to determine what torture actually consisted of, the circumstances surrounding the torture, and the definition of legitimate intelligence. The fact that many of the 416 respondents offered comments and questions relating to the survey indicated the confusion it caused.

This topic is only beginning to be explored and opened to public debate by the release of the Inspector General of the CIA's report, plus the beginning of a criminal inquiry by the Department of Justice. Certainly, there will be political and ideological ramifications from the use of coercive interrogation techniques, not to mention the impact on the United States' image around the world.

After I had a chance to digest the survey it occurred to me that perhaps we were asking the wrong question.

The United States is, after all, a nation of laws governed by the Constitution; a nation whose people strongly

uphold the inalienable rights of the individual. If this is true, one has to wonder; how did we ever get to the point where the use of coercive interrogation techniques was embraced?

In a previous edition, *CFInsider* 2007 issue 3, *The Lucifer Effect: how good people turn evil* was reviewed. In part, it dealt with an experiment the author conducted at Stanford University in the 1970s where students played the role of prison guards while others played the role of prisoners. Interestingly, the guards became more aggressive and less sympathetic towards the prisoners as the study continued.

In the next edition we will explore the decision-making that led to the United States using coercive interrogation techniques. Whether one stands for, against, or is undecided about the use of torture to obtain intelligence I think it is worth understanding how we got to this point and the implications that may have for the interviewer.

Sincerely,
David E. Zulawski, CFI, CFE

Are You Carrying Yours?



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Hello from the Editor

Joseph Nay, CFI

Loss Prevention, Heinen's Fine Foods Inc.

Hello and welcome back for another quality issue of the CFInsider. I hope that everyone has had a productive quarter and you have continued striving to make the CFI designation the industry standard for interviewers and interrogators. I must confess...that serving as the editor for the CFInsider makes me proud to be associated with such quality, professional group of people. Not only is it nice to be part of a winning team, but even more to be associated with the best our industry has to offer.

I am real excited about this edition of the CFInsider and I know you will be too. Please spend some time perusing its pages to see what other CFI's are up to, what they are writing about, and what's on their mind. This leads me to something I have had on my mind and I hope I can effectively challenge you to act. I want to hear what you are thinking about our industry, the CFI, our newsletter... or anything at all. I want you to click this [LINK](#) and send me a letter so we can print it in next issue of the CFInsider. The link will direct you to the "Letters to the Editor" form and this will allow you to send in anything that is on your mind about the world of forensic interviewers. Tell me what you like, or dislike. Write about something you find interesting or something that moves you to anger. Our next issue will be dealing with the "Torture Debate" so tell us what you believe to be relevant to us as CFI's. I want to hear from you. The CFInsider wants to hear from you!

I want to thank each of you for what you do and never forget the service you provide to your employer, city, state, or country. There is nobody else in the world that can do what we do. We are the best. We are the CFI!

Legal Aspects

U.S. v. Hunter, 2009 WL 1617886 (6th Cir. 2009)

In the city of Cincinnati, Ohio, officers responded to a report of shots fired by an African-American male. The man was described as having long hair, wearing tan clothing and armed with an automatic. Witnesses also reported a silver vehicle at the scene of the shooting.

An officer saw the defendant, who matched the description of the individual firing the shots, place something in the rear seat of a silver vehicle and then walk away toward an apartment building. Another officer apprehended the defendant, Hunter, and read him his Miranda rights. Officers observed an AK-47 rifle on the floor of the back seat of the silver vehicle. Hunter denied that the rifle was his. Hunter's girlfriend was sitting in the passenger seat of the silver car and she was informed there was a mandatory three-year federal sentence for possession of an AK-47. Both Hunter and his girlfriend were taken to the police station in separate squad cars.

Several officers questioned Hunter and his girlfriend in the same room and one of the officers reiterated that both could be charged for possession of the AK-47. A supervising sergeant told Hunter he was going to administer a gunshot residue test on him to determine if he had fired a weapon. The sergeant asked Hunter if he had used fireworks earlier in the day and Hunter replied that he had. The sergeant then told Hunter the test could distinguish between gunshot residue and fireworks.

Shortly after administering the gunshot residue test Hunter asked to speak with the sergeant and told him "he didn't want his girlfriend to go to jail for him and that he fired the gun."

Hunter pled conditionally guilty to being a felon in possession of a firearm, but appealed the conviction arguing his admission was coerced and therefore involuntary.

Conviction upheld

The court determined Hunter's statement was voluntarily given. To suppress the statement the court

Continued...

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would have had to find that the officers' actions overcame the defendant's will to resist. To determine this, the court would have to consider the totality of circumstances such as; intelligence, education, emotional state, timing of the coercive act to the confession, and the individual's prior experience with the criminal justice system of the defendant.

To find a confession involuntary as a result of coercion there are three requirements for the court to determine:

- 1) Law enforcement misconduct was a significant factor in causing the suspect's admission.
- 2) The officer's actions or words were objectively coercive.
- 3) The coercive actions were sufficient to overbear the defendant's free will.

In this case, the mention of prosecuting Hunter's girlfriend for possession of the weapon was not a significant factor in the defendant's decision to confess. It was only after the gunshot residue test was administered that he asked to speak to the sergeant and confessed to possession of the rifle. In this instance, it was the timing of the admission only after the residue test was administered that helped establish the non-coercive nature of the threat to prosecute his girlfriend.

It is possible for a threat to arrest members of the subject's family to be coercive. These types of statements could cause an involuntary confession which would be suppressed by the court. In this case it was the gunshot residue test that was the crucial factor in obtaining the confession from Hunter, not the threat to prosecute his girlfriend.

CFInsider note: While the sergeant actually administered a gunshot residue test to the defendant he could also have used this in the form of an enticement/bait question. The sergeant obtained a denial from the defendant that he had not fired a weapon and was not around anyone firing a gun prior to the test. The sergeant anticipated the possible excuse of fireworks as a reason for a person's failure of the gunshot residue test, telling the defendant, "examiners will be able to distinguish between fireworks and gunshot residue." A properly worded enticement/bait question in this case would be, "Is there any reason you can think of that the examiner will determine there is gunshot residue on your clothing?"

