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**WISCONSIN STATE LEGISLATURE ...
PUBLIC HEARING - COMMITTEE RECORDS**

2007-08

(session year)

Senate

(Assembly, Senate or Joint)

**Committee on ... Labor, Elections and Urban
Affairs (SC-LEUA)**

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**



*The
Dedicated Memorial
Parents Group*

SB 80?
Packet



The Dedicated Memorial Parents Group

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Dedicated Memorial Parents Group

To:
Members of Senate Hearing on SB-80

From:
Dedicated Memorial Parents Group
Phil Ellenbecker, Director
704 Mark Drive
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Public Hearing on Bill SB-80
Malinda's Traveling Sales Crew Protection Act

April 10, 2007
Wisconsin State Capital

Testimony of Phil Ellenbecker:

Before I begin I would like to thank the senate committee members for giving me the opportunity to speak on behalf of Senate Bill SB-80 this morning.

I would also like to thank Senator Erpenbach, and his staff for helping to bring this very important legislation to your attention today.

And last I would like to thank the Department of Workforce and Development, the Department of Agriculture Trade and Consumer Protection for their continued support of this bill and for their ongoing work with this most serious problem.

I would like you to keep in mind that the SB-80 bill is structured to protect Wisconsin children, young adults, and homeowners from the brutal violence that has plagued the traveling door to door sales industry both here in Wisconsin and across the country. The bill is a matter of public safety and as such requires that the protection and safety of Wisconsin kids and homeowners must take priority over any out of state companies. I would also like to point out that there are no traveling door to door magazine or cleaner companies that our organization is aware of that originate from the state of

Wisconsin. All of the fraud, rape, murder, and vehicular death that has occurred in our state has come from outside of our borders. The SB-80 bill is structured to give law enforcement, state prosecuting attorneys, and civil attorneys the necessary tools to go after the door to door sales companies when their sales agents commit crimes. One such crime occurred on March 25, 1999. On that night my only daughter Malinda died bleeding to death alone on a cold cement highway from a crushed skull. Six others also lost their lives that night. No one was there to comfort, or hold them as their lives slipped away. Along with the seven deaths, five other children were also permanently maimed for life in one of Wisconsin's most horrific traffic accidents in the history of our state.

I can tell you from the depth of my soul that every waking minute of every day Malinda is in my heart. She was a beautiful child with a wonderful future. She was loved by many and had so very many dreams.

Now all we have are memories of a time that is gone forever. Her life and part of mine ended that night. I buried Malinda not more than five blocks from where she lived and I drive by the cemetery taking my son Dustin to his friend's house almost every day. And still to this day we become so very quiet as we pass by her in the car. I think that if you have children then you know what I am trying to say but it is not something that can be put into words and it is not something that you can experience unless you have lost a child.

The death of my daughter affected my son severely. One of the hardest things that I have ever had to do in my life was to tell my eight-year-old son Dustin that his sister Malinda was dead and in heaven with the angels.

It has been eight years this past March 25 since the horrible van crash that took my daughter's life and the lives of six other children. Since March 25, 1999 there have been 30 more deaths across the country that we are aware of. Two of these deaths have occurred here in Wisconsin. Currently Wisconsin has the highest percentage of deaths related to traveling door-to-door sales crews in the country. In total eleven lives have been lost in Wisconsin, nine deaths by vehicular accidents, one death by drowning, and one death by murder.

Just as recent as July 5, 2005 a 50-year-old Menomonie, Wisconsin woman was brutally beaten, sexually assaulted, and robbed. The offender was

working for a traveling door to door sales company selling magazines out of Florida by the name of Palmetto Marketing. Palmetto marketing has a long history of violent crime and a long history of not doing background checks on their sales agents.

The traveling door-to-door sales industry is totally out of control. There are currently no federal or state laws regulate the industry.

Since November of 2006 there have been 2 murdered magazine sales agents, 1 sales agent death by drug overdose, 5 rape cases, 2 sexual assaults, a kidnapping/attempted sodomy case, and two more van rollovers.

