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(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2005-06

(session year)

Senate

(Assembly, Senate or Joint)

Committee on ... Job Creation, Economic Development and Consumer Affairs (SC-JCEDCA)

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

Senate

Record of Committee Proceedings

Committee on Job Creation, Economic Development and Consumer Affairs

Senate Bill 251

Relating to: the regulation of traveling sales crews, requiring the exercise of rule-making authority, and providing penalties.

By Senators Erpenbach, Hansen, Robson, Risser and Carpenter; cosponsored by Representatives Pope-Roberts, Ainsworth, Gronemus, Hahn, Sheridan, Lehman, Jeskewitz, Travis, Pocan, Ott, Gunderson, Van Akkeren and Berceau.

June 30, 2005 Referred to Committee on Job Creation, Economic Development and Consumer Affairs.

August 23, 2005 **PUBLIC HEARING HELD**

Present: (5) Senators Kanavas, Zien, Reynolds, Lassa and Decker.
Absent: (0) None.

Appearances For

- Jon Erpenbach, Madison — Senator
- Mr. Phil Ellenbecker, Verona
- Sgt. John Conger, Milton — Milton Police Department
- Mr. James Olson, Madison
- Ms. Janet Jenkins, Madison — Department of Ag, Trade and Consumer Protection
- Mr. Jim Rabbitt, Madison — Department of Ag, Trade and Consumer Protection

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- Mr. Jim Chiolino, Madison — Department of Workforce Development
- Ms. Lucia Nunez, Madison — Department of Workfoce Development
- Ms. Linda Kleinschmidt, Madison — Wisconsin Council on Children and Families
- Dave Hansen, Green Bay — Senator
- Peg Lautenschlager, Madison — Attorney General, Department of Justice

- Ms. Joanne Ricca, Milwaukee — Wisconsin State AFL-CIO

Registrations Against

- None.

September 7, 2005 **EXECUTIVE SESSION HELD**

Present: (5) Senators Kanavas, Zien, Reynolds, Lassa and Decker.
Absent: (0) None.

Moved by Senator Kanavas that **Senate Amendment 1** be recommended for introduction and adoption.

Ayes: (4) Senators Kanavas, Zien, Lassa and Decker.
Noes: (1) Senator Reynolds.

**INTRODUCTION AND ADOPTION OF SENATE AMENDMENT 1
RECOMMENDED, Ayes 4, Noes 1**

Moved by Senator Kanavas that **Senate Bill 251** be recommended for passage as amended.

Ayes: (3) Senators Kanavas, Lassa and Decker.
Noes: (2) Senators Zien and Reynolds.

PASSAGE AS AMENDED RECOMMENDED, Ayes 3, Noes 2

Jeremy Shepherd
Committee Clerk

SENATE BILL 251 (LRB -1195)

An Act to amend 21.72 (1) (a) 10., 49.857 (1) (d) 10., 73.0301 (1) (d) 3m., 103.005 (10), 111.322 (2m) (a) and 111.322 (2m) (b); and to create 103.34 of the statutes; relating to: the regulation of traveling sales crews, requiring the exercise of rule-making authority, and providing penalties.

2005

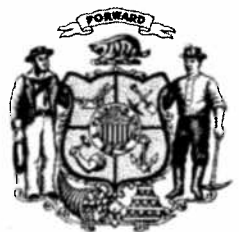
06-30.	S.	Introduced by Senators Erpenbach, Hansen, Robson, Risser and Carpenter ; cosponsored by Representatives Pope-Roberts, Ainsworth, Gronemus, Hahn, Sheridan, Lehman, Jeskewitz, Travis, Pocan, Ott, Gunderson, Van Akkeren and Berceau .	
06-30.	S.	Read first time and referred to committee on Job Creation, Economic Development and Consumer Affairs	279
07-25.	S.	Fiscal estimate received.	
08-23.	S.	Public hearing held.	
09-07.	S.	Executive action taken.	
09-07.	S.	Report introduction and adoption of Senate Amendment 1 recommended by committee on Job Creation, Economic Development and Consumer Affairs, Ayes 4, Noes 1 (LRB a0913)	339
09-07.	S.	Report passage as amended recommended by committee on Job Creation, Economic Development and Consumer Affairs, Ayes 3, Noes 2	339
09-07.	S.	Available for scheduling.	
12-05.	S.	Placed on calendar 12-6-2005 by committee on Senate Organization.	
12-06.	S.	Senator Miller added as a coauthor	476
12-06.	S.	Senator Lassa added as a coauthor	476
12-06.	S.	Read a second time	488
12-06.	S.	Senate amendment 1 adopted	488
12-06.	S.	Ordered to a third reading	488
12-06.	S.	Rules suspended	488
12-06.	S.	Read a third time and passed	488
12-06.	S.	Ordered immediately messaged	491
12-09.	A.	Received from Senate	663
12-09.	A.	Read first time and referred to committee on Small Business	663

2006

02-07.	A.	Public hearing held.	
04-18.	A.	Executive action taken.	
04-18.	A.	Assembly amendment 1 offered by committee on Small Business (LRB a2903)	1018
05-04.	A.	Report Assembly Amendment 1 adoption recommended by committee on Small Business, Ayes 5, Noes 3	1109
05-04.	A.	Report concurrence as amended recommended by committee on Small Business, Ayes 7, Noes 1	1109
05-04.	A.	Referred to committee on Rules	1109
05-11.	A.	Failed to concur in pursuant to Senate Joint Resolution 1	1134



WISCONSIN STATE LEGISLATURE





State of Wisconsin
Jim Doyle, Governor

Department of Agriculture, Trade and Consumer Protection
Rod Nilsestuen, Secretary

August 23, 2005

The Honorable Ted Kanavas, Chair
Committee on Job Creation, Economic Development and Consumer Affairs

Regarding SB 251, Traveling Sales Crews

The Bureau of Consumer Protection supports the concepts behind Senate Bill 251. The Department respectfully submits comments regarding one issue:

- The addition of violations of Fraudulent Representations §100.18 and Unfair Trade Practices §100.20 to the list of "disqualifying offense" in 103.34(1)(b).

The Bureau of Consumer Protection enforces rules such as Chapter ATCP 127, Wisconsin's Direct Marketing and ATCP 139, Consumer Product Safety. The Bureau receives frequent contacts from local law enforcement agencies, the media, and consumers regarding itinerant sales crews and has taken a lead role in many high-profile investigations of these practices in recent years. The agency partners with representatives from DOJ and local authorities and other state agencies in order to provide responses to problems in this industry. Often, our toll-free hotline or regional offices receive the first indications of unscrupulous house-to-house sales activities and our field staff interact with the crews operating in the state.

Under the proposed legislation an employer may be denied, or suffer revocation of a certificate of registration for violations enumerated as disqualifying offenses under §103.34(1)(b). When testifying last year we respectfully recommended the addition of §100.18, 100.20, or any order or regulation adopted under the authority of §100.20(2) as disqualifying offenses. **While §100.20(2)(a) was added, we believe it was an oversight that §§100.18 and 100.20 were not added and again respectfully request they be added to the list of disqualifying offenses.** This would allow inclusion of fraudulent representations and unfair trade practices, in general, to be considered by DWD when determining whether a certificate of registration is appropriate.

Since DATCP currently investigates unfair trade practices and fraudulent representations under the authority of §§100.20 and 100.18, Wis. Stat., particularly in the area of Direct Marketing fact-to-face solicitations, we anticipate no additional fiscal impact to DATCP to implement these changes to the proposed legislation.

We thank the Committee for the opportunity to provide an input to the proposed bill.

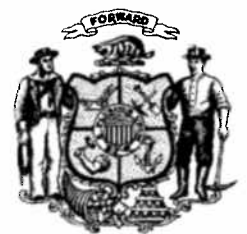
Sincerely,

Janet Jenkins, Administrator
Division of Trade & Consumer Protection

Agriculture generates \$51.5 billion for Wisconsin



WISCONSIN STATE LEGISLATURE



STATE OF WISCONSIN LEGISLATURE
BEFORE THE
SENATE JOB CREATION, ECONOMIC DEVELOPMENT AND CONSUMER
AFFAIRS COMMITTEE

WRITTEN TESTIMONY OF
WISCONSIN ATTORNEY GENERAL PEG LAUTENSCHLAGER
IN THE MATTER OF SENATE BILL 251

AUGUST 23, 2005

Thank you for the opportunity to submit written testimony on 2005 Senate Bill 251, relating to the regulation of traveling sales crews. My testimony today is in favor of Senate Bill 251, also known as "Malinda's Traveling Sales Crew Regulation Act".

This year marks the 6th anniversary of the van crash near Janesville in 1999, that took the lives of 7 young people, all of whom were younger than 20 years old, who were part of an unregistered magazine sales crew. The accident also permanently paralyzed a 15 year-old crewmember and injured several other members. This senseless tragedy exposed the need for more oversight of these types of operations, as well as the need for increased penalties to deter future violations of the law.

Wisconsin has a long and proud history of being a leader in protecting the welfare of our hard working people. Nearly 100 years ago, Wisconsin was the first state to establish a worker's compensation program. In 1931, Wisconsin was the first state to authorize payments for unemployed workers. Wisconsin was also one of the first states to pass child labor laws to protect our children from being exploited, and our system of social services on behalf of children ranks among the best in the nation.

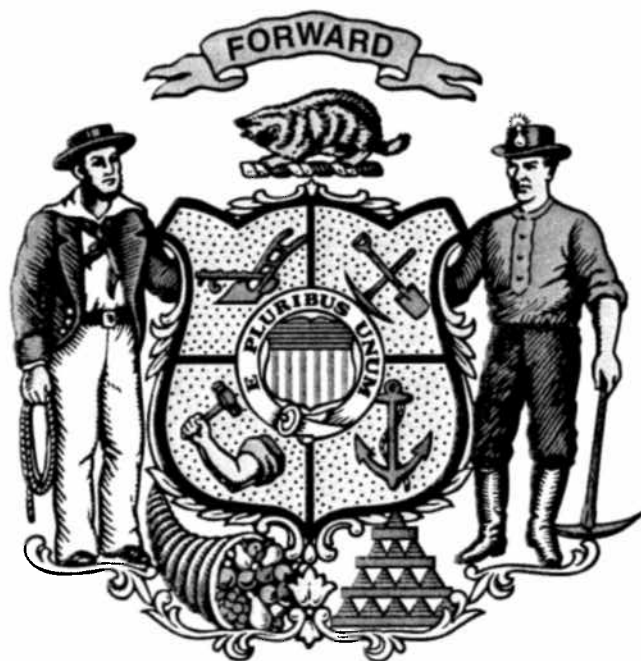
Senate Bill 251 will continue our state's tradition of progressive worker protections by helping to prevent the exploitation of our young people by unscrupulous employers, who often subject their teenage employees to long hours at low pay with inadequate adult supervision. Passage of this legislation will give the state additional vital tools with which to both regulate these types of operations and prosecute those who choose to violate the law.

