



**Investigations Council**  
December 2008

**Investigations  
Council  
Members**

Marty Bishop, CPP  
Chairman

Jim Kuehn, CPP, CFE  
Vice Chair- Admin

Steve Wager, CPP  
Vice Chair – Operations

Jeff Berkin

Darrell Chaneyfield,  
CPP

Jack Chu

Rashid Ali Malik

Charlie Meade

Harm Oosten, CPP

Peter Psarouthakis

Tim Reddick, CPP, PCI

Jim Whitaker, CPP, CFE

Jeff Williams, CPP

John Turey, CPP  
Council Vice President

**Chairman's Comments**

It's hard to believe that 2008 is coming to a close. Wow, how time does move fast! It seems we just commenced our 2008 planning, but now it is time to close the plan and begin our 2009 strategy. Before moving forward, I would like to personally thank those who served in the Investigations Council this year and publicly show my appreciation for the work they did for the Council and Chapters.

Jim Kuehn led our Council presenting on "Ethical Investigations" to various Chapters in Ohio and Kentucky. Jim also served as Moderator at the annual seminar in Atlanta. Peter Psarouthakis met with members of the United States Congress in Washington, DC, providing a briefing on ethics in investigations. Peter also served as the Chairman for the Legislative Committee of the Detroit ASIS Chapter. Steve Wager, our Colombia-based member and Council Vice Chair, delivered presentations to the Bogotá, Colombia ASIS Chapter. He also gave a presentation at the Annual Seminar entitled "The Anatomy of an Investigation in Latin America" in Spanish. Jim Whitaker presented on mortgage fraud at the Annual Seminar and served as a session reviewer. Jeff Williams, our Philippines-based member, delivered presentations to members of the Philippine government, published an article on "Funding Terrorism" in the India Safe magazine, and presented to the Philippine ASIS Chapter. Jack Chu, our China based member, presented "Investigations in China" at the Annual Seminar.

Congratulations, gentlemen, on a job well done! Focusing on 2009, the Council would like to extend a warm welcome to our three newest members:

Tim Reddick, CPP, PCI

Harm Oosten, CPP

Darrell Chaneyfield, CPP

It was a pleasure serving each of the Council members this year, and I look forward to doing the same in 2009.

## **Legislative Update**

With a new President and many new members of Congress coming into office next month, the investigation community should have a watchful eye on legislative activities coming out of Washington D.C. Traditionally, a new Congress introduces a lot of legislation immediately, as they are eager to start the process. How will this impact the investigations profession? All indications are that there is a high likelihood that there will be an unusual amount of "privacy" legislation introduced this coming year. Access to information may be one of the many issues addressed in this type of legislation, and that could have an adverse effect on how investigators do their jobs. Usually a new Congress comes to Washington D.C in early January to get sworn in, and then they go home until the January 20th inauguration. However, this year, president-elect Barack Obama has asked that Congress start to act right away on a economic stimulus package in early January and have it ready for his signature on January 20. While it is not likely that they will act on any investigation-related issues that fast, the investigations community should watch closely, as it could technically happen and will most likely happen shortly thereafter. Get to know your members of Congress. Call or write their home district office and introduce yourself and identify yourself as a professional investigator. Most members of Congress are not familiar with what investigators do and the tools we need to do our jobs. Educating your Congressional representatives helps them make decisions and also promotes the profession in a very positive, professional manner. Take a few minutes out of your day to help make a difference in your profession!

Peter Psarouthakis  
Owner-EWI & Associates, Inc.  
ASIS International member  
ASIS Investigations Council member

## **Investigations in China**

China has become even more popular since the United States' financial crisis has begun to manifest itself in negative ways on the world economy. The Chinese government would like its GDP to continue to grow at 8% in 2009 because it believes that such growth will help the world economy recover faster. More and more, foreign investors are taking lessons on investing in China. This trend has emerged because many of the first investors failed to complete proper due diligence before investigation in China. A growing number of individuals and companies have shown a growing interest in having investigations conducted in China.