A properly worded enticement/bait question will elicit one of three responses from a subject: a denial, a pause, or an admission. In this case it was the defendant's realization that the gunshot residue test would reveal his deception that caused him to confess.

Letter to the Editor

Wayne,

I cannot tell you how excited I was to get the last issue of CFInsider. I am deployed now (still doing loss prevention – DOD) and it is great to see and read up on what is happening on the other side of the world. I made sure I gathered my information before I left so I can ensure that I get recertified while I am out here. Once again, thank you for keeping me informed and in touch with the world of Loss Prevention, because out here it is a different beast.

I am in Iraq, and when I go on R&R I go through Kuwait. The majority are moving out to Afghanistan so until then, Iraq is home for now.

TiaMarie Balsamo , CFI
"Excellence through Execution"
 Loss Prevention
 Operation Iraqi Freedom





Letter to the Editor

This is a 3-part email exchange between Erik Van Herik, CFI and Chris Goebel, CFI discussing the last issues article on Asperger's Syndrome.

I had the opportunity to read this month's article concerning Asperger's Syndrome and the interview. I was fascinated with the article and what Chris Goebel, CFI had to say on the issue. I became interested in this after I had discovered that my daughter was diagnosed over a year ago by the Marcus Institute in Atlanta, one of the premiere research institutes for autism. I took the opportunity to read about Asperger's and the qualities that these people exhibit.

Chris is correct and what Wikipedia states is very true about Asperger's. During my research I read a book by one of the leading researchers in Asperger's, Tony Attwood. In his book, "Asperger's Syndrome: A Guide for Parents and Professionals," Mr. Attwood identified that most people with Asperger's are very structured and have difficulty deviating from the plan that they have created in their mind. Mr. Attwood also identified that they are very strict rule followers and interpret laws and rules very literally. For individuals with Asperger's, they require strict definition in their world and become very uncomfortable with changes in structure. During Mr. Attwood's research, he had only identified one individual who had violated the law.

The individual was obsessive about a particular lottery game that was sold in the UK. He would come into the store, pick up a card which was out in the open and play the game. Each time after he completed one game, he would take another card and play again. The store owner was aggravated by this and since the individual was using up his entire lottery supplies, he threw him out of the store. The person with Asperger's returned at a later time, grabbed the supplies and ran out of the store. When he was caught, the reason he gave was related to his obsession on the particular topic, namely the lottery game.

Based on his research and my own experience trying to "read" my own daughter, I have found that it is more likely that someone with Asperger's will tell the truth in a stressful situation, but with inappropriate emotion and body language which might make a person think they are being deceptive. This is not because they fear detection, but rather they fear that their pattern or plan will be disrupted. It also seems to be unlikely that they would give a false admission based on how literal people with Asperger's can be. Wording can be the key to the interviewer. I have asked my daughter questions and have gotten an immediate denial. Not because she was lying, but because the literal interpretation of my words did not meet the criteria for a "yes" in her mind. Simple rewording would then get me the answer.

I had to respond to his article and have been interested in Asperger's and always wondered how it would impact the interview process. People diagnosed with autism are about 1 in 150. Asperger's is even less than that. I had always thought that the number of people who would run across this would be extremely low. I wonder what the outcome of the case was. The complaint by the associate with Asperger's is completely understandable once you understand the mind of this type of autism. It can be very difficult for someone with Asperger's to "change gears" as he was requested to do. He would have had difficulty with that regardless of the person who was making the request.

Erik Van Herik, CFI

Field Loss Prevention Manager - Office Max

Response

Good Morning Erik,

I hope you don't mind me taking the liberty and contacting you directly. Wayne had forwarded your comments on my article to me. Hopefully I am not in error but I believe one intent of the CFI Insider is to foster communication between us CFI's so here goes.

I have a 7 year old grandson who was diagnosed with AS about 2 months ago. I will be looking for the book you mentioned in your response so that I may become better informed on AS myself.

I really do appreciate your comments. When I talked with Wayne about the article, in our discussion we agreed there didn't appear to be many, if any, places to look for or known sources of documented research in regards to people with disabilities and potential impacts or "how to's" on interviews and interrogations. What an opportunity for some expert PHD!

In preparing such an article, for me, I didn't want to come across as the expert on AS and interviews so I had to find a balance between personal experience vs "expert teaching."

From my very limited experience with AS in an interview you appear to be right on the mark when you mentioned their literal interpretation of yes or no questions. I did find myself frequently rewording questions based on his facial expressions and body movements. In some instances I had to almost draw the question itself out of him so that I could ask it again in terms we both understood.

You mentioned in your response that you were curious as to how the investigation turned out.

I can share this much with you - the young man is still with us, HR got

Continued...



involved and worked with management now that we were aware of and had a better understanding of his opportunities. The young lady he complained about had a different set of opportunities and her behaviors found her seeking new adventures in life.

Thanks again for the reply and the networking opportunity.

Christopher R. Goebel, CRT, CFI

Follow Up

Chris,
I don't mind you contacting me directly at all. Part of what we do is talk to people at any time for any reason (as long as they will talk with us)! The book I referred to can be found at [Amazon](#).

Not only is it a tool for professionals, but it also helped guide my wife and I when we discovered the issue with our daughter. I would strongly recommend it for any parent of an Asperger's child. We have had a number of challenges and my wife and I have done all that we could to learn more about it and how to help our daughter.

As we have learned over time what works with her and what does not, I would remember Wayne teaching and using examples of how he would ask questions of his own daughter and the responses and behaviors that she would give. In situations where I would "interview" my own children, I found my son ridiculously easy to read when he was lying. His behaviors were (are) text book. I was not so sure the first few times I would "interview" my daughter about her responses, so I spent time analyzing her responses and using control situations where I would asked loaded questions and measure her responses when I knew the answers. I found a number of differences and similarities.