Because of the continued and escalating crimes the Dedicated Memorial Parents Group has added a wanted page to our traveling sales crew's information website: (www.travelingsalescrews.info .) Currently we have logged 3 unsolved murders and 3 unsolved rapes. All directly related to the door too door sales industry.

In total since the Dedicated Memorial Parents Group started monitoring these crimes in 2002 we have logged over 200 criminal felony cases and 74 deaths. The crimes are almost always against homeowners and range from fraud, burglary and felony assault to sexual assault, rape and murder.

After the Janesville van accident Attorney General Jim Doyle sent letters to the publishers warning them to stay out of Wisconsin. The letters were ignored.

Since my daughter Malinda and the other six kids were killed on March 25, 1999 there have been nine more traffic fatalities. A van crash that occurred in Wyoming killed one girl, seriously injured four, and critically injured a young boy. The boy was clinging for his life with a cracked skull, a punctured lung, broken ribs and other major injuries. The death just occurred on April 22, 2004 in South Dakota and is being treated as a homicide. More recently on November 27, 2005 a van crashed near Phoenix, Arizona killing to kids and on October 26, 2005 another van crash killed a magazine sales agent in Adel Georgia. This is also being treated as a vehicular homicide.

The traveling door to door sales industry has become a silent killer of youths in America. It is without question a growing national tragedy.

Many labor officials, critics, and even our own former Attorney General Jim Doyle have coined these groups: "teen sweat shops of the streets." Many of the crews are on a daily basis are breaking child labor and state solicitation laws.

Kids who have the misfortune of being recruited into these crews are lured in and lied to. Many are abandoned, physically and mentally abused, introduced to drugs, and cut off from their families and friends. Girls are forced to have sex with the managers and are told that if they do not comply they will be abandoned without any money sometimes thousands of miles from their homes.

One magazine sales crew out of Texas forces the male sales agents to box each other if their sale for the day is low. The other kids are forced to bet on the winner. We have pictures from a former crew manager showing bruised and bloody faces.

Those that can get out before it is too late survive, but with horror stories that haunt them for life.

Many of these kids never come home.

The dirty business of child exploitation is alive and well in the door to door sales industry. Children and young adults across this country are at risk of being falsely lured into this brutal and immoral business.

But Children and young adults are not the only victims of this out of control and unregulated industry. Our research has uncovered an alarming trend in violent crimes being carried out against anyone unfortunate enough to open their door to a traveling sales crew member. Many of the individuals hired by the unscrupulous fly-by-night sales crew recruiters have criminal backgrounds. Our records show that these individuals have committed some of the most heinous crimes imaginable, crimes that have destroyed lives and devastated families across the country.

But the real villains of this national tragedy are the clearinghouses and publishers that on a daily basis continue the dirty business of sales by exploitation without legal entanglement.

The clearinghouses and publishers maintain their distance from any legal entanglements by insisting that the kids working on the sales crews are independent contractors when in reality the passage of money flows directly from the crew subscriptions, to the clearing house and then on to the publishers. This arrangement is not by accident. It has been thought out and planned this way in order to minimize any legal and liable connection between the kids selling products door to door and the clearinghouses and publishers. This arrangement also virtually eliminates any rights that the kids would have if they were considered employee's of the sales crews. By manipulating the grey area of law the clearinghouses and publishers can literally get away with murder. The children have no rights, no minimum wage, no insurance, and no benefits and are treated as indentured servants and slaves. The independent contractor arrangement also saves the door to door sales companies a lot of money. The Southwestern Company out of Nashville, Tennessee is no different when it comes to how they hire young adults. Their door to door sales agents are also considered independent contractors. This affords the company a great amount of saving while producing substantial profits for the company. It also gives them the same legal barrier from the law if one of their sales agents commits a crime.