Evidence of the need for increased oversight of this practice is further illustrated by a recent case in Pierce County, in which a young man with a criminal background who was hired by a traveling magazine sales crew sexually assaulted a woman in her home after visiting the residence in his door-to-door sales route.

The lack of adequate adult oversight and the use of numerous minor employees, many as young as 15, simply creates situations that are disasters waiting to happen. When they do, as we have seen, the consequences can be very tragic.

I encourage the Legislature to act quickly on this matter to increase the protection of our young people. This is a non-partisan issue that should be of concern to all Wisconsin citizens, regardless of political ideology.

I'd like to thank Chairman Kanavas for holding a hearing on this important matter and I urge the committee to pass Senate Bill 251. I would also like to thank Phil Ellenbecker, Malinda's father, for his tireless advocacy in support of this legislation. He has dedicated his efforts to this cause so that others will not experience the tragic loss that he has suffered. The best tribute we can pay to Malinda and the other members of her crew would be to enact this legislation to protect our young people from future tragedies that might otherwise occur.





Date ?

Testimony of Lucía Nuñez, Division Administrator, in support of SB 251

Door-to-door sales crews have represented a major employment problem in this country for many years. These employers tend to recruit minors and young adults from low-income families with promises of high wages (commissions) and an exciting job.

Employers of door-to-door crews frequently move from state to state, hire vulnerable young workers, work them long hours, and then leave without paying promised wages. In other cases, the crew chiefs like to take the workers far away from home and withhold pay to ensure the workers are dependent upon the crew chief for the daily food and lodging. There have been instance of crew chiefs withholding food and lodging as a means of controlling crew workers. Some have even physically and sexually harassed workers to intimidate them.

In 1985 the Legislature passed legislation designed to limit and severely regulate the use of minors in Wisconsin in door-to-door sales. This legislation has proved quite successful in discouraging the use of minors in door-to-door sales since that time. As a matter of record there have only been three businesses registered in Wisconsin to conduct door-to-door sales using minors. Obviously no legislation can ensure the complete elimination of prohibited activities. Nevertheless it appears within the past nineteen years there has been a significant reduction in the use of minors in Wisconsin for door-to-door sales while other states have not noticed similar reductions.

The proposed legislation attempts to take the model of the 1985 legislation and apply similar registration requirements to employers seeking to use traveling sales crews in Wisconsin or crews that originate in Wisconsin. **One of the principal differences in this legislation from the 1985 legislation is that the 1985 legislation only protected persons under 18 years of age. This legislation attempts to protect any individual working on a traveling sales crew and totally prohibits minors from working on a traveling sales crew.**

Perhaps the most compelling argument for this legislation was the van accident that occurred in 1999 outside the city of Janesville. A traveling sales crew of 15 was traveling in a van on I-90 when it passed through a radar speed measurement.

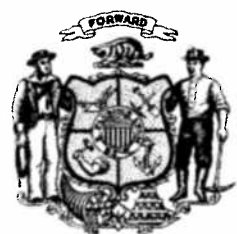
Since the driver was traveling in excess of 85 in a 65 mph zone, didn't have a valid driver's license and was driving a van that didn't meet state safety regulations the driver chose to flee the police officer until he could switch positions with someone else in the van. The end result was the van rolled over several times and most of the van occupants were strewn across the highway. A number of the passengers were killed and several severely injured. All but two of the individuals on the crew were adults.

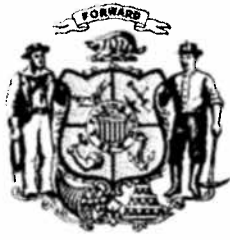
The Legislature in other legislation has clearly stated its intent to ensure that employers provide a safe working environment for employees, that employers pay their employees, and that employers disclose the conditions of employment to workers. **This legislation pursues those same protections for employees of traveling sales crews by creating unique requirements designed to fit the nature of the business.** For example, this bill contains a provision requiring employers of traveling sales crews to maintain a surety bond. This bond covers workers' wages when the employer doesn't pay them. Since the employer may no longer be located in Wisconsin the department can't simply use normal collection methods we use with employers with firm roots in Wisconsin. The bond allows the department to place a claim against the bond for any unpaid wages.

As the incident with the 1999 van crash clearly showed, unethical employers of traveling sales crews frequently ignore state laws. This legislation will not totally solve that problem. It will, however, provide a number of tools for the department to use to lessen the likelihood those employers will choose to do business in this state and will assist the department in dealing with employers who do business in this state and choose to violate.



WISCONSIN STATE LEGISLATURE



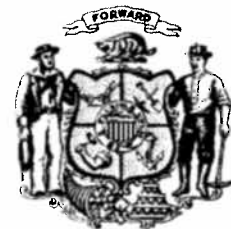


The following DVD's were included with this committee record.
Because of their format we are unable to include them here.

Most audio, video, and larger publications found in the committee records have been added to the Dr. H. Rupert Theobald Legislative Library collection. Search the LRB library catalog (LRBCat) (<http://lrbcatalog.legis.wisconsin.gov/>) for availability.

For further assistance, please contact the reference desk at (608) 266-0341 or email lrb.reference@legis.wisconsin.gov.

State of Wisconsin - Legislative Reference Bureau
1 East Main Street, Suite 200
Madison, WI 53703





Mr. Phillip Ellenbecker
704 Mark Dr.
Verona, WI 53593

05/08/05

DMP 6

This DVD For Educational
Use only!

Plays on PC or Home DVD

'Death By A Salesman'

Court TV 03/03/04

Verbatim

Death By A
Salesman

03/03/04
Court TV

DIGITAL MOVIE
DVD-R

DMPG

For
Educational
Use only!

Return
TO DMPG.



National Video Coverage
'Traveling Sales door to door'
Burn Date: 05/15/05

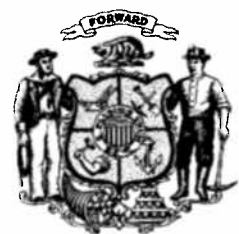


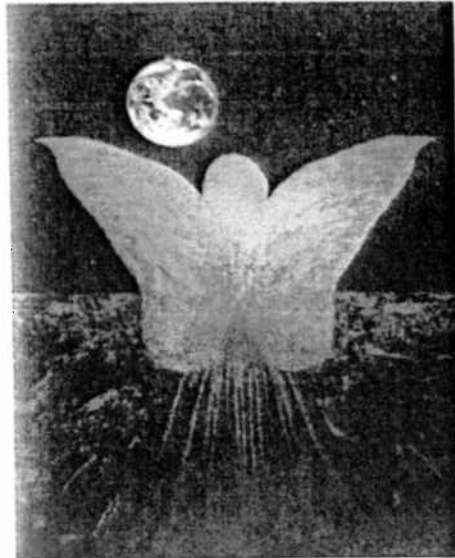
Phil Ellenbecker
704 Mark Dr.
Verona, WI 53593-1027

compact
disc
CORPORATION



WISCONSIN STATE LEGISLATURE





*The
Dedicated Memorial
Parents Group*



The Dedicated Memorial Parents Group
Phil Ellenbecker
Founder

www.dedicatedmemorial.org
www.travelingsalescrews.info
phil@dedicatedmemorial.org
trollpt@tds.net

704 Mark Drive
Verona, WI, 53593
Home: 608-845-1711
Work: 608-838-4197 x 7161

'Traveling Door-To-Door Sales'
Chronology, January 2001 - April 2005
Compiled 04/06/05

Please consider the grief and devastating loss of all of the families that have suffered from this corrupt and immoral industry. Be aware that the sexual assaults, van crashes, rapes, and murders can happen to anyone at any time. There is currently no mechanism to prevent a convicted felon from knocking at your door. There is also no mechanism to control or regulate the fly-by-night tactics that are used to recruit and transport kids selling door to door from state to state. Currently the kids are considered to be independent contractors and have no rights. This opens the door to abuse and exploitation. Without some form of protection for these kids they ultimately fall prey to a world of drug abuse, manager exploitation, abandonment, or in the end pay the ultimate price with their life. Without criminal background checks anyone who answers their door to a 'traveling door to door sales agent' could be standing in front of a convicted felon.

Consider the 19-year-old Concord, N.H., woman who in **April of 2005** was allegedly repeatedly raped by three men selling magazines door to door for a Naples-based company, Fidelity Reader Service.

http://www.naplesnews.com/npdn/news/article/0.2071.NPDN_14940_3689507.00.html

Consider the 15 year-old girl who in **March of 2005** was allegedly raped by an ex-convict working as a door-to-door vacuum cleaner salesman in Clarks Summit, Pennsylvania.

http://scrantontimes.com/site/news.cfm?newsid=14174258&BRD=2185&PAG=461&dept_id=415898&rfi=6

Consider the 15 year-old-girl who in **March of 2005** was allegedly sexually assaulted and raped by two door to door sales agents selling carpet cleaner services in Clermont, Florida.

<http://www.mywebpal.com/news/partners/701/public/news615349.html>

Consider the Monterey, California woman who in **January of 2005** opened her door to a salesman selling cleaner products door to door. The salesman is being charged with attempted sexual assault, burglary, false imprisonment and sexual battery.

<http://www.montereyherald.com/mkd/mcherald/news/10788439.htm>

Consider the Pullman, Washington woman who was attacked in **August of 2004** by a salesman selling magazines door to door for Pacific Coast Clearing Service out of Gig Harbor, WA. Whitman County prosecutors are charging the 20-year salesman with burglary and attempted rape.

<http://www.kxty.com/common/getStory.asp?id=39085>

Consider the 77 year old New Jersey woman who in **June of 2004** opened her door to a sales agent working for American Community Services. She let him in because he was thirsty and wanted a glass of water. The New Jersey woman was found beaten and stabbed to death on the floor of her home. She had been stabbed several times in the neck and had several blunt traumas to her face.

http://www.wndu.com/news/062004/news_35772.php

Consider the 18 year old female sales agent found strangled to death with a plastic bag tied around her head in **April of 2004** near Rapid Valley, South Dakota.