One situation that I remember was when my daughter did something wrong that involved her shoes. I can't remember exactly what she did, but I asked why she did what she did with her shoes and she gave me a denial. I thought a minute and asked the same question again and added that I already knew she did it and she might as well tell me the reason why. I even threw in the "you were angry" rationalization. I saw her body language change drastically as she yelled to me that she did the deed with a sandal and not a shoe.

Her frustration did not come from the denial, but rather my inability to be specific enough about the incident. Had I said "sandal" in the first place, I could have saved both of us some drama.

Her responses always peak my professional curiosity and I hope that when she grows up she does not mind that I have used her as a guinea pig for my professional development! I agree with you and think that this would be a great paper for some grad student or PHD.

Erik Van Herik, CFI

Letters to the Editor

Every magazine provides an opportunity for readers to express their feelings about the content of the publication. We welcome your thoughts and comments to help us better address your issues. [Click here](#).

CFI Named One of the "20 Under 40" Honoring the Top 20 Practitioners in the Country Under 40 Years of Age.

James Hooper, CFI

*Market Investigations Manager — West,
JCPenney Loss Prevention, 35*

After stints as a uniformed security officer and a bodyguard, James Hooper, CFI became interested in transitioning into the loss prevention field. "I ended up applying everywhere and started with JCPenney," he said. From there he moved on to Mervyn's where he spent most of his career before returning to JCPenney two years ago.

"All those other experiences taught me how lucky I am to be in my current position and how much I enjoy the LP field. I think I have a unique appreciation for the job I have and what I do and how lucky I am to be able to do what I love."

To have a sustainable career in LP, individuals have to be "driven and motivated and hungry. To be truly successful, you need to differentiate yourself, find something you do better than anyone else whether it is in your company, your district or the industry as a whole." Hooper has made his mark focusing on reducing organized retail crime. When still at Mervyn's, he launched a digital newsletter to inform the LP community of cases that he was working on and incidents that may plague other retailers. "We are careful. We make sure we know what parameters we need to abide by, but by sharing this information we are able to close cases and keep people informed much better than we have in the past," he said.

Collaboration is a key component of mitigating ORC, Hooper said. "That is the only way to go. I've always embraced that and am willing to work with other retailers, sometimes working on cases that have nothing to do with my organization because those bad guys will be my bad guys in the future."

Full article at either of these sites. [Link Here](#) and [Link Here](#)

Squirrel Pops Out of Woman's Shirt During Police Interrogation

By WINK News

It was enough to make even the toughest cop blush. A detective was interviewing a woman at police headquarters when a squirrel popped out of her shirt!

Detective Wayne Mackey, a Warren, Ohio police officer, was interviewing a witness relating to a murder in a police interview room when a squirrel crawled out of the woman's shirt. The baby squirrel tried to make its escape, but the woman tucked it back in to her shirt and without comment continued the interview.

When this happened, Mackey said he pretty much was at a loss for words.

"Ah, nothing. I kept right on talking to her and listening to her. I didn't acknowledge it at all. I really didn't know what to say," Mackey said.

Media reports indicate the squirrel will not be called to testify.



LinkedIn

Are you on LinkedIn? Have you changed your screen name to be recognized as a CFI? John Doe, CFI.

[Certified Forensic Interviewers \(CFI\) Networking Group](#): A place where CFIs blog about interviewing and interrogating.

Social Anxiety Disorder (S.A.D.) and the Interview

Christopher R. Goebel, CRT, CFI
Blain Supply, Inc

I want to believe through my 12 years of investigations coupled with my preparation for and earning my CFI, I have heightened my awareness of variables in people during interviews. In the past I did a little research and wrote articles for CFInsider about Dyslexia and Asperger Syndrome. This article is about my most recent encounter with *Social Anxiety Disorder* (S.A.D.)

I recently interviewed an 18 year old individual who was suspected of collusion in regards to a robbery. During the interview I had this gut feeling something just wasn't right. Something was telling me, based on his displayed behaviors, the interviewee did not appear to be mentally in the place I had expected him to be. His eyes welled up during theme development, his responses during alternative questions appeared evasive, his posture was rigid and he was incredibly attentive whenever I spoke.

What's that sound like to you?

Well it got to the point in the interview that my gut feeling ended up coming out of my mouth and I asked the interviewee what was bothering him. I explained to him what I had seen in him. I did not anticipate his response.

Just about the time you think you have all the answers another question gets thrown into the mix. This time the question came in the interviewee's response of "I have Social Anxiety Disorder and attend alternative high school because of it."

I was not familiar with Social Anxiety Disorder so off to www. I went.

The first place I looked was MayoClinic.com. According to the Mayo Clinic "...*Social anxiety disorder is a chronic mental health condition that causes an irrational anxiety or fear of activities or situations in which you believe that others are watching you or judging you. ... Up to 13 percent of people in Western countries experience social anxiety disorder at some point in their lives*" A couple of symptoms listed in the article include: "...*avoiding doing things or speaking to people out of fear of embarrassment and avoiding situations where you might be the center of attention. ...*"

Of most interest to me in regards to what we do with the interview, the Mayo Clinic listed the following physical signs and symptoms of social anxiety disorder:

"blushing, profuse sweating, trembling or shaking, nausea, stomach upset, difficulty talking, shaky voice, muscle tension, confusion, palpitations, diarrhea, cold, clammy hands and difficulty making eye contact." Continued ...



I also found a blog in which people with S.A.D. communicated. In those communications there was often mention of how much their eyes water and they can't control it when they are under stress.

Reading further in the Mayo report I found a section that I believe may help us better understand or interview individuals in whom we see the above symptoms manifest.

It is reported that negative experiences, such as a child "... *who experiences teasing, bullying, rejection, ridicule or humiliation ... family conflicts or sexual abuse may be associated with social anxiety disorder...*"

At the web site www.ffmpeg.com/anxiety-disorders the authors say that social anxiety disorder may also be the result of "... *overprotective or hypercritical parenting style.*"

Those negative experiences listed by Mayo and EFFEXOR XR, indicate to me that if we see the types of behaviors they have identified, maybe we need to back down the interview, reassess what we feel and know and take another look at building better rapport. One of the basic building blocks of obtaining the truth in an interview is establishing rapport with the interviewee.