Last year the Southwestern Company protested the SB-251 bill during a house small business committee hearing after the bill had been unanimously passed through the Senate. Their argument was that it would affect their so called "business model." What they were actually protesting was the fact that they do not want to make their sales agents employees of the company because it would cost them money and cut into their profits.

On August 20, 2002 Brian L. Grewe Jr. a UW of Lacrosse student working for Southwestern Company was in a vehicular accident in Picayune, Mississippi. The accident left Mr. Grewe paralyzed from the waist down for life. Mr. Grewe filed a lawsuit against the Southwestern Company and on July 5, 2005 John R. Tunham a United States District Judge out of Minnesota denied Southwestern's motion to dismiss. The fact finding done by this judge determined that Mr. Grewe was in fact an employee of the Southwestern Company and not a independent contractor. This decision allowed for the civil lawsuit against Southwestern to continue and ultimately lead to well deserved victory for Mr. Grewe.

Last year Southwestern stated that they wished to work with us to find some reasonable way for them to continue operating under their current "business model."

What they really meant was that they wanted to be exempt from the SB-80 legislation. Southwestern did not help us with this legislation, they tried to destroy it. Southwestern is not interested in the well being and safety of Wisconsin kids and home owners, they are only interested in making money. Because of Southwestern's greed for money and because House Representative Carl Van Roy sided with Southwestern for reasons unknown Wisconsin has gone another year without protection. We cannot allow this to happen again. We must put the safety and well being of our kids and homeowners before an out-of-state company that has money as their motive. This entire process of watching what happened to our bill last year makes me sick. How could a representative of the State of Wisconsin side with an out-of-state company and neglect his duties as a representative to protect the best interests of Wisconsin. It is a question that has haunted me for the past year.

During the house small business committee hearing last year a UW of Wisconsin recruiter working for Southwestern company was asked if she was aware of any problems with their industry. Her answer was no. In reality besides the Grewe accident there was another vehicular accident on September 6, 2003 five miles south of Platteville, Wisconsin. In this accident two girls working for Southwestern were injured. Jenny Kwon was seriously injured and sustained serious back injuries and a collapsed lung. The Southwestern Company has also been banned from 2 college campuses, the University of Durham in England and the University of Iowa. The reasons given for their being banned were high pressure recruiting tactics and truth in hiring violations. As far as we are concerned the Southwestern Company's recruiting tactics are not unlike the traveling magazine sales company's.

The Janesville, Wisconsin van accident has cost the state of Wisconsin millions of dollars. Our lawsuit against the magazine companies was in many ways a failure. Our attorneys blamed lax state legislation as the main reason why we could not win our case against the magazine companies and the clearinghouse. Out of the 9 million dollars that it will take to care for Monica Forgues (the little girl paralyzed from the neck down) the state of Wisconsin was only able to recover \$500,000. Wisconsin tax payers will pay for the rest.

Three years ago the Dedicated Memorial Parents Group worked with the Wisconsin Department of Education and together with the 12 CESA's in Wisconsin we distributed Dedicated Memorial posters to every high school in the state in an attempt to warn our kids and their parents about the many dangers involved with door-to-door sales. But education alone will not solve this problem and will certainly not protect our homeowners and consumers.

The magazine and cleaner crews come into our state, recruit our kids, rip off our consumers and commit crimes against both the kids and homeowners. They fraud our consumers by marking up the price of a subscription as high as 300% over the actual cost and they lie to the homeowner, telling them they are from the local high school and working toward a scholarship.

This is not a republican or a democratic issue, it is not a big business issue, this is about protecting our children and homeowners from exploitation and crime.

Senator Erpenbach has created a piece of legislation (SB-80) that we believe would be a very good bill for the State of Wisconsin. If passed it would most certainly help detour the sale crews from preying on our kids and homeowners. It would also send out a very powerful message to the National Field Selling Association (the sales crews and clearinghouses trade group) and to the Magazine Publishers of America. The bill could also be used as a model for other states that would like to follow Wisconsin's lead. Wisconsin was the first state in the union to adopt child labor laws. I am asking you today to continue that tradition by passing the SB-80 bill on through the Senate.