<http://www.rapidcityjournal.com/articles/2004/04/28/front/top/news01.txt>

Consider the little 9-year-old El Cajon, California girl that was violently sexually molested by a door to door magazine salesman working for Services Unlimited Plus in **March of 2004**.

<http://www.sanonsandiego.com/news/metro/20040812-9999-2m12thomas.html>

Consider the 19-year-old Lake County, Illinois girl who was sexually assaulted in **May of 2003** by a magazine salesman selling for Alliance Service Company, a Rolling Meadows firm.

http://www.travelingsalescrews.info/unposted_news_articles.html

Consider the two teenage girls selling magazines for Atlantic Circulation Inc. who were pronounced dead at the scene on **September of 2002** when the van they were in carrying 15 kids rolled over near Shiprock, N.M..

http://www.durangoherald.com/asobin/article_generation.asp?article_path=/news/03/news030615_1.htm

For information on the following stories please contact the DMPG:

February 2002. Two magazine salesmen were convicted in the beating death of a Ft. Wayne, Indiana man at a motel used by a magazine sales company to house its sales force. One is awaiting sentencing for involuntary manslaughter. The other received a 25-year sentence for murder.

January 2002. A magazine salesman was sentenced to six years in prison after pleading guilty to sexually assaulting two girls, aged 12 and 13 in their home in Parker, Colorado after the girls let him inside for a drink of water. A second salesman is also awaiting sentencing in the case.

October 2001. One magazine salesman was killed and ten injured in a van crash, several of them seriously, in Minneapolis, Minnesota. Police are still considering whether to bring criminal charges.

August 2001. A 66-year-old woman was beaten, raped, and stabbed to death in her home in Knoxville, Tennessee. The magazine salesman who allegedly committed the crime is awaiting trial.

April 2001. A magazine salesman pleaded no contest to stabbing another salesman with a pair of scissors in a motel room used to house a sales crew in Boulder, Colorado. He received one-year of probation.

April 2001. A magazine salesman was taken into custody for Sexual Battery, Criminal Confinement, and Indecent Exposure after trapping a woman in her car in a parking lot in Greenfield, Indiana.

March 2001. A magazine salesman was sentenced to 15 years to life in prison for the stabbing death of a 53-year-old customer in her home in Fulton, New York. The magazine clearinghouse settled out of court with the woman's family for \$1 million.

February 24, 2001. A magazine salesman was sentenced to two to four years in prison for attempted sexual assault during a robbery in a parking lot in Lincoln, Nebraska. A second salesman was sentenced to two years six months to five years in prison for attempted robbery in the same incident.

January 2001. A local drug dealer in Norfolk, Virginia, was sentenced to 43 years in prison for gunning down a magazine sales crew manager during a bad drug buy in a motel room that he had rented to house young salespeople.

January 2001. A magazine salesman pleaded guilty to luring sisters, seven years old and ten years old, into a secluded park area in Olympia, Washington. He was sentenced to five months in prison and one year probation.

OFFICE OF THE DISTRICT ATTORNEY COUNTY OF DUNN

District Attorney
James M. Peterson

615 Stokke Parkway, Suite 1700
Menomonie, WI 54751

Phone (715) 232-1687
Fax (715) 232-6886

Asst. District Attorneys
Andrew Maki
Kristine Cusick

FAX

TO: Phil Ellenbecker

ORGANIZATION: _____

FAX NUMBER: 608-838-8367 PHONE NUMBER: _____

FROM: James Peterson

DATE: _____ TIME: _____

TOTAL PAGES (including cover sheet): 5

MESSAGE: Re: Brandon Green - Magazine Subscription

Assailant

Possibly "Palmetto Marketing" - Florida

Do not have brochure described in Report - have

requested same - will fax copy

TRANSMITTED BY: JMP

WAS INDIVIDUAL NOTIFIED THAT FAX WAS SENT? _____ YES _____ NO

RESPONSE REQUESTED? _____ YES _____ NO

CONFIDENTIAL? _____ YES _____ NO

URGENT? _____ YES _____ NO

State of Wisconsin

Circuit Court

Dunn County

STATE OF WISCONSIN

Plaintiff,

DA Case No.: 2005DN001420

Assigned DA/ADA: James M Peterson

Agency Case No.: 05-3436

-vs-

Brandon L. Green
1001 7th Ave. S.W., #120
Forest Lake, MN 55025
DOB: 03/22/1985
Sex/Race: M/W
Eye Color: Blue
Hair Color: Brown
Height: 5 ft 10 in
Weight: 165 lbs
Alias:

Court Case No.: 05CF210
ATN:

Defendant,

Criminal Complaint

Kristine Cusick, Assistant District Attorney, Dunn County, Wisconsin, upon information and belief, being first duly sworn, states that:

Count 1: SECOND DEGREE SEXUAL ASSAULT

The above-named defendant on Friday, July 01, 2005, in the City of Menomonie, Dunn County, Wisconsin, by threat or use of force or violence, did have sexual contact with MSB, without the consent of that person, contrary to sec. 940.225(2)(a) Wis. Stats., a Class C Felony, and upon conviction may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than forty (40) years, or both.

Count 2: BURGLARY OF A BUILDING OR DWELLING

The above-named defendant on Friday, July 01, 2005, in the City of Menomonie, Dunn County, Wisconsin, did intentionally enter a dwelling, the home of MSB, without the consent of the person in lawful possession of the place, and with intent to commit a felony, contrary to sec. 943.10(1m)(a) Wis. Stats., a Class F Felony, and upon conviction may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than twelve (12) years and six (6) months, or both.

Count 3: MISDEMEANOR BATTERY

The above-named defendant on Friday, July 01, 2005, in the City of Menomonie, Dunn County, Wisconsin, did cause bodily harm to M.S.B., by an act done with intent to cause bodily harm to that person, without that person's consent and with the knowledge that the person so harmed did not consent, contrary to sec. 940.19(1) Wis. Stats., a Class A Misdemeanor, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than nine (9) months, or both.

Count 4: FALSE IMPRISONMENT

The above-named defendant on Friday, July 01, 2005, in the City of Menomonie, Dunn County, Wisconsin, did intentionally confine or restrain M.S.B., without that person's

7/6/2005

STATE OF WISCONSIN - VS - Brandon L. Green

consent, and with the knowledge that he had no lawful authority to do so, contrary to sec. 940.30 Wis. Stats., a Class H Felony, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

PROBABLE CAUSE:

Your complainant bases this complaint on the reports of Officer Patrick Van Kirk, of the Menomonie Police Department, said reports having been prepared, filed and maintained in the normal and ordinary course of that business.

Officer Van Kirk advised your complainant that he was working for the Menomonie Police Department on July 01, 2005. At 08:13 PM, he was dispatched to the home of M.B., DOB 11/28/1955. M.B. resides at 2255 Wilson Street in a mobile home at that location. This is located in the City of Menomonie, Dunn County, Wisconsin. M.B. had called the police to report that she had just been sexually assaulted and beaten up. Officer Van Kirk went to the scene and spoke to M.B. When he saw her, he immediately noticed that she had bruises on both eyes, bumps and bruises on her forehead, bruising near her mouth area, and she complained of other injuries.

M.B. advised that she had been in her mobile home that evening. At about 07:30 PM, a male subject came to her door and knocked. She opened the door and a young male subject with a thin build in his twenties indicated that he was "Brandon." He was trying to sell magazines. He even gave her a brochure about the magazines that his company was selling. She specifically noticed that he had a distinctive tattoo on his right forearm. She told this man, Brandon, that she did not want to buy any magazines. She felt sorry for him so she gave him a couple of dollars to buy himself a soda. The man then kissed her hand and thanked her and left.

Just a few minutes later, M.B. stated that the man came back. He again knocked on the door and she opened the door for him. It was the same man that had been there earlier trying to sell her magazines. The man stated that he was "attracted" to her. She told the man that he was too young for her and again, he kissed her hand and started to rub her leg. She told him she did not like that and she told him not to do it. At that point, Brandon pushed her inside of her own mobile home. He entered the mobile home without her consent. He tackled her down onto the floor. She told him to stop several times but he would not do so. He then proceeded to beat her. He punched her in the face and head several times.

M.B. stated that the assault continued. Brandon took her by the shirt and dragged her into a bedroom in the mobile home. Once inside, he shut the door and she stated that she was "trapped." She could not get out of the bedroom. Brandon pushed her onto the bed and tried to take down her pants. He would pull them down and she tried to pull them back up. He hit her again. Next, he tied her wrists together. He pulled down her pants and pulled his own pants down. He laid on the bed next to her. Brandon grabbed her by the head and pushed her head and told her to "give me a blow job." She refused to do so. The defendant then tried to penetrate her by putting his penis in her vagina. M.B. stated that he could not do it. Next, he took his hand and put it inside her vagina. She tried to push him away. M.B. stated that she pushed him away enough so she could get off the bed. When she did so, Brandon grabbed her by the throat and began to choke her. She stated

STATE OF WISCONSIN - VS - Brandon L. Green

that she could not breathe. The defendant then threw her onto the floor and hit her many more times in the face and head. He told her to relax because, "I usually get what I want, but you are too tough for me." She then started to shout and Brandon told her, "If you don't stop shouting, I will use the gun rack to shut you up and finish you off." The defendant again tied up her wrists and threatened her by saying, "If you call the cops, I will return and kill you." He then left her mobile home.

M.B. described the man identified as "Brandon" and even drew a picture of his tattoo that was on his right forearm. Further, Brandon had left a brochure of the magazine sales company at her mobile home and she gave that to the officer as well.

Thereafter, Officer Bakken discovered that the magazine sales company had a van that would drive around picking up various employees who were soliciting for magazine sales. He stopped the van on July 01, 2005 and spoke to the driver, who was identified as Eldon Warr. Mr. Warr stated that he does have an employee by the name of Brandon, Brandon Lee Green, hereinafter referred to as the defendant. He stated that the defendant had been selling magazines near the mobile home park where M.B. resides and Mr. Warr was supposed to pick up the defendant near the Burger King or Wal-Mart parking lot in the City of Menomonie, which is in close proximity to the home of M.B. He stated that as he drove near the Burger King restaurant by Wal-Mart, the defendant came running up to his van and he did not have a shirt on. The defendant got in the van and explained to Mr. Warr that he had been having sex with a "chick" when the woman's husband showed up and so he had to run out of the residence.