Often we walk into the interview with case details and facts but not much may be known about the interviewee. If in fact the interviewee has Social Anxiety Disorder – we don't know what event or events in their past may have been at the root of the cause. So speaking in generalities – I would bet that building rapport is a critical step to resolving the situation. Rapport is going to come in many shapes and sizes. One size will not fit all.

Let's take a look at the interview in which I found myself in this case. It was in the late evening after the business had closed. I had worked two investigations in two other locations that day and was called away from home on this one. The suspect had been in school, then work and now had been with the police for about one and one half hours. It was coming up on shift change for the officers and management was waiting to close the store.

Got the picture? Been there?

For me, this was one of those interviews you wish you could start all over. Everybody was in a hurry and maybe didn't really want to be there, especially the young man being interviewed. If I had more information about Social Anxiety Disorder and if I had taken that second or third breath before starting the interview I believe the outcome that night would have been different.

The associate had been down the "Yes you did"/"No I didn't" road with others and getting him to trust me through building rapport would be tough. I found myself wrapped around the axle in themes/rationalizations while the associate displayed textbook clusters of deception. He would get to a point

where it looked like he was going to start crying and confess (defeated) only to re-enter the denial.

I could go on about the interview but that would turn this article into more of a war story and that's not my intent. The bottom line is that I knew nothing about the interviewee and was armed only with the heat of the moment and the fact there was money missing.

The biggest lesson I learned was to take that step back – your training, intuition and that gut feeling should be your guide posts. Wrap all three together and you can probably rely on them.

People with Social Anxiety Disorder, from what I have learned, are most likely going to display what may appear to be clusters of deception even if they are not being deceptive. I believe that if I had built better rapport and had a better understanding of or even a little knowledge about S.A.D., we would have resolved the matter that night.

We don't always have the opportunity prior to an interview to learn if the interviewee has a disorder, syndrome or condition. But once we become aware of the possibility, I believe it's best to back things down and try to start all over rebuilding rapport as necessary.

Incidentally, by the time I finished the draft of this article we did resolve this matter. The associate was not in collusion but rather handed over the money because he owed it to the customer. The customer had a history of bullying the associate away from work and unfortunately they both made a bad decision that night.

In Memory

Dan Schlosser, CFI (1973 – 2009)



On July 3rd, 2009 the Gap Inc. family, and CFI, lost Dan Schlosser to a tragic act of nature. Dan worked in NYC as the RLPM for Banana Republic. Dan received his CFI in January, 2009. He was an intelligent, funny, and passionate member of the Gap Inc. LP team and will be missed greatly. Dan is survived by his wife and 3 children.



Flea Markets

Jared Costa CFI
J. Crew

In our jobs, we hear so much about Electronic Auction Sites, and how to protect our organizations from the expansion of this market. However, many years ago organizations were more worried about Flea Markets and how they eroded profits, and helped drive organizations losses while giving the bad guys a venue to sell products. Presently we don't hear much in the industry about Flea Markets and how they affect bottom lines to companies across the country. Living in the San Francisco bay area, there are many Flea Markets within traveling distance to where I reside. I think before we talk about Flea Markets and how they have been impacted by online auction sites we must first discuss what they are.

Flea Markets are defined as "A market, often outdoors, consisting of a number of individual stalls selling old or used articles, curios and antiques, cut-rate merchandise, etc." ¹Knowing what is defined as a Flea Market I decided to visit three in the San Francisco area, and find out what the selling process was like. I first visited one of the bigger Flea Markets in San Jose Ca. I was astonished at the size of the selling culture of some of the participants at this location. Most of the sellers that were in attendance I was told have been there for years, and have certain sections that they prefer to sell in. The rental rates for a booth range from fifteen dollars, all the way up to seventy dollars with corner spots being the premium priced. All the booths are approximately three hundred and forty square feet which is not a lot of space for the displaying of goods.

In reviewing the terms and conditions of selling in the flea market venues, I found that most locations require that sellers have and present a valid California Resale Permit if selling monthly or more than twice during a calendar year. Also, in reviewing the general terms and conditions, a couple stood out: number 14 "Every person selling on the premises must comply with Sections 21660-21669 of the California Business and Professions Code. Permittee must list, prior to sale, all "Personal Property" on the appropriate form and file the form with the Flea Market, Inc. "Personal Property" includes all new and used serialized merchandise. FAILURE to comply with this paragraph will RESULT IN EVICTION from the Flea Market INC."² With this rule, tracking any serialized goods makes it very hard to move merchandise, because every transaction should be recorded through the Flea Market. Obviously this would make it very hard for sellers to sell their goods with a no questions asked policy, because failing to record and report any serialized merchandise can get them evicted from the Flea Market.

During my trips to the Flea Markets, I inquired about purchasing a computer and on each occasion I was told to check the seller's site on one of the electronic auction sites for those products. It almost was as if the sellers were marketing their on line auction deals at the Flea Market venue in order to circumvent this rule.

Another term that I found quite interesting is number 20. "TERMINATION FOR GOOD CAUSE SHOWN- SALE OF UNLICENSED GOODS: upon confirming permittee's sale of unlicensed goods, or upon written notice of Permittee's conviction or guilty plea of either misdemeanor or felony charges with respect to violation of any federal or California law(s) relating to copyright, trademark, or counterfeiting activity at the Flea Market Inc., The Flea Market Inc., will immediately revoke Permittee's license without prior notice, and require to IMMEDIATELY vacate their grounds of the Flea Market Inc. There will be no refund of monthly license fee(s) in the event of such a revocation. Furthermore, such license revocation and removal is permanent."³ With this term in place, the sale of any merchandise that does not have legitimate ties to the manufacturing company may be subject to dismissal from the venue entirely.