I am asking you for my daughter Malinda and for the other six kids that died on March 25, 1999 and I am asking you for all of the thousands of children and families that have been brutalized by this most violent and immoral industry.

Thank you for your time.

And thank you for your consideration in this most important matter.

Sincerely,


Phil Ellenbecker

Director
The Dedicated Memorial Parents Group
April 10, 2007

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For further information on door to door sales crews:
www.parentwatch.org
www.magcrew.com



February 21, 2007

For Youths, a Grim Tour on Magazine Crews

By IAN URBINA

Two days after graduating from high school last June, Jonathan Pope left his home in Miamisburg, Ohio, to join a traveling magazine sales crew, thinking he would get to “talk to people, party at night and see the country.”

Over the next six months, he and about 20 other crew members crossed 10 states, peddling subscriptions door to door, 10 to 14 hours a day, six days a week. Sleeping three to a room in cheap motels, lowest seller on the floor, they survived some days on less than \$10 in food money while their earnings were kept “on the books” for later payment.

By then, Mr. Pope said, he had seen several friends severely beaten by managers, he and several other crew members were regularly smoking methamphetamine with prostitutes living down the motel hallway, and there were warrants out for his arrest in five states for selling subscriptions without a permit.

“I knew I was either going to be dead, disappeared or I don’t know what,” Mr. Pope said.

After persuading his manager to let him leave, Mr. Pope was dropped off, without a ticket, \$17 in his pocket, at a bus terminal near San Antonio, more than 1,000 miles from home.

More than two decades after a Senate investigation revealed widespread problems with these itinerant sellers, and despite several highly publicized fatal accidents and violent crimes involving the sales crews in recent years, the industry remains almost entirely unregulated. And while the industry says it has changed, advocates and law enforcement officials say the abuses persist.

In interviews over seven months, more than 50 current and former members from almost as many crews painted a similar picture of life on the road.

With striking uniformity, they told of violence, drug use, indebtedness and cheating of customers during their cross-country travels, often in unsafe vehicles and with drivers who lacked proper licenses.

“The stories about life on crew you hear from these kids are almost unbelievable,” said Officer George Dahl of the Louisville, Ky., Metro Police Department, who estimated that his department had cited or arrested more than 70 sellers for assault, unlawful solicitation or drug possession in the last two years. “But you get them alone and start hearing the same sort of thing over and over from different crews and you start believing them.”

In Collinsville, Ill., Daniel Burrus scrolled through digital photographs of bloodied faces as he described how, on a crew he helped manage for several years, men who missed their sales quota were forced to fight each other.

In Flagstaff, Ariz., Isaac James sat with his wife and newborn daughter as he told how he and others on his mag crew — as they are typically called — stole checkbooks, jewelry, medicine-cabinet drugs and even shoes from customers’ homes.

Last October, Jonathan Gagney joined a mag crew to escape the “crack scene” back home in Marlborough, N.H. But one night last month, he called this reporter from a bus station in St. Petersburg, Fla., to say he had just sneaked away from his motel to run away from his crew.

Video



More Video »

“All I know is this guy got beaten and there was blood all over the motel wall,” Mr. Gagney said, his voice shaking.

Earlene Williams, director of Parent Watch, an industry watchdog group, said her organization got about 10 e-mail messages or calls a day, double the number since 2003, seeking help from sellers, their families or lawyers.

“Publisher’s Sweepstakes is a lot smaller than it used to be, and so the magazine industry is less able to get subscriptions that way now,” Ms. Williams said, explaining why she was seeing an increase in problems with crews. “And the telemarketing no-call list has also pushed the publishers away from telemarketing and toward door-to-door crews.”

Last year in response to a similar increase in calls, the National Runaway Switchboard began training its operators to handle the cases.