Another employee of the magazine company was interviewed. He was identified as Randy Meek. Mr. Meek indicated that he knows the defendant and the defendant does work for the same company Mr. Meek works for. Mr. Meek had a brochure in his possession that he gave to Officer Bakken. The brochure Mr. Meek had was identical to the brochure that was found at the home of M.B. that she indicated was given to her by the defendant.

Eventually, on July 02, 2005, Officer Stolp found the defendant walking on Douglas Street in the City of Menomonie. The defendant identified himself as Brandon Lee Green. The defendant matched the description of the person who had assaulted M.B., the description she gave to the officers. He even had a distinctive tattoo on his right forearm that matched the picture that M.B. had drawn of the defendant's tattoo. The defendant was then taken into custody. The defendant admitted to Investigator Pellett that he was selling magazines in the City of Menomonie, Dunn County, Wisconsin, on July 01 & 02, 2005. At first, he indicated that he never went to solicit sales at any mobile homes whatsoever. He stated that he only went to more expensive stick-built homes and not trailer homes. Later, he admitted that he had gone to a few homes in the mobile home court where M.B. resides. He did indicate that he went to two or three mobile homes and he described where those mobile homes were. Two of the mobile homes he said he went to solicit sales from were approximately two mobile homes away from M.B.'s home or across the street from M.B.'s home. He indicated that he was in that area at about the same time as the assault.

A man by the name of Garland Johnson was interviewed. Mr. Johnson stated that he saw a man in his early twenties running right by his mobile home, which is located in the same mobile home court as M.B.'s. The man was running by his mobile home at around 8:00 PM on July 01, 2005. Investigator Pellett verified that Mr. Johnson's mobile home is about 300 feet away from M.B.'s mobile home.

STATE OF WISCONSIN - VS - Brandon L. Green

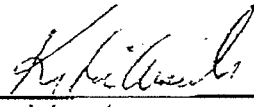
Mr. Meek also indicated to the officer that the defendant had made a comment about a sexual encounter he had on July 01, 2005. Mr. Meek stated that the defendant came running up to the van being driven by Mr. Warr. The defendant was not wearing a shirt and he said, "Let's get the hell out of here, I just fucked this chick and her husband is on my ass chasing me." This incident occurred on July 01, 2005, at about the same time the assault was reported.

The statements made by the law enforcement officers can be considered truthful, credible, and reliable because of the positions of trust they hold. The statements of the citizen witnesses can be considered truthful, credible, and reliable because they are made by citizen witnesses. The statements of the defendant(s) can be considered truthful, credible, and reliable to the extent to which they are admissions against interests.

Based on the foregoing, the complainant believes this complaint to be true and correct.

Subscribed and sworn to before me,
and approved for filing on:

This 6th day of July, 2005.



Complainant



Assistant District Attorney

State Bar No. _____

Date	Crime	Offender	Crew/Clearinghouse	Victim	Court Doc	Location	In/Out Of Home	Disposition
xx/xx/87	Interference With The Custody Of A Minor	Yvonne Divine	unknown/mag sales	unknown	no	New Jersey	na	Unknown
xx/xx/1993	Indecency With A Child Probation Violation	Mickey Carter	Kirby vacuum cleaner salesman	Dena Kristi Reed	no	Austin, Texas	in	10 years prison
09/xx/2001	Felony Sexual Abuse	Patrick Adams Donald Francis Scott/ NFSA Board Member And Owner Of American Community Services	unknown/mag sales/research	13 year old girl		Cook County, Ill	unknown	pending
10/09/73	US Mail Fraud		Interstate Publishers Service Inc Liberator Sales Inc.	unknown	yes	USA	na	2 years probation plus fine
8/17/2005	Fugitive From Justice	Justin Liles	Pacific Coast Cleaning Services Inc	consumer	no	Woonsocket, R.I.	out	case pending
7/1/2005	Second-Degree Sexual Assault, Burglary, Battery and False Imprisonment	Brandon Lee Green	Palmto Marketing Inc./mag sales Inc./mag sales	50-yr.-old woman	yes	Menomonia, Wisconsin	in	case pending
6/29/2005	Rape/Sexual Assault	Marcus Wayne Ritchie	Karleen Hillery	17-year-old female	yes	Loweland, Colorado	in	case pending
6/16/2005	Rape/Sexual Assault	unknown	unknown/mag sales	17-year-old female	no	Houston, Tx.	in	Police looking for a magazine salesman
6/7/2005	Federal Criminal Tax Evasion	Lornie Divine	Divine Enterprises/mag sales	consumer/tax fraud	indictment	California	na	18 months prison, 3 yrs probation, \$6000.00 fine
6/7/2005	Federal Criminal Tax Evasion	Yvonne Divine	Divine Enterprises/mag sales	consumer/tax fraud	indictment	California	na	5 months prison, 5 months home confinement, \$2000.00 fine
6/7/2005	Federal Criminal Tax Evasion	Deanna McKinnon	Divine Enterprises/mag sales	consumer/tax fraud	indictment	California	na	3 months prison, 3 months home confinement, 192 hours of community service
6/2/2005	Sexual Assault	Ibrahim Mounim Mead	Miracle Mops/Vacuum Cleaners sales	38-year-old woman	no	California Goderich, Huron County, Canada	in	case pending

5/20/2005	Fugitive From Justice arrested on burglary charges/previous offender/robbery by force, terroristic threats and distribution of controlled substances	Michael W. Cooper	Jaguar Sales/Pacific Coast Cleaning Services/mag sales	consumer	no	NARRAGANSETT, R.I.	out	status unknown
5/13/2005	Level 3 Sex Offender Selling Magazines Without Permit	Joshua Heichel	vacuum cleaner sales	consumer	no	Scho Neck, N.Y.	out	sentenced to one year in prison in 2003 for sexually abusing to young girls/current status unknown
5/3/2005	Absconding from North Dakota Department of Corrections and Rehabilitation Probation and Parole	Michael Paul Devenport	unknown/mag sales	na	no	New Haven, Conn.	na	convicted in 1998 for Gross Sexual Impositions/North Dakota
5/3/2005	Attempted Murder, Burglary, Assault	Edward Irving	Rainbow Sales/American Community Services/mag sales	84-year-old woman	no	Aspenhoe, Colorado	in	previous convictions: drugs, burglary, assault *
4/25/2005	Felony Theft/Police report: Oak Dale Police Department, police report: CR-2005-622/Stocken Prescription Narcotics	In Progress	Liberator Sales Inc. Pacific Coast Cleaning Services Inc./mag sales	consumer	no	Washington County, Mn.	in	status unknown
4/12/2005	Burglary	Andre A. James	World Wide Reader's Services, Inc./mag sales	consumer	no	Spokane, Washington	in/out	status unknown
4/7/2005	Armed Robbery	Antonio Meisek Smokes	unknown mag crew	female consumer	no	Gainsville, Florida	in	Wanted - Offender At Large
4/5/2005	42 felony charges include four counts of residential burglary, 16 counts of forgery and four counts of identity theft. Additional pending charges include 11 counts of forgery, five counts of residential burglary and five counts of identity theft	Duwane C. Walker	World Wide Reader's Services, Inc./mag sales	multiple consumers	no	Spokane, Washington	in/out	status unknown
3/28/2005	Rape	Cassidy Coburn	Fidelity Reader Service/mag sales	19 year old girl	no	Concord, New Hampshire	in	pending

3/28/2005	Rape	Christopher Armstrong	Fidelity Reader Service/mag sales	19 year old girl	no	Concord, New Hampshire	in	pending
3/28/2005	Rape	Joseph Haniffy	Fidelity Reader Service/mag sales	19 year old girl	no	Concord, New Hampshire	in	pending
3/8/2005	Aggravated Indecent Assault, Indecent exposure and sexual assault	Delmar Hooks	Kirby vacuum	15-year-old girl	no	CLARKS SUMMIT, PA.	in	status unknown
3/2/2005	Rape	Marieno Anton Todd	door to door carpet cleaning	15-year-old girl	no	CLERMONT, FL.	in	No Bond
3/2/2005	Rape	Luis Marcelino Soto IV	door to door carpet cleaning	15-year-old girl	no	CLERMONT, FL.	in	\$35,000 bond
3/2/2005	Criminal Trespass I Six counts of Forgery in the 2nd degree	Dennis L. SINGLETARY	Wide Readers Services/mag sales	physically disabled 20-year-old with Cerebral Palsy	no	Canby, Or.	in	status unknown
1/28/2005	ATTEMPTED SEXUAL ASSAULT, BURGLARY, FALSE IMPRISONMENT AND SEXUAL BATTERY	Michael Anthony Smith	unknown/cleaner sales	woman victim	no	NORTH SALINAS, California	in	status unknown pleaded guilty to voluntary manslaughter
12/2/2004	Murder	Adam Lowery	unknown/mag crew	William Holkister	no	Worcester, MA.	out	Police looking for traveling door to door magazine salesman for questioning
11/19/2004	Unsolved Murder	unknown	unknown	Kristine Holmstedt	no	Cerritos, California	in	
11/16/2004	Arson	Latrice Brown	Unknown/mag sales	local business	no	California	out	unknown
10/7/2004	Intent To Commit Rape, Assault With A Deadly Weapon, Elder Abuse, Burglary, Resisting Arrest, Kidnapping, False Imprisonment	D'Angelo Langford	Oh New Generations/American Community Services/mag sales	80-year-old woman	no	Menlo Park, California	in	Aug. 25, 2005 sentence
8/27/2004	Sexual Assault, Attempted Rape, Burglary	Christopher Day	Pacific Coast Clearing Service mag crew	26-year-old woman	no	Pullman, Washington		pending