With having the terms and conditions stated and agreed to by the sellers that rent the spaces within the Flea Market, there is a strong statement from the Venue organizers that product that is not legitimate, or properly, sold as personal property that is not recorded properly will not be tolerated. Flea Markets tightening their restrictions on the products that are sold and purchased, has a direct impact on the goods that are sold, and where they originate from. I remember in years past going to the Flea Market and being able to find denim of any particular name brand in stacks and rows being sold by what felt like every other booth. Moreover, there was always a plethora of electronics to be bought and sold; stereos, computers, and speakers. You name it. But now with the electronic auction age upon us, it seems that buying merchandise following the no questions asked philosophy is easier done in your living room on a laptop, than at your local Flea Market.

(Footnotes)

¹ Dictionary.Com; Random House Unabridged Dictionary, Random House, Inc 2009.

² www.sjfm.com/howtosellhere/vendorrule/tabid/72/default.aspx

³ www.sjfm.com/howtosellhere/vendorrule/tabid/72/default.aspx



Interesting Tidbits

Useful Books

Submitted by Nicole Accardi, CFI, J. CREW

Recently, there have been several behavioralist books written that specifically talk to causes of irrational behavior and why "normal" professional adults act out. This directly ties into the psyche when we as interviewers rationalize or explain away why good rational people made the conscious decision to steal, even after knowing it's morally wrong, socially unacceptable and against the law. The following books may give interviewers a better understanding of the irrational reasoning behind decisions. The reasoning helps to create the rationalizations/themes which may be the most critical part of the interview. (The suspect must believe that we are relating to them before they are willing to admit any wrong doing). For us to be believable, we must understand or at least be able to talk to what was going on in the suspect's head at the time they made the decision to steal, ultimately breaking the law. The following books helped me gain a sense of why good people make poor choices. I was able to utilize the psychological aspects of their decisions to tailor and target my rationalizations/themes ultimately leading to more successful outcomes.

Sway: The Irresistible Pull of Irrational Behavior by: Ori Brafman

Nudge: Improving Decisions About Health, Wealth and Happiness by: Richard Thaler

Predictably Irrational: The Hidden Forces That Shape Our Decisions by: Dan Ariely

Freakonomics by: Steven D Levitt

Influence: The Psychology of Persuasion by: Robert Cialdini

There is also a website called StickK.com where you have the ability to create personal contracts in order to commit yourself to start/stop something. It can be used to stop smoking or begin working out. It can be used to study for your CFI exam or other career accomplishments. This is a great incentive for CFIs professionally or personally.



Sterling Jewelers' CFIs at their annual conference in Orlando.

Ohio Creates Cargo Theft Task Force

Submitted by Ben Robeano, CFI, BIG LOTS!

Ohio is in the beginning process of establishing a Cargo Theft Task Force.

So far the team includes:

- State Highway Patrol both Troopers and Carrier Enforcement Divisions
- Railroad Police
- Multiple Police Jurisdictions
- Insurance Investigators
- A few Trucking Companies
- FBI
- Fed Ex
- So Far Big Lots appears to be the only retailer represented.

If there are any Loss Prevention/CFI / Supply Chain Professionals /Law Enforcement in Ohio, or that cover Ohio, interested in joining they can contact [Ben Robeano](#), CFI to obtain meeting dates and times as well to be included on the mailing list.

Did You Know?

In addition to the CFI Coin, we have received requests for numerous CFI items. While several are under development, including a new logo for shirts, we do have 113 commemorative CFI leather bound folders available. The cost is \$30.00 plus shipping. Please click [HERE](#) to order yours today!





CFI Recertification

Shannon Hill, CFI
LP Innovations

We're all proud to be a CFI, a distinguished designation among professionals which is recognized throughout the industry. A designation that means we are the best of the best, we excel in our field, and we take pride in our career.

In order to maintain those standards, a structure must be in place that ensures we have met the criteria not only to achieve the designation, but to maintain it. Without this structure, the letters CFI would be just that, letters. For this reason, CISA has a process to ensure a random sample of CFI re-certifications do actually meet the criteria. The process....an AUDIT!

For most of us, audits are a part of life....we often:

- Conduct audits
- Review audits
- Analyze the data within the audits
- Make recommendations based on the audit data
- Etc.

With audits being part of our lives, we don't always give a great deal of thought to "what if I'm audited." Most of us never actually worry about things like an IRS audit; however, now that you are a CFI, there is an increased likelihood that you will be the recipient of an audit at some point throughout your career. Not by the IRS, but none the less serious for CFI's, by CISA.

For those of us who have had to "renew" our certification already, we know it's a relatively easy process. Fulfill the requirements, fill out the paperwork, send in your payment. Voila, you are certified for the next three years! It's just that easy, right? Yes, unless the list randomly generated by a computer happens to contain your name. This is when it becomes a bit more complicated to renew your certification.

"How" you are audited will depend on "how" you fulfilled your requirements. For example,

- If you submit that you attended a conference (NRF, RILA, ILEETA etc.), you will need to provide "proof" of your attendance. For each conference you attend that qualifies toward recertification, keep a receipt showing your registration, hotel stay during the conference, name badges, etc. Do not rely on someone "vouching" for your being there. Have proof.

- If you submit that you wrote an article that you would like reviewed for points toward your re-certification, ensure your name appears on the article. Again, have proof (bi-line, etc.). Without this, your article may not be accepted toward your re-certification.

- If you presented a training session that you would like reviewed for points toward your re-certification, ensure you have a copy of that seminar to submit for review.

These are just a few of the requirements you may choose to fulfill toward your re-certification. The bottom line is, as you fulfill these requirements, ensure you maintain documentation in the event of an audit. You wouldn't want to be denied re-certification due to a lack of documentation.

Begin now by creating a "file" (either electronic or paper) for CFI Re-Certification. With everything you do that could potentially earn points toward your recertification, drop it in the file with notes on it (i.e. date of presentation, group to whom the presentation was made and where, date and location of conference attended noted on the receipt of registration, date and location of article published, etc.). During the audit, you not only need to provide documentation of the activity, you must also have the date and location. Don't try to "remember" three years back. Document, document, document now and you will sail through your audit.