Private investigation services in China have existed in one form or another for over a thousand years. However, the modern commercial investigation services in

China began in 1979 when the Chinese government enacted the new “Open Door Policy” that allowed more foreigners to enter and invest in China.

Prior to 1979, the Chinese government conducted a Closed Door Policy since the creation of the PRC in 1949. During that time period, no private investigations were needed since all companies and assets belonged to the government. Company background checks and asset chasing was simply not required. Additionally, all people worked for the government. Personal files were transferred from one organization to another.

The personnel files of Chinese citizens were transferred from one organization to another. Personnel records were filed and maintained by government organizations. Each family had their household records held at the local police station. The police station, then, was responsible for transferring all records. There was no need for pre-employment and personal profiles during this time, as all the personal data and records were controlled by the government.

Under the PRC leadership, most Chinese had a very poor standard of living to the extent that they struggled daily for food. Despite those living situations, little criminal activity occurred during this period. This may have been a result of the serious and permanent consequences that were associated with criminal activity. The Chinese government maintained lifelong and permanent records on citizens, meaning that no crime would be forgiven or ‘wiped clean’ from the records. Even crimes committed as a minor would remain on an individual citizen’s record. Additionally, the Chinese Police developed a very strong investigations system in China. The police could assemble investigations promptly and identify the guilty criminals in a short period of time. The police could focus on individual crimes since there was virtually no “business” crime since all business operations were owned and controlled by the PRC government.

The Chinese government passed a new Open Door Policy in 1979, and a great deal of change ensued. China’s GDP in 1978 was USD 70 billion, and by 2007, the GDP had skyrocketed to 3,700 billion. Over that period, GDP had grown by more than 10% a year. A major contributor to this growth came in the form of foreign investment. Concomitant with this economic growth was a growing need for investigations in all aspects of commercial activity.

After 1979, many private companies sprung up in China. Additionally, numerous state-owned companies became private or teamed up with foreign companies to form joint ventures. False information flooded the market. At this point, it became imperative to have proper due diligence before investing or doing business with a local or foreign partner. Today, personnel records are no longer controlled by the government. When people change jobs, the responsibility for all the necessary pre-employment screenings or personal profiling becomes the responsibility of the new employer.

In present-day China, there exist more disputes between business partners, business owners and their employees. All parties involved now need to present valid evidence in trials, and, therefore, investigations are now in great demand and a routine process in judicial proceedings.

Prior to 1978, there were no Intellectual Property Right (IPR) issues in China. However, presently, IPR issues have flooded all areas of the market. Not only have cases of infringement required investigation but so have the overwhelming number of counterfeiting investigations. Most multinational companies that have invested in China currently have IPR issues. These companies are spending a lot of money to hire private investigation companies to work for them in order to collect evidence, to conduct raids on counterfeiters, and to identify fraudulent employees.

Given the changing conditions for doing business in China, there now exists a great demand for investigations as well as a need for more individuals to work in the investigation industry. Some Private Investigation (PI) companies are owned by Chinese citizens but managed by foreign professionals. Others are managed entirely by Chinese entrepreneurs. The service standard varies greatly from one company to the other, as well as between individuals. Consequently, because of the varying standards and the need for professional investigations, the future is a bright one for professional investigators in China.

The Chinese government has begun to try and manage the security industry. The government is presently considering issuing investigation licenses to companies that meet the established set of requirements. Notwithstanding, PI companies and private investigators need to self-monitor and obey the regulations and laws in China. There is a possibility of establishing a Chinese Investigations Association in order to unite and regulate all professionals in this industry.

The challenge for PI firms and investigation professionals in China is to provide cost-effective service at a high quality level. The investigation professionals in China also need to learn from their counterparts in other countries. As a profession, investigation professionals need to understand the international standards and put them into practice in accordance with the local culture.

Jack Chu  
Member of ASIS Investigations Council  
President of RA Consultants Ltd.