8/5/2004	Gross Sexual Imposition Against A Minor Child	Derrick Todd Jones	GoDoers American Community Services mag crew	minor girl	no	Twinsberg, Ohio	in	convicted release from prison
6/30/2004	Rape Forcible Sexual Assault On A Person Unable To Consent	Benjamin E. Turner	Paragon Management Midwest Clearing Inc. Hazel Crest, Ill. This probably an ACS crew/mag business	38-year-old mentally challenged woman	no	Plymouth, Massachusetts	in	Bail stands at \$1 million for a convicted sex offender/current case status unknown
6/9/2004	Murder	Azriel Rashad Bridge	ACS/mag sales	Shirley Reuter	no	N.J.	in	Found Guilty Of Murder Faces Mandatory Life Sentence
5/17/2004	Attempted Theft	Attempted Theft	Services Unlimited Plus/Owner: Karleen H. Hillery/mag sales	consumer	no	Liberty Lake, Washington	in	status unknown
4/11/2004	VAN CRASH resulting in 1 Death/Citations against Taylor pending according to Wyoming State Patrol. Data Source: Wyoming State Kidnaping with intent to commit rape, Lewd and lascivious acts with a child under 14,	Kevin Taylor	Omni Droppers American Community Services mag sales	Rachealyn Tishie	no	Interstate 80 east of Walcott Junction Wyoming	out	Case in Progress
3/17/2004		Maurice Andre Thomas	Services Unlimited Plus/Owner: Karleen H. Hillery/mag sales	10 year old girl	no	SAN DIEGO, CA.	in	pending
3/4/2004	Sexual Assault	Ronald Glenn Bell	unknown/mag sales	27 year old woman	no	Anderson, South Carolina	unknown	pending
2/10/2004	Financial Exploitation Of An Elderly Person, Theft By Deception,	Thomas Schierer	Kirby vacuum cleaner salesman		no	Carlton, Illinois	in	pending
2/7/2004	INDECENT EXPOSURE	unknown man	unknown/mag sales	unknown victim	no	Bellevue, WA	in	arrested/unknown
1/21/2004	Sexual Battery Lewd Acts Against A Minor	Derrick Todd Jones	Unified Stars American Community Services mag crew	17 year old girl	yes	Mariposa Park, CA.	in	convicted release from prison

1/19/2004	Battery Criminal Threats	Terrance Fox	Unified Stars/mag sales			no	Los Altos, CA	in	unknown
1/15/2004	Burglary	Joshua Ray Ferreira	unknown/mag sales			no	Palo Alto, CA	in	unknown
1/7/2004	Burglary Grand Theft	Joshua Montez Bradshaw	unknown/mag sales			no	Naples, Florida	in	unknown
12/20/2003	Felony Theft From An Elder	Jeremy Marquez	United Family Circulation/mag crew		85 year old woman		Ventura County, CA	in	150 days jail 36 months probation
12/20/2003	Felony Theft From An Elder	Jonathan Carey	United Family Circulation/mag crew		85 year old woman		Ventura County, CA	in	150 days jail 36 months probation
12/12/2003	Multiple Counts, Prescription Drug Theft	Two Mandeville Men Narnes Withheld	unknown/mag sales			no	New Orleans, Louisiana	in	pending
11/28/2003	Felony Aggravated Battery	Brendan Behan Horan	Fidelity Reader Services/mag sales		Adrian Jones	yes	Jacksonville, Florida	in	offender in prison/case status unknown
11/27/2003	1st Degree Sexual Abuse	Prince Jermaine Gregg Brandon R. Bartee	Pumpers Trust/cleaner		51-year-old woman		Mobile, Alabama	in	pending
11/23/2003	Aggravated Sexual Battery, Impersonating A Police Officer	Had Previous Rape Conviction	unknown/mag sales		6 year old girl	no	Gallatin, TN	in	\$50,000 Bond pending
10/24/2003	Fraudulent Solicitation	Bradley Joseph Kennett	for-profit Florida company		multiple consumers	no	Roseville, CA	in	pending
10/6/2003	Sexual Gropping Fugitive From Justice Outstanding Federal Warrants Narcotic Violations	Michael William Corson	unknown/mag sales		College girls		University of Colorado Boulder Colorado	in	Extradition from Washington State to Colorado
10/6/2003	Criminal Trespassing in Third Degree, Promoting Contraband in First Degree	Tyrone Lamont Evans	unknown/mag sales		na	yes	Oro Valley, AZ	out	and Federal Marshalle Turned over to Federal Prison system released from the Warren County Regional Jail on a \$5,000 unsecured bond. Current status unknown
9/16/2003	Burglary Of A Habitation	William David Shuman	unknown/mag sales		consumer	no	Bowling Green, Kentucky	in	25 years in prison
9/15/2003		Nathian Charles Smith Suspect Identified	unknown/cleaner crew		woman mid 30's		Freestone County, Texas University Of Colorado	in	
8/25/2003	Unlawful Sexual Contact	Police Searching	unknown/mag sales		multiple incidents	no	Boulder Colorado	in	pending

6/27/2003	Two Counts Of Assault On A Police Officer, Interfering With Police, Breach Of Peace, Threatening And Soliciting Without A Permit	John Smith	unknown/mag sales				Stamford, Connecticut	in	pending
6/24/2003	With A Firearm, Second Degree Kidnapping With A Firearm Plus	Philip C. White III	Paragon Sales: ACS/mags	18 year old girl	no		Fairfield Connecticut	in	MacDougal-Walker Correctional Institution In Suffield
6/21/2003	Third-Degree Burglary Sixth-Degree Larceny Criminal Trespassing	Monique Taylor	ACS/mags		no		Hartford, Connecticut	in	pending
6/21/2003	Fourth-Degree Larceny Interfering With Police Operating After Suspension Possession Of A Class D Substance	Danielle Camore Kelly L. Mann	ACS/mags Gold Key Company American Community Services mag crew	na	no		Hartford, Connecticut Newton, Massachusetts	in out	pending status unknown
6/6/2003	\$20,000 In Jewelry Stolen Burglary	Steven A. Amiot	Paramount Sales	homeowner	no		Lincoln, Neb	in	pending
6/2/2003	Felony Larceny By Check, Felony Forgery By Check, Misdemeanor Theft	In Progress	American Community Services		no		Bolton, Massachusetts	in/out	pending
5/28/2003	Possession Of A Class D Substance,	Carnae Harris	unknown/mag sales		no		Quincy, Mass.	out	
5/28/2003	Possession Of A Burglary	Marchae Knight	unknown/mag sales		no		Quincy, Mass.	unknown	pending
5/27/2003	Rape, Kidnapping, Burglary	Donnelle Covington	ACS/mags				Rutherford County, TN.	in	pending
5/21/2003	Criminal Sexual Assault	Joshua W. Williams	Alliance Service Company/mags	19 year old girl	no		Gurnee, Illinois	in	pending
2/22/2003	Breaching The Peace, Resisting Arrest With Violence	Gerald L. Thompson	unknown/mag sales	multiple homeowners	no		St. Augustine, Fl.	out	pending
2/21/2003	labor law violation, endangering a minors welfare	Eric Baltrush	unknown/mag sales	fellow crew members	no		Butts, MT	unknown	\$545.00 Fine 6 Months Jail
12/15/2002	2 Counts Of 1st-Degree Sexual Assault	Terry E. White	Kirby vacuum cleaner salesman		no		Charleston, W.V	in	pending
9/29/2002	Attempted Arson	Michael Niswander	unknown/mag sales		no		Colonia, NY	out	pending

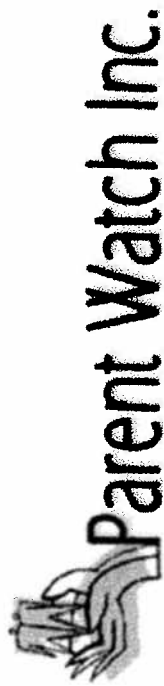
9/3/2002	Kidnapping, Abduction, Aggravated burglary	Michael Roland Poissant	Palmetto Marketing Inc./mag sales	12 year old girl		Lancaster, Ohio	in	This Case Pending Plus 4 Previous Felony Convictions:
7/17/2002	Felony Sexual Indecency With A 6-Year-Old	Nicholas William Kuhlman	Fidelity Reader Service/mags	Minor	no	Fayetteville, Arkansas	in	6 yrs. In Prison
7/16/2002	Criminal Possession Of Stolen Property, Possession Of Drug Statutory Rape/Sexual Offense	Michael J. Blackburn	unknown/mag sales		no	Buffalo, N.Y.	unknown	pending
6/20/2002	Talking indecent liberties with a child	Timothy A. Williams	unknown/mag sales	15 year old girl	no	Durham County, NC	in	pending
5/18/2002	Rape, Sexual Assault	Deon Bowers	Austin Diversified/cleaner	Minor	yes	Pittsburgh, PA	in	Jail Time + Probation
4/17/2002	Assault On A Police Officer Felony Attempted Forcible	Anthony Thompson	unknown/mag sales		no	Lincoln, Neb.	out	pending
	Rape Felony Attempted Forcible Sodomy							
4/5/2002	First Degree Burglary	Edward O'Neill Jr.	Atlantic Circulation, Inc./mag sales	17 year old girl	no	Richmond, Missouri	in	pending
	Suspicion Of Burglary, Forgery, Receiving Stolen Property							
2/26/2002	Suspicion Of Two Counts Of First-Degree Burglary, Forgery, Receiving Stolen Property	Steven J. Varley	Circulation II, Inc. Karleen Hillery		no	UNIVERSITY CITY San Diego, Calif.	in	pending
2/26/2002	Homicide By Intoxicated Use Of A Vehicle	Jeanne B. Brackett	Circulation II, Inc. Karleen Hillery		no	UNIVERSITY CITY San Diego, Calif.	in	pending
1/26/2002	Burglary, Forcible Sexual	Jacob Matthew Baker	WOW Industries	Scott A. Cook	yes	Wisconsin	out	17 yrs. Prison
10/16/2001	Sexual Molestation, Burglary Van Crash	Jeremy Ruben Karabela	unknown/mag sales		no	Santa Clara County, CA	in	pending
10/2/2001	Reckless Driving + Other (In Progress)	Jeremy Ruben Karabela	unknown/mag sales		no	Pleasanton, California	in	pending
9/28/2001	(Resulting In: 1 Death and 10	James Cranmer	Atlantic Circulation Inc.	Thomas Chester	no	Highway 212/Minneapolis, Min.	out	Traffic Citations (some charges pending further investigation)
9/12/2001	Second Degree Burglary Second Degree Theft	Nathan Anthony Venwebe	Fidelity Reader Service/mag sales		no	Spokane County, Washington	out	pending
9/12/2001	First Degree Criminal Trespassing	Raymond E. Romaniuk	Fidelity Reader Service/mag sales		no	Spokane County, Washington	in	pending