If you find yourself being audited and you have not previously kept all of the documentation needed to supply to the auditor, ask your company if they have copies of the registrations, hotel stays, etc. Many companies keep these on file for expense purposes. If all else fails, you can ask for letters from your company, schools, publications, etc. to submit; however, it is best to have the actual documented proof available and not rely on the audit committee "allowing" a letter of "vouching" to receive your re-certification. You worked hard for your designation, don't let a little bit of organization and preplanning now get in your way of recertification later.

Remember, as an auditor, if I can't "see it" or "prove it," it didn't actually happen. By keeping this in mind as you move toward your re-certification, you will be prepared should you be chosen for the audit.



Interviewing in the Information Age

John Fice, CFI
LP Innovations

We are in the "information overload age." Today we live with a multitude of communication and research tools: email, voice mail, twitter, facebook, linked-in, plaxo . . . and search capabilities providing data beyond anything previously conceived. The question is, are we any smarter? Or on the other hand, do we just have a lot more information without having gained knowledge to help us make better-informed decisions about our life and work?

Emerging market analysts believe that successful services of the future will have the ability to cut through the vast amounts of overwhelming information and provide customers with specific knowledge referred to as key indicators. Key indicators are specific, timely, critical pieces of information from which a person gains knowledge. Because key indicators provide only the relevant, accurate information bypassing the mounds of data/info available, the person or business gains knowledge quicker and subsequently is able to make smarter decisions sooner. In the competitive business world, making smart decisions sooner can be the difference between success and failure.

As professionals, we are part of the data/information overload of our world. Every time we conduct an investigative interview and distribute a report within our organization, we are producing information. The challenge is: are we making our leaders smarter or just bombarding them with more information? Did we provide our organization with the key indicators allowing them to gain knowledge and make good decisions?

The interview process is especially advantageous in pulling out key indicators – or root causes – of how and why an incident occurred and subsequently, what actions are necessary to prevent it in the future. The investigation leading up to the interview, development of the admission and the facts recorded into a written statement are the foundations for the knowledge to run a smarter organization.

We know that we need to provide more than just a 'whack the mole' function, constantly chasing after problems. We need to develop our knowledge by taking the time to understand the systemic nature of the issues we investigate. The challenge is in supporting our goals with key indicators so strategic decisions are made with prevention in mind, thereby reducing incidents and improving our effectiveness.

Here are a few of many potential questions we might ask about our interviews and investigations:

- While developing the admission am I asking the questions that will expose the rationale of why the suspect believed the incident would go undetected?
- Am I getting enough objective information to formulate an effective prevention program for the future?
- Is there statistical information from the results of our investigations that can affect our goals? For example, are there trending percentages by job code where targeted hiring practices or operating procedural changes could improve the results?
- Do I have an effective means of communicating the importance of this information to my leaders?

This year's economy is the toughest we have experienced and the down economy has severely affected our profession. Yet, our opportunity is not in waiting for the economy to 'turn around'. For us to be effective within the organization we need to be a source of knowledge. The investigative interview is a vital source of information for developing the knowledge an organization needs to run better and maximize its potential.

CFIs in the Media

Walter Palmer, CFI as seen in the RILA Report, Volume 3, Issue 3, writing about Training and Awareness: [Do your employees know what to do?](#)

Shane Sturman, CFI and Dave Zulawski, CFI as seen in the RILA Report, Volume 3, Issue 3, writing about [Why People Lie](#).

Steve Bain, CFI on KHOU.com regarding [insurance fraud](#).

Shane Sturman, CFI and Dave Zulawski, CFI discussing the [General Loss Interview](#) as seen in RILA's Report.

Dave Zulawski, CFI and Shane Sturman, CFI discuss the "[Wonderful Pause](#)" when Interviewing. As seen in LP Magazine (July-August 2009) on Pages 18-19.

Mike Marquis, CFI asks "[Do You Know the Correct Way to Put on Your Socks?](#)" As seen in LP Magazine (July-August 2009) on Page 50.

Jim Lee (Executive Editor-LP Magazine) [interviews](#) Gene Smith of the Loss Prevention Foundation. Gene discusses useful certifications and mentions the CFI. As seen in LP Magazine (July-August 2009) on pages 31-36.

Welcome CFIs

The following individuals became CFIs during the quarter, **MAY-JULY 2009**. Congratulations to those who have achieved the CFI status this last quarter!

To view the current list of all CFIs, visit our [web site](#), or [click here](#).

Michael Adachi
 Martin Andrews
 Ashlee Beckham
 Paul Braun
 Todd Campbell
 Keith Chandler
 Jon Dragan
 Christopher Fontana
 Robert Fredrick, Jr.
 Rodolfo Galan
 Shaun Gilfoy
 Alfredo Guilfuchi
 Brian Hayes
 Mike Ibarra
 Craig Jackson
 Ted Jagielski, Jr.
 Robert Jenacova
 David Kinkeade
 Joseph Laky
 Steven Lewallen
 Martin Lisitza
 Jason Lohoff
 Karen Martinez

Chad McManus
 Eric Means
 Dane Mindell
 Terrence Murphy
 Adrian Nowalk
 Steven Palumbo
 Christopher Perry
 Guy Pryor
 John Prystupa, Jr.
 Ryan Rust
 Terry Schott
 Alejandro Shea
 Bryan Shepherd
 Robert Shirley
 Joseph Sloan
 George Soto
 Reckey Staggs
 Angela Staup
 Kendra Steen
 Eric Stone
 Dusko Tadic
 Stephen Walker
 Carol Zidek

Organizations Represented

The following list comprises the new organizations that have individuals who have successfully achieved the CFI designation during the quarter, **MAY - JULY, 2009**.

To view the current list of organizations represented, visit our updated web site, or [click here](#).

Mississippi Dept. of Human Services A.J. Wright	Hat World Inc. HMS Host
American Eagle Outfitters	Independent Investigation Services
Better Controls Consulting	Kinross Gold Co.
CPI Corp	Loehmann's
Dressbarn, Inc.	MeritCare Health System
Duty Free Americas Inc.	Super Valu-Farm Fresh
Goodwill Industries of North GA	Vans
Hastings Entertainment	

Links of Interest

Paul Ekman is one of the leading behavioral scientists of this generation. CFIs can go on his [website](#) and sign up for his free bi-monthly newsletter. He has researched why and how people lie for 40 years and works on the TV series "Lie to Me."