## **Farewell to a Good Friend**

On behalf of the Investigations Council for ASIS, I and the other Council members would like to take this opportunity to salute an old friend and tireless contributor to ASIS for over 22 years, Jim Kuehn. Jim has decided to retire from most ASIS activities effective January 1, 2009.

While we who know Jim and have had the pleasure of working with him for many years wish him well on his well-deserved “retirement” from ASIS, we certainly will miss him. His candor, commitment, and extensive industry knowledge simply can’t be replaced. Personally, I will miss his straightforwardness and insight on many issues. The one thing that is always apparent with Jim – if you ask him a question he will give you an honest, straightforward answer. It may not be the politically correct one or the one you were hoping for, but it will be heartfelt and honest. Unfortunately, in these times, Jim is the exception, not the rule, in that regard.

Jim is currently an SRVP until the end of this year. He served as ARVP in 2005 and as RVP in 2006 and 2007 respectively. He was also a member of the Awards Committee in 2007 and 2008. Below is just a brief outline of Jim's 22 plus years of service to ASIS and our membership:

- Jim first joined ASIS 1981 (Washington, DC Chapter), and his first volunteer "task" was to participate with the Local Chapter Committee to stage the 1983 Annual Seminar at the Sheraton in Washington, DC.
- Jim transferred to the Cincinnati Tri-State Chapter in 1983. Jim moved out of security and dropped his membership in 1988, but rejoined ASIS with the Cincinnati Tri-State Chapter in 1994. During his time with this chapter Jim has held Chapter Committee leadership and elected officer positions every year since 1994 (Chapter Vice chair 2004, Chapter Chair 2005). One of the memorable quotes from Jim sums up his volunteer philosophy: *"The real business of ASIS occurs at the Chapter level where practitioners meet to discuss and resolve issues."*
- Jim Kuehn joined the Investigations Council 1994. At that time Jim Dallas, CPP was Chair, and the Council was comprised solely of Private Investigators. Jim got right to work. He worked on several committees to produce two-day seminars, and personally spoke at seminars and at the Annual Seminar. Jim served as Vice Chair from 2003 to 2008. Jim tirelessly worked with two other members to publish the Investigators Code of Ethics in ASIS Dynamics. Jim was one of the original players in working with the Certification Department to create and promote the Professional Investigator Certification (PCI). He also was one of the first team members to create questions for the PCI exam and participated on the first Pass/Point review of the examination.
- Jim has served on the Investigations Council for 15 consecutive years, frequently speaking to Chapters on behalf of the Council. Jim personally created the Council membership criteria and membership guidelines.
- Besides being active on the Investigations Council, he was concurrently a member of the Insurance Fraud Council from 2002 to the present. He served as Vice Chair in 2002 and Chair in 2003 and 2004. Jim spoke at the first Emerging Trends session in Chicago and created membership guidelines and membership criteria for this Council also.

As Jim reflects on the two Councils he has so diligently served, he recently reflected, *"Being a Council member and Council leader afforded me an opportunity to meet and volunteer beside some of the best investigators in the world."*

To Jim, your fellow Council and Chapter members say, "Well done Sir"! Your dedication, humor, candor, professionalism and foresight will certainly be missed, but most assuredly will not be forgotten. Thank you for everything – ASIS owes you a huge debt of gratitude.

James E. Whitaker, CPP  
Member of ASIS Investigations Council

## Investigations Council Mission

Promotes ethical and thorough investigations by private, corporate, and government investigators by providing analyses of emerging investigative technology and techniques in the global investigative arena.

## Interested In Joining the Investigations Council?

The Investigations Council seeks qualified ASIS members with a professional investigative background to expand its membership to a full complement of fifteen professional investigators. If you would like information about the Investigations Council or if you would like to be considered for membership on the Investigations Council as vacancies occur, please contact Council Vice Chair and Membership Committee Chair Steve Wager, CPP at [steve.wager@control-risks.com](mailto:steve.wager@control-risks.com). We are a working Council and all members are expected to remain actively engaged to maintain membership.



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