8/20/2001	Burglary, Rape, Murder	Rodger Broachway	ACS/mag sales	Eskalene DeBorde	yes	Knoxville, Tennessee	in	Life in prison No Parole
7/18/2001	Felony Aggravated Burglary, Felony Aggravated Sexual Assault	unknown	unknown/mag sales			Salt Lake City, UT	in	pending
7/18/2001	Vehicular Manslaughter Without Gross Negligence, Van Crash	George Frederick Senner	Senner Sales/mag sales	Scott Tarwater	yes	California	out	prison time
7/18/2001	Vehicular Manslaughter Without Gross Negligence, Van Crash	George Frederick Senner	Senner Sales/mag sales	Crystal Mahathy	yes	California	out	prison time
6/1/2001	Rape	suspect not named in article	unknown/mag sales	18 year old woman	no	Detroit, Michigan	in	pending
5/23/2001	First-Degree Sodomy Attempted Murder	17 year old boy (minor) NO POST	Interstate Subscription Services/mags	27-year-old woman	no	Louisville, Kentucky	in	pending
4/19/2001	Younger Than 15 Years Old Enticing a Child	Dwayne H. Taylor	ACS/mag sales	Two Girls Ages 12 and 13	yes	Douglas County, Colorado	in	pending
4/19/2001	Sexually Assaulting A Child Younger Than 15 Years Old, Attempted 2nd Degree Murder,	RL Maurice Rogers	ACS/mag sales	Two Girls Ages 12 and 13	yes	Douglas County, Colorado	in	pending
3/16/2001	1st Degree Assault, 3rd Degree Assault	Danny L. Johnson	World Wide Reader Service	Kevin Leonard Hicks	no	Boulder, Colorado	in	pending Received
8/11/2000	Attempted Robbery Felony Escape	Adam N. Sisk	Atlantic Circulation Inc./mags		yes	Grand Island, Nebraska	out	30-60 Months In Prison
8/11/2000	Attempted Sexual Assault Robbery Making Terroristic Threats	Jeffrey L. Ritter	Atlantic Circulation, Inc./mag sales	Heather Marker David Galvan	yes	Grand Island, Nebraska	out	Received 2-4 yrs. In Prison
8/3/2000	Two Counts Of Theft By Deception	Bridgette Renee Monroe, A/K/A Bridgette Renee Alcoer	mag sales firm out of Florida	71 & 80 year old Women	no	Lancaster, Pa.	in	pending
6/5/2000	Involuntary Manslaughter	Benjamin D. Brooks	New River Subscription Service/mags	Brett King	yes	Fort Wayne, Indiana	out	8 yrs. prison 2.5 yrs. executed 5.5 yrs. suspended 2 yrs. Probation
6/5/2000	Involuntary Manslaughter	Steven Johnson	New River Subscription Service/mags	Brett King	yes	Fort Wayne, Indiana	out	8 yrs. prison 2.5 yrs. executed 5.5 yrs. suspended 2 yrs. Probation
6/5/2000	Murder	Troy R. Shaw	New River Subscription Service/mags	Brett King	yes	Fort Wayne, Indiana	out	90 years in prison

8/5/2000	Felony Battery	Kristopher D. Starling	New River Subscription Service/mags	Brett King	yes	Fort Wayne, Indiana	out	1.5 yrs. prison
8/5/2000	Aiding Battery	John Eric Werczynski	New River Subscription Service/mags	Brett King	yes	Fort Wayne, Indiana	out	1.5 yrs. Probation
5/24/2000	Murder	Matthew J. Maxson	Palmetto Marketing Inc./mags	Diane Cooper	yes	Oswego County, NY.	in	6 years in prison 15 years to life in prison
4/1/2000	Possession Of A Stolen Vehicle, Drug Trafficking	Dwight Hammond	unknown/mag sales		no	Ardmore, Oklahoma	out	pending pleaded guilty to second-degree murder and a related gun charge
3/15/2000	Murder against a mag salesman	Marsala Yannick	Pitts Sales Inc. Palmetto Marketing mag sales	John Skyles III Magazine Salesman	no	Norfolk, Virginia	in	
3/15/2000	Murder against a mag salesman	Arthur Matthews	Pitts Sales Inc. Palmetto Marketing mag sales	John Skyles III Magazine Salesman	no	Norfolk, Virginia	in	43 years in prison
11/28/1999	Rape	Antmargo Peacock teenage boy	Worldwide Readers Service/mags	19 year old girl	no	West Lafayette, Indiana	in	Facing Up To 20 yrs. Prison
10/2/1999	Sexual Assault	unknown	unknown/mag sales	35 year old woman	no	Milwaukee, Wis.	in	unknown
8/28/1999	First Degree Home Invasion	Kevin Alfred	ACS/mag sales		yes	Grand Rapids, Minnesota	in	This Case Pending Plus Previous Criminal Records
8/24/1999	First-Degree Home Invasion Weapons And Drug Charges On Record	Charles Crawford	ACS/mag sales		no	Grand Rapids, Minnesota	in	This Case Pending Plus Previous Criminal Records
8/13/1999	Damage To Property Trespassing Resisting A Police Officer	Lamond K. Sublett	ACS/mag sales		no	Edwardsville, Illinois	in	pending
7/27/1999	Murder	Adrian Maynor	Worldwide Readers Service/mag sales	Kevin Danner	no	Peoria, Illinois	in	Grand Jury Indicts Murder Suspect
3/25/1999	Offense: Interfering With The Custody Of A Child. Offense: Obstructing An Officer. Offense: Contributing To Truancy Offense: Contributing To The Delinquency Of A Child. VAN CRASH	Choon Lane	Y.E.S./Subscriptions Plus/mag sales	Monica Forgues	yes	Milton, Wisconsin	out	3.5 yrs. Prison/restitution
3/25/1999	Offense: Interfering With The Custody Of A Child. Offense: Obstructing An Officer. Offense: Contributing To Truancy Offense: Contributing To The Delinquency Of A Child. VAN CRASH	Choon Lane	Y.E.S./Subscriptions Plus/mag sales	Marshall Roberts	yes	Milton, Wisconsin	out	3.5 yrs. Prison/restitution

3/25/1998	Offense: Interfering With The Custody Of A Child. Offense: Obstructing An Officer. Offense: Contributing To Truancy Offense: Contributing To The Delinquency Of A Child. VAN CRASH	Chocan Lane	Y.E.S./Subscriptions Plus/mag sales	Amber Lettman	yes	Milton, Wisconsin	out	3.5 yrs. Prison/restitution 1 year prison/restitution/probation
3/25/1998	Vehicular Homicide VAN CRASH	Jeremy A. Holmes	Y.E.S./Subscriptions Plus/mag sales	Mairinda Turvey	yes	Milton, Wisconsin	out	1 year prison/restitution/probation
3/25/1998	Vehicular Homicide VAN CRASH	Jeremy A. Holmes	Y.E.S./Subscriptions Plus/mag sales	Marshall Roberts	yes	Milton, Wisconsin	out	1 year prison/restitution/probation
3/25/1998	Vehicular Homicide VAN CRASH	Jeremy A. Holmes	Y.E.S./Subscriptions Plus/mag sales	Peter Christman	yes	Milton, Wisconsin	out	1 year prison/restitution/probation
3/25/1998	Vehicular Homicide VAN CRASH	Jeremy A. Holmes	Y.E.S./Subscriptions Plus/mag sales	Cory Hanson	yes	Milton, Wisconsin	out	1 year prison/restitution/probation
3/25/1998	Vehicular Homicide VAN CRASH	Jeremy A. Holmes	Y.E.S./Subscriptions Plus/mag sales	Joseph Wild	yes	Milton, Wisconsin	out	1 year prison/restitution/probation
3/25/1998	Vehicular Homicide VAN CRASH	Jeremy A. Holmes	Y.E.S./Subscriptions Plus/mag sales	Crystal McDaniel	yes	Milton, Wisconsin	out	1 year prison/restitution/probation
3/25/1998	Reckless Driving - Causing Great Bodily Harm VAN CRASH	Jeremy A. Holmes	Y.E.S./Subscriptions Plus/mag sales	Nicole McDougal	yes	Milton, Wisconsin	out	4 yr. probation + restitution
3/25/1998	Reckless Driving - Causing Great Bodily Harm VAN CRASH	Jeremy A. Holmes	Y.E.S./Subscriptions Plus/mag sales	Monica Forgues	yes	Milton, Wisconsin	out	4 yr. probation + restitution
3/25/1998	Reckless Driving - Causing Great Bodily Harm VAN CRASH	Jeremy A. Holmes	Y.E.S./Subscriptions Plus/mag sales	Shawn Weir Kelly	yes	Milton, Wisconsin	out	4 yr. probation + restitution
3/25/1998	Reckless Driving - Causing Great Bodily Harm VAN CRASH	Jeremy A. Holmes	Y.E.S./Subscriptions Plus/mag sales	Craig L. Fletcher	yes	Milton, Wisconsin	out	4 yr. probation + restitution
3/25/1998	Reckless Driving - Causing Great Bodily Harm VAN CRASH	Jeremy A. Holmes	Y.E.S./Subscriptions Plus/mag sales	Staci M. Beck	yes	Milton, Wisconsin	out	4 yr. probation + restitution
3/25/1998	Child Labor Violations Wage and Employment Law Violations Wisconsin case # 00- CV-0842	Karleen H. Hilery	Subscriptions Plus Inc/mag sales	*see milton van crash	yes	Oklahoma	out	\$10,000 fine
3/25/1998	First-Degree Sodomy Second-Degree Burglary	Karleen H. Hilery	Subscriptions Plus Inc/mag sales	*see milton van crash	yes	Wisconsin	out	status unknown
3/12/1998	First-Degree Burglary	Robert Henry Evans	unknown/mag sales	minor	no	Portland Oregon	in	15 Years And 3 Months In Prison
9/13/1998	Child Molestation	Cameron J. Elkins	unknown/mag sales	minor	no	Indiana	unknown	
8/12/1998	Felony Assault	Jeremy Delano Kincaid	ACS/mag sales	Dennis Demers	no	Adair Village, Oregon	out	pending