[Spotting Lies: Listen, Don't Look](#)

Interrogations in Britain also have to be taped. This has changed the way UK officers interview a suspect. They chat them up, and start by asking questions ...

["How to Spot a Liar?"](#)

[How to Sniff Out a Liar](#)

[Police Interrogation](#)

[This guide](#) promises to help law enforcement agencies develop or enhance their intelligence capacity and enable them to be instrumental in fighting terrorism and other crimes while preserving hard-won community policing relationships.

Kroll has their [Quarterly Fraud Reports](#) online for your review.

Investigator tools as seen on [tbcconsulting website](#).

Paul Bernardo and Karla Homolka as well as Robert Pickton are discussed on this [link](#).

Here is more on Robert Pickton's police [interview and conversations](#) he had with cell mates.

A portion of the [interview](#) police had with Pickton discussing murder(s) he was involved in.

Jury believes employee's claim that he borrowed tools, as seen in the [Maui News](#)

Facial Expressions: East Doesn't Meet West

A study in the journal [Current Biology](#) finds that Eastern and Western facial expressions related to emotional states may differ enough for possible nonverbal miscommunication. Cynthia Graber reports.

Cell Phone Forensics as seen on David Vine Associates' [Website](#).

CFIs Speak at National Conferences (RILA & NRF)

A number of CFIs took part in sharing their expertise with other professionals in the Loss Prevention Industry. The last issue of the CFI Insider, Issue II, had the presenters and their topics, but here are a number of pictures of CFIs in action at the conferences. Please update us with any pictures or any conferences where you are speaking so we can inform other CFIs.

RILA



David Lund, CFI



Walter Palmer, CFI



Steven May, CFI



James Carr, CFI (left) attending a presentation

NRF



Mark VanBeest, CFI



James Hooper, CFI



Brett Ward, CFI



Dave Shugan, CFI



CFIs On the Move!

June 2009 - September 2009



losspreventionfoundation.org

Loss Prevention Recruiters

LPrecruiters.com

Kevin Bitters, CFI was promoted to Director of Investigations – Abercrombie & Fitch

Matthew Blackwell, CFI was promoted to Regional LP Manager – Abercrombie & Fitch

Chance Bowlin, CFI is now Regional Loss Prevention Supervisor for Dollar General Corporation.

Marcel Cairo, CFI was appointed to District LP Manager – AJ Wright

James Carr, CFI was appointed to Director of Loss Prevention – Rent-A-Center

Chris Correia, CFI was promoted to District LP Manager – Sport Chalet

Johnny Custer, CFI was appointed to Forensic Analyst - Hilco

Joe Davis, CFI was appointed to Sr. Manager LP South – T-Mobile

CJ Denton, CFI was promoted to Director of Loss Prevention – Polo Ralph Lauren

Jennifer DiCarlo, CFI is now Administration Manager at Walmart Canada

Bill Dietzen, CFI was appointed to Supply Chain LP Manager - AutoZone

Tracy French, CFI was promoted to Director Loss Prevention – Hastings Entertainment

Jack Gehrke, CFI was promoted to Senior Manager, Retail Operations Loss Prevention – T-Mobile

Randy Hall, CFI was appointed to Loss Prevention District Manager-Super Valu-Farm Fresh

Lionel Halstead, CFI was appointed to Regional Director Loss Prevention – CPI Corp.

Dave Harben, CFI was appointed to Regional Loss Prevention Manager – Charming Shoppes

Andrew Henderson, CFI was appointed to Regional LP Manager-Coinstar

Faisal Khaliq, CFI is now with Hudson's Bay Company in Canada.

Tom Kubaitis, CFI was appointed Manager of Investigations with US Foodservice.

Tim Lapinski, CFI was promoted to Sr. RLPM with Abercrombie & Fitch.

Tim Maurer, CFI was promoted to Corporate LP Operations Manager – Abercrombie & Fitch

Jeanette Oswald, CFE, CFI is now Owner at Better Controls Consulting

Paul Paglia, CFI was appointed to Corporate Director of Loss Prevention – Donna Karen

Nate Prusi, CFI was appointed to Regional Loss Prevention Manager – Abercrombie & Fitch

Denise Roe, CFI was appointed to Fraud Investigator – Bank of America

Ed Shelley, CFI was appointed to District AP Operations Manager – The Home Depot

Adam Smith, CFI was promoted to Senior Manager of Safety at Winn Dixie.

Mike Toledo, CFI was appointed to Loss Prevention Manager – American Eagle Outfitters

Mark Weiss, CFI was appointed to Regional Loss Prevention Manager – Abercrombie & Fitch

CFIs Recertify

We are proud to list those who have recertified. This list includes those who have submitted their paperwork from **MAY -JULY 2009**, to continue their CFI designation through 2012. Congratulations on maintaining your CFI.

Kevin Baker
Eric Balmoja
Chancelor Bowlin
Michael Burch
Roderick Cabrera
Eric Echols
Marc Lambert
David Lund
Bryant McAnnally
Jim Redeker
Stephanie Stahl-Poole
Ken Trimble
Brittney Vachon
Vince Williams

cfinsider

■ The cfinsider journal is distributed in electronic format only. You can view back issues of this newsletter. [Click Here.](#)

■ Opinions and ideas in cfinsider are intended for information only, and not meant to be used as legal advice. Statement of fact and opinions made are the responsibility of the authors and do not imply an opinion on the part of CISA, its officers, the editors or its members.

■ Member articles about interview and interrogation published in cfinsider, qualify for Continuing Education Credits.

■ Should you have any questions on obtaining recertification for your CFI designation, please [click here](#) to contact CISA.



Twitter

Numerous people asked if the CFI designation has a Twitter account, so they can learn about updates as they happen. We have started an account that CFIs can join if interested. We plan on rolling it out at the NRF conference to give locations where CFIs are currently presenting, or where they are gathering to network. If you are interested, go to www.twitter.com and sign up to follow the [CFInterviewers](#).