8/12/1998	Felony Assault	James Larry Ramson	AC-S/mag sales	Dennis DeMers	no	Adair Village, Oregon	out	80 Months In State Prison
8/4/1998	Sexual Assault Kidnapping Criminal Attempt To Commit Murder	Walter W. Collier	unknown/mag sales	9 year old girl	no	Manchester, NH	out	Indicted
8/2/1998	First-Degree Assault Criminal Use Of A Firearm Also killed before joining crew	Chauncey Whitehead	Chapel Sales, Inc/mag sales	Thomas Radford member of crew	yes	Hartford, Connecticut	out	100 yrs. In Prison
2/17/1998	Rape, Sexual Assault	Quinton Jackson	AC-S/mag sales		yes	Piano, Texas	in	pending
6/19/1997	2nd Degree Rape 3rd Degree Burglary	Bridgette Latrice Brown	unknown/mag sales	28 year old woman	no	Seattle, Wash	in	6 years in prison
9/18/1998	Burglary Check Fraud	Kevin Lee Mobley				California	in	pending
8/28/1996	Murder	Jacob R. Russell	Palmetto Marketing Inc./mag sales	Billy Joe Gilbert, Jr. Adam Cheeek crew members		Genesee County, N.Y.	out	Life in Prison
8/26/1998	Murder	Michael J. Grinnell	All Star Promotions/mags sales	Billy Joe Gilbert, Jr. Adam Cheeek crew members		Genesee County, N.Y.	out	Life in Prison
8/20/1998	Multiple Murders Killed 3 Before Joining Crew	Tony Amati	unknown/mag sales	Michael Matta Keith Dyer John Garcia	no	Las Vegas, Nevada	out	Life in Prison plead guilty to 3 counts of rape, 1 count of kidnapping, sentenced to 10-25 yrs/rape and 8-15 yrs for kidnapping Executed
4/3/1995	Rape	Jeffery A. Bellini	door to door vacuum cleaner salesman	28-year-old woman	no	Cleveland, Ohio	in	July 2003 Found Guilty Of Murder Faces Mandatory Life Sentence
12/20/1994	Murder	Jackie Lee Willingham	Traveling Perfume Salesman	Jayne Van Way	no	Lawton, Oklahoma	out	
6/23/1994	First Degree Intentional Homicide Child Abduction	John James Smith	door to door salesman selling cleaner products for company based in Texas	Jesse Hubbatch		Milwaukee, Wisconsin	out	
11/4/1993	First-Degree Felony Murder Robbery With A Dangerous Weapon Conspiracy To Commit Robbery With A Dangerous Weapon	Michael Paul Scott	Sun Circulation/mags	Dennis Craig House 19 yr. old woman	yes	North Carolina	in	Life in prison
3/25/1993	Kidnapping, Sexual Assault	David Largay	unknown/mag sales		no	Tucson, Arizona	in	pending
1/14/1993	Rape	John Anthony Hagen	TKO Sales/mag sales		no	Fruitland Park, Florida	in	pending
12/29/1992	Kidnapping Sexual Assault	J. Edward Kizer	unknown/mag sales		no	Tucson, Arizona	in	pending



A clearinghouse for information on traveling sales crews

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\$20,000 REWARD



Magcrews, we need your help

Kristine Holmstedt

Kristine Holmstedt was shot to death in her home in the City of Cerritos, California on 19th of November, 2004. The police wish to question the young man who was seen arguing with Mrs. Holmstedt earlier because she did not want to buy a magazine subscription.

The salesman was in his mid 20's, dark-complexioned. He was wearing beige slacks, dress shirt and tie.

The \$20,000 reward will be paid for information that leads to arrest and conviction of the perpetrator.

Anyone who has information about this homicide or whose crew was selling in the City of Cerritos, California on November 19th, 2004 should call **P.I. Thom Taylor 866-820-2880** who has been retained by the family.

Parent Watch, Inc.
2790 Broadway
New York, N.Y. 10025



GAINESVILLE POLICE DEPARTMENT

Crime Analysis Section

721 NW 6th St., Gainesville, FL 32601

crimeanalyst@ci.gainesville.fl.us

Date: 4/7/05

Bulletin #: 05-084p/jm

For Public Release

**- WANTED! -
ARMED ROBBERY**

Antonio Meleek Smokes

Black Male, DOB 3/24/82

5'6", 160#

Has a scar in shape of a cross on
upper left arm

Last Known Address: 3160 NW 12th
Place, Ft. Lauderdale, Florida

SMOKES is wanted ref GPD Case # 05-
05344, an armed robbery in the 1400
block of NW 2nd Ave.

SMOKES represented himself as a
magazine salesman and – upon
entering the victim's residence –
armed himself with a kitchen knife and
demanded money from the victim.



Antonio Meleek Smokes

Photo Date: 1/22/02

**Please contact Detective Corporal Michael Douglas at (352) 334-2349 with any
information regarding the whereabouts of ANTONIO MELEEK SMOKES.**

August 21, 2005

**Warning and reward out for door-to-door salesman
Home alone teen victim of sexual assault crime**



The Harris County Sheriff's Department, Sex Crimes Division, is asking for public assistance in identifying the white male in the composite drawing. The male is wanted for questioning in a sexual assault that occurred on June 16, 2005, at a residence located in the Perry Road and FM 1960 area, south of Tomball. The complainant, a 17-year-old female was at home alone at the time the suspect knocked on her door and told her that he was selling magazines. The suspect was able to talk his way into the residence eventually sexually assaulting the complainant. The man is described as 5-foot, 10-inches tall, in his late teens or early 20s, with blue eyes and blond hair. He was wearing a white T-shirt with blue jean shorts. It is believed that the suspect has been in the area before attempting to sell magazines door-to-door. The sheriff's department is seeking information in identifying the suspect or the name of the company that had individuals selling magazines door to door in the area. Anyone with information regarding this case is asked to contact the Harris County Sheriff's Office Sexual Assault Division at (713) 967-5743 or Crime Stoppers at 713-222-TIPS (8477). A reward of up to \$5,000 is offered for information leading to the arrest and conviction of the person responsible for this crime or any felony suspect. All calls are confidential.

Tomball Magnolia Tribune News
tribunenews.com
Tomball, TX.
[Read This Story](#)

The dirty business of sales by exploitation without legal entanglement is alive and doing well in Corporate America.

A growing number of magazine and cleaner sales agents selling door to door are using fraudulent methods to peddle their magazine subscriptions:

**Karleen H. Hillery (Services Unlimited Plus)
Magazine Sales Fraud
Illinois AG Lawsuit**

**(United Family Circulation, Ultimate Power Sales, Inc.)
Enforcement Lawsuit Deceptive Sales
Johnson County Kansas Civil Judgment
National Field Selling Association Member: NFSA Member**

**Lonnie R. Divine, Yvonne R. Ruel, Deanna M. Devine
(Divine Enterprise, Aids Prevention Institute, Inc., Babies Addicted to
Drugs Foundation, Youth of America Program Inc., Heartline
Foundation, Inc., Divine World-Wide Ministries)
Conspiracy, Income Tax Evasion
US Department of Justice Grand Jury Indictment**

**Kevin Scarborough, K & S Enterprises - Distributor For Austin Diversified
Products Inc.: Cleaner Product: Advanage Wonder Cleaner
Attorney General Files Settlement Agreement
With Illinois Business With Crews Selling Door-to-Door
FOR IMMEDIATE RELEASE; January 17, 2002
Austin Diversified Products
National Field Selling Association Member: NFSA Member**

The sales agents will lie about where they are from, telling you that they live in your community and that they are a student at your local High School or College.

In reality, they are traveling across the country in a van packed with as many as 15 teens and young adults selling magazine subscriptions that can cost as much as 300% more than if you were to buy the same subscription directly from the publisher off the internet:

**EXPLOITED YOUNGSTERS SELLING MAGAZINES DOOR-TO-DOOR MAKE
SALES COMPANIES RICH:
AN INSIDE EDITION INVESTIGATION**

The sales agents will tell you that they are working toward points to win a trip or that they are doing charity work selling magazines for a local hospital or that they are working towards a scholarship. Beware of the false sales pitch! The sales pitch is well rehearsed and presented to turn you into another sucker:
Desperate, young magazine peddlers are out there, roaming America in

search of the next sucker.

Have you been conned?

Knock Knock - By Rupal Parekh The New York Review of Magazines

The only people making money on this deal are the owners of the door to door sales companies and of course the magazine publishers (MPA).

Many of the kids working for these 'fly-by-night' itinerant sales crews are exploited and abused:

Perilous Journeys - Wisconsin Journal Sentinel

Child Labor Coalition

5 Worst Teen Jobs

Slave to the sale

ABUSES BY DOOR-TO-DOOR SALES OUTFITS ALLEGED
MAGAZINE SALES ENMESH YOUTHS IN MURKY WORLD

Many of these kids are killed in van roll overs or murdered:

Janesville Van Roll Over March 25, 1999

Man Faces Charges In Murder

Many of these kids have criminal backgrounds and may rape your young daughter or murder your grandmother:

Magazine Salesmen Charged With Sexual Assault

Salesman faces trial in molestation of girl, 9

Arizona Man Arrested After Girl Molested

Door-To-Door Salesman Accused Of Rape

Rodger Eric Broadway Rapes and Murders Knoxville Woman

Police arrest man in Murder

These immoral and unethical business practices have been well orchestrated and planned out over the years. If you buy a magazine or cleaner product from a door to door sales agent you are supporting a industry with a lengthy criminal past. You are also putting your life and your families life in harms way when you open your door:

Chapter 159D Door to Door Solicitation

Section 1. As used in this chapter, the following words shall, unless the context clearly requires otherwise, have the following meanings:--

"Consumer", an individual who has a permanent or temporary home in the commonwealth the commonwealth and is a prospective recipient of consumer goods or services.

"Consumer goods or services", any article or service that is purchased, leased, exchanged or received primarily for personal, family or household purposes including, but not limited to, consumer goods of every kind and nature, stocks, bonds, mutual funds, annuities and other financial products.

"Existing customer", a consumer with whom the person or entity making a sales visit has maintained an account or had a business relationship within the previous 24 months.

"Marketing or sales solicitation", the initiation of a visit to the property of a consumer to encourage the purchase or rental of consumer goods of any kind or nature, or investment in, property, goods or services but not including a; (i) a visit to a consumer with that consumer's prior express written or verbal invitation or permission; (ii) by a tax-exempt nonprofit organization; (iii) by an individual or organization for a noncommercial purpose, such as a poll or survey; or (iv) to a consumer in response to a visit made by such consumer to an establishment selling, leasing or exchanging consumer goods or services at a fixed location.

"Office", the office of consumer affairs and business regulation.