Job Searching sites for CFIs

www.monster.com
www.retail.careerbuilder.com
www.lpjobs.com
www.indeed.com
www.flipdog.com
www.salary.com
www.jobsearch.org
www.director.of.loss.prevention.jobs.com

Quote of the Quarter

Depend not on fortune, but on conduct.
 —Publilius Syrus,

Syrian writer of maxims

Have you added CFI to
 your card?

EXPRESS

CHRISTOPHER J. YADANZA, CFI
 REGIONAL LOSS PREVENTION MANAGER

CYADANZA@EXPRESSFASHION.COM

1 LIMITED PARKWAY, COLUMBUS, OH 43230 FAX 614.577.3191 CELL 845.699.1820

CFI Recertification

Below are the individuals who are up for recertification who have not sent in their signed sheet saying they met the requirements to be recertified, the payment, or both. The individuals listed are for OCTOBER-DECEMBER, 2009. Please [click here](#) to download a form. Send in your payment and form as soon as possible, so you will not be required to take the CFI examination again to keep your CFI designation.

Martin Angeles	Bryan Lee
Joshua Alexander	Aaron Litteral
Carlos Alo	Jayne McGrath
Mary Ellen Anastas	Deana McLees
Leo Cabral	Jeffery Mote
Charles Cherry	Juan Ospina
Christopher Correia	Damien Pittola
Anthony Costanzo	Gerald Place
Michael DeBiase	Paul Rufo
Daniel DiMatteo	Michael Russell
Larry Fizer	Barry Simpson
LeeRoy Hegwood	Mark Stalker
David Horne	William Wilson
Thomas Ivey	Michael Zografos
Darrell Kingore	

CFIs Speak at Conferences

Economic Crime Institute Oct 20-22
 Mark Van Beest, CFI will be presenting on
 "Combating Organized Crime Frauds Upon Retailers
 through Information Sharing"

Attention Yahoo.com Email Addresses

We have been experiencing a problem with Yahoo email addresses recently. A number of our emails are kicked back as undeliverable from this domain. If you have another email address, or a way of making emails from w-z.com accepted please do so. If you have an alternate email, please let us know as well. ([Click here](#) for Wayne's email)

CISA

The objective of this certification program is to create comprehensive, universally accepted professional standards combined with an objective measure of an interviewer's knowledge of those standards. The ultimate goal is that every person and every organization with a stake in interviewing will benefit from the program, as will the reputation and effectiveness of the entire profession.

CFI Code of Ethics

The Certified Forensic Interviewer is a professional with the expertise to conduct a variety of investigative interviews with victims, witnesses, suspects or other sources to determine the facts regarding suspicions, allegations or specific incidents in either public or private sector settings.

The Certified Forensic Interviewer demonstrates understanding of legal aspects of interviewing and proficiency in interview preparation, behavioral analysis, accusatory and non-accusatory interviewing, documentation, and presentation of findings.

[Click here](#) to link to the complete CFI Code of Ethics.



CFI Recertification Information

A link to the http://certifiedinterviewer.com/seminar_classes.htm will give you a list of some of your options. To download the recertification form, please click the following link: http://certifiedinterviewer.com/pdfs/CISA_Certification.pdf

Here are some links that take you to pre-approved seminars or programs that can be applied to your recertification:

www.policetraining.net

www.w-zcampus.com/campusV2/campus/course_catalog.html

www.w-z.com/schedulecfi.php#schedules

www.lsiscan.com/scan_training.htm

[NRF Investigator Network Meeting Calendar](#)

October 2 Loss Prevention Counterfeiting Product Conference (Richmond, VA) This conference is a great opportunity for retailers, loss prevention specialists, law enforcement, judges and prosecutors to come together on the leading LP crime issues. For more information contact the Virginia Retail Merchants Association at 804-649-0789.

October 6-7 [Loss Prevention Research Council](#) - 2009 Impact Conference and Workshop - University of Florida Reitz Union Hotel, Gainesville, FL

October 8-9 Fraud Investigators Association of Texas 2009 Combined Fraud Conference with IAFCI

* **October 19 - 22** [Western States Safe & Burglary Investigator's Association](#) - 60th Annual Training Conference - Marriott Courtyard Mission Valley Hotel Circle, San Diego, CA

* **October 20-22** Economic Crime Institute

October 21 - 23 [International Anticounterfeiting Coalition](#) - Annual Fall Conference - Westin Buckhead, Atlanta, GA

October 26 - 28 [Consumer Returns 2009](#) - JW Marriott Buckhead, Atlanta, GA

* **October 27 - 28** [International Association of Property Crime Investigations Seminar](#) - National Property Crime Investigations Seminar - Gold Coast Hotel & Casino, Las Vegas, NV

October 28 - 29, 2009 [ISC East 2009](#) - Jacob Javis Convention Center, New York, NY

* **November 3** NRF LP Professional Development Conference Call
Hosted by: Women in LP Caucus

* **November 18** Alabama Loss Prevention Network Meeting (as seen on www.linkedin.com) contact Don Hill, CFI for more information.

2010

May 17-18 Emerging Trends in Fraud Investigation and Prevention Conference, Columbus, OH,.

* **June 14-15** 2010 NRF Loss Prevention Conference & EXPO

***Note:** CFIs have mentioned that they will be at these conferences and/or presenting at the conferences. For networking possibilities with other CFIs, please contact [Wayne Hoover](#) for an introduction.

Should you be attending a national conference, company conference, or seminar that requires name tags, email [Wayne Hoover](#), and he will send you your CFI ribbon to attach to the name tags.

Article Submissions

All CFIs are invited to submit articles, book reviews or other materials for publication. Submission of an article to *CFInsider* does not guarantee it will be published.

CFInsider reserves the right to edit any article for grammar, clarity, and length, but the content or opinions contained therein will be those of the author.

Publication of an article, its contents, and opinions do not necessarily reflect the opinion or beliefs of *CFInsider* or the Advisory Committee.