"Sales visit", a visit made by a solicitor to a consumer for the purpose of: (i) engaging in a marketing or sales solicitation; (ii) soliciting an extension of credit for consumer goods or services; or (iii) obtaining information that will or may be used for marketing or sales solicitation or exchange of or extension of credit for consumer goods or services.

"Solicitor", an individual, association, corporation, partnership, limited partnership, limited liability company or other business entity, or a subsidiary or affiliate thereof, doing business in the commonwealth and any employee, agent, representative, person going door to door selling products for such person or entity who makes or causes to be made a sales visit to the home of a consumer. This definition shall include transient vendors licensed under chapter 101.

"Unsolicited sales visit", a sales visit to any residential property for the purpose of selling any item, product or service other than a visit made: (i) in response to an express written or verbal request of the consumer called; (ii) primarily in connection with an existing debt or contract, payment or performance of which has not been completed at the time of the visit; (iii) to an existing customer unless such customer has stated to the solicitor that such customer no longer wishes to receive the sales visits of such solicitor; or (iv) in which the sale of goods and services is not completed, and payment or authorization of payment is not required, until after a face-to-face sales presentation by the solicitor or a meeting between the solicitor and customer. Nothing in this definition shall prevent legislation that specifically exempts certain sales visits from the operation of this law. This definition shall include visits by transient vendors licensed under Chapter 101.

Section 2. The office shall establish and maintain a no sales solicitation listing of consumers who do not wish to receive unsolicited visits by sales people at their home. The office may contract with a private vendor to establish and maintain such listing, provided that the contract requires the vendor to provide the no sales solicitation visits listing in a printed hard copy format and in any other format offered at a cost that does not exceed the production cost of the format offered. The office shall provide notice to consumers of the establishment of a no sales solicitation visits listing. A consumer who wishes to be included on the listing shall notify the office by calling a toll-free number provided by the office, or in such other manner and at such times as the office may prescribe which may include electronic notification. A consumer on such listing shall be deleted from such listing upon the consumer's written request or in such other manner and at such times as the division may prescribe which may include electronic notification. The office shall update such listing not less than quarterly and shall make such listing available to solicitors and other persons for a fee as the office shall prescribe.

The office shall make the list available electronically to the police chief of every town in which a solicitor has registered to conduct door to door solicitations.

Section 3. Solicitor Registration. (a) All solicitors and transient vendors who intend to conduct door to door sales shall, before conducting any door to door sales of consumer goods, in addition to obtaining any and all permits required by the commonwealth, register with police agency in every town in which the solicitor intends to conduct door to door sales.

(b) Information to be submitted when registering as described in (a) above shall include: the solicitor's name, age, home address and local address, social security number or other identifying number if the solicitor is not a citizen of the United States, and any information deemed necessary by the police agency accepting the registration so that the police agency can conduct a complete criminal offender record information check.

(c) Every solicitor shall, when registering with any police agency, include the name and address of any person or entity the solicitor is representing or whose product the solicitor is selling.

Section 4. Unsolicited sales visits; limitations. A solicitor shall not make or cause to be made an unsolicited sales visit to a consumer if the consumer's address or name appears on the then current quarterly no sales solicitation visits listing made available by the office under section 2.

Whoever violates the provisions of this section may be prosecuted for trespass and, if found responsible for such violation, shall be subject to a fine of \$500.00 to \$5,000.00. If the consumer solicited in violation of this chapter is a senior citizen over the age of 65, said fine shall not be less than \$1,500.00. Each property entered when the name of the occupant or the address is on the do not knock list shall be deemed to be a separate violation.

Section 5. Disclosures by solicitors; information provided to consumers prior to payment. (a) A solicitor shall disclose all of the following information within the first minute of a sales visit and before requesting, accepting or arranging for payment by a consumer: (i) that the purpose of the visit is to make a sale or solicit funds; (ii) the correct name of the marketing company that employs the individual solicitor who is making the call or who makes or distributes the product that is being sold; (iii) the correct name of the ultimate seller or distributor whose goods or services are being offered by means of the marketing visit; and (iv) a complete and accurate description of the goods or services being offered including, but not limited to, the retail market value of the goods or services.

(b) The solicitor shall provide all of the following information before requesting, accepting or arranging for payment by a consumer: (i) the cost to the consumer of the goods or services that are the subject of the telemarketing sales call including, but not limited to, any applicable tax, shipping and handling fees; (ii) any restrictions, limitations or conditions attached to purchasing the goods or services; (iii) the complete terms of any applicable refund, return, cancellation, exchange or repurchase policies; (iv) any material aspect of an investment opportunity being offered including, but not limited to, the price of the land or other investment, the location of the investment and the fact that an investor may lose some or all of their original investment.

Section 6. Consumer objections to receipt of unsolicited sales visits; methods of compilation; notification of solicitors. The office shall promulgate regulations to carry out this chapter which shall: (i) specify the methods by which each such consumer shall give notice to the office or its contractor of the consumer's objection to receiving such sales visits or revocation of such notice; provided, however, that there shall be no cost to the consumer for joining the listing; (ii) specify the length of time for which a notice of

objection shall be effective and the effect of a change of address on such notice; (iv) specify the methods by which such objections and revocations shall be collected and added to the no sales solicitations visits listing; (v) specify the methods by which a person or entity desiring to make sales visits may obtain access to the no sales solicitation visits listing as required to avoid visiting the properties of consumer included in such listing; and (vi) specify such other matters relating to the listing that the office deems desirable.

The office may promulgate regulations to allow local police departments to distribute and collect forms completed by consumers requesting to be added to the list. If such regulations are promulgated by the office, police agencies may collect consumer requests and electronically forward said requests to the office to be added to the list.

The office may create a computer access form to be completed electronically by consumers or local police agencies to add consumers to the list.

The office shall determine the best method for maintaining said data but shall ensure that solicitors can obtain the data on a town by town basis.

Section 7. National consumer database; inclusion of commonwealth portion in no sales solicitation calls listing. If any federal agency establishes a single national database of consumers who do not wish to receive unsolicited sales visits the office shall include that part of such single national database that relates to the commonwealth in the listing established pursuant to this chapter.

Section 8. Violations; enforcement; consumer action; penalties; attorney's fees and costs. (a) The attorney general may initiate proceedings relating to a knowing violation or threatened knowing violation of this chapter. Such proceedings may include, without limitation, criminal actions for trespass, an injunction, a civil penalty of not more than \$5,000 for each knowing violation, but not less than \$1,500 for a knowing violation involving a consumer who is 65 years of age or older, and additional relief in a court of competent jurisdiction. The attorney general may also issue investigative demands and subpoenas, administer oaths and conduct hearings in the course of investigating a violation of this chapter. Criminal actions for trespass may be brought by any police agency having jurisdiction of the area in which the consumer complaining of a violation sits. Police officers may, based on probable cause, arrest any person believed to be in violation of this chapter without a warrant.

(b) A person who has received more than 1 unsolicited sales visit within a 12-month period by or on behalf of the same person or entity in violation of this chapter may: (i) bring an action to enjoin the violation; (2) bring an action to recover for actual monetary loss from such knowing violation or to receive not more than \$5,000 in damages for such knowing violation, whichever is greater; or (iii) bring both such actions.

(c) In a civil proceeding resulting from a violation of this chapter, the consumer, after judgment in the consumer's favor and exhaustion of all appeals, if any, shall be awarded reasonable attorney's fees and costs from the defendant in the action.

Section 9. Time limitations for actions or proceedings. No criminal or civil action or proceeding shall be brought pursuant to this chapter: (i) more than 3 years after the person bringing the action knew or should have known of the occurrence of the alleged violation; or (ii) more than 3 years after the termination of a proceeding or action arising out of the same violation by the commonwealth, whichever is later.

Section 10. Use of information contained in no sales solicitation listing. Information contained in the no sales solicitation listing established pursuant to this chapter shall be used only for the purposes of compliance with this chapter or in a proceeding or action under section 8. Such information shall not be subject to public inspection or disclosure.

Section 11. Remedies not exclusive. The remedies, duties, prohibitions and penalties provided in this chapter shall not be exclusive and shall be in addition to all other causes of action, remedies and penalties provided by law, including any applicable remedies pursuant to chapter 93A.

Section 12. Advisory group; availability of educational materials; written and electronic information. The office shall establish an advisory group comprised of government entities, businesses, senior citizens and other community advocates to compile and promote a list of educational literature to help consumers understand their options with regard to sales visits. The office shall work with to disseminate to residential information about the availability of and instructions on how to request educational literature from the office and how to have their names and residential addresses placed on the no solicitation list. The office shall include on its internet website information that informs consumers of their rights to be placed on the no sales solicitation visits listing and the various methods, including notice to the office, of placing their names on the no sales solicitation visits listing.

traveling sales fatalities text

Traveling Sales Crews
An Information Web Site

In Memorandum

If you know of others who have paid the ultimate price while working on a sales crew, or who came into violent contact with workers from a sales crew, please email us with the information and we will add the name of your loved one.

Compiled: May 5, 2002
Last Update: August 21, 2005

In Loving Memory

Marie Axtell
Valerie Bagwell
Laura E. Barrow
Kevin Bissell
Tommy Kasey Boswell
Linda Bright
Mark Campbell
Lisa Carter
Adam Chesnek
Thomas Chester
Peter Christman
Bernice Clark
Scott A. Cook
Diana Cooper
Kevin Danner
Eskalene DeBorde
Janice Fugate
Alicia Gerandt
Debbie Gibbs
Billy Joe Gilbert, JR.

traveling sales fatalities text

Edward Gooden
Joshua Gould
Cory Hanson
Willie Henderson
William Hollister
Daniel Holloway
Dennis Craig House
Jesse Hubatch
Brett King
Brandi Korba
Juliea Ann LeBrun
Amber Marie Lettman
Cathleen Ray Luper
Crystal Mahathy
Crystal Faith McDaniel
Christopher McGee
Michael Thomas McKinley
Kristina Moore
Dennis Moss
Cathleen Munn
Gavin Murray
Mason Odom
Charles Phipps
Charline Polansky
Karen Range
Shirley Reuter
Marshall Lee Roberts
Tony R. Robertson
Carolyn Sims
John Skyles III
Basil Smith

traveling sales fatalities text

Amanda Spurr

Amber Stankovich

Scott Tarwater

Richard Taylor

Rachealyn Tishie

Malinda Lillian Turvey

Bobby Unger

Jayne Van Wey

Melissa Whitehair

Joseph Wild

Peter Wingandt

Dan Ziegler