A Complex Industry

Dan Smith, a lawyer for the National Field Selling Association, which represents about 60 percent of the magazine sales industry, estimated that 2 percent to 3 percent of all magazine subscriptions, or at least \$147 million worth in 2005, were sold by door-to-door salespeople, up from about 1 percent, or at least \$69 million in 2000. But the Magazine Publishers Association disagreed with Ms. Williams and Mr. Smith. It does not believe that door-to-door magazine sales have grown, and estimated that they account for 1 percent of sales.

The industry consists of layers. While the bulk of subscriptions are sold directly by publishers and through direct mail, insert cards and the Internet, many magazine publishers also hire clearinghouses. These companies then subcontract with crew managers who hire door-to-door sellers. These layers of middlemen, and the small percentage of total subscription revenue involved, may help explain why publishers, who are always eager to increase readership, have been unwilling or unable to prevent mag crews from operating.

Just who uses mag crews is in dispute. Crew members and the National Field Selling Association say many of the largest publishers use magazine crews or clearinghouses that rely on them. But of the five largest publishing companies — Time Inc., Condé Nast, Hearst, Meredith and Reader’s Digest Association, which collectively make up nearly half the industry as measured by advertising revenue — four said they did not use mag crews or did so only sparingly.

A representative for Reader’s Digest said, “A portion of our subscriptions come in through third-party agents, who may in turn subcontract to local vendors.”

Dozens of magazines are listed on order forms offered by crews, including Reader’s Digest,

Rolling Stone and Redbook.

Rolling Stone declined to comment. A representative for the Hearst Corporation said that in recent years it had stopped hiring clearinghouses that use crews. But when subsequently asked why Redbook, a Hearst publication, appears among magazines sold by one crew, a Hearst representative e-mailed, "We constantly fight unauthorized agents," adding, "It's an ongoing battle."

Generally, the clearinghouses get about 40 percent of the subscription money and the publishers about 10 percent. The crew leaders get the other 50 percent, out of which they pay all expenses on the road, including the sellers' commissions.

"Nobody is forced or pushed to do anything," said Tim Peek, manager and recruiter for New Generation, a crew based in Vero Beach, Fla.

Drugs and violence are forbidden, and some sellers make \$1,000 per week, which is kept in a savings account for them, Mr. Peek said, adding, "If they don't want to work, they don't make money."

John Wigman, the manager of Mr. Pope's crew, Periodical and Publications Connections, said, "I don't see why you don't tell about all the kids on drugs that we help out." Asked to elaborate, provide names or respond to Mr. Pope's accusations, Mr. Wigman refused and hung up.

Mr. Smith said he viewed most stories of drug use and physical abuse as exaggerations. "I don't put a lot of stock in them because, to be brutally frank with you, abuse is like beauty. It's in the eyes of the beholder," he said. "A loud voice, anything, can be called abuse."

While there may be a few shady operators, he said, the industry has cleaned itself up over the years, and his organization has helped through broad distribution of pamphlets on professional courtesy and ethics, yearly training seminars for members and one-on-one discussions with managers who have problems on their crews.

By pressuring members to perform background checks on new hires, the association has cut the number of crimes and cheating perpetrated by sellers, Mr. Smith said. No one is forced to stay on crew, he added, since the association pays for a bus ticket home for any crew member who wants to leave.

But labor and law enforcement officials said that since many sellers were runaways or high school dropouts or were from dysfunctional families or poor neighborhoods, they had fewer

options and were reluctant to report mistreatment or leave.

Many former sellers also said they kept quiet about problems out of fear of violence against them or those they left behind.

Sellers reported having adopted fake names upon joining a crew, being beaten if they attracted police attention and receiving mail sent from home only after it was opened by the company's central office. "What happens on crew, stays on crew" was a common refrain.

An escape from small-town boredom or overbearing parents, working on a mag crew is a lifestyle more than a job, and it brings good times with the bad. Like gangs, crews become family, sellers said, and the camaraderie of shared experiences is a bond not easily broken.

"You're involved in bad stuff, you're seeing bad stuff and they tell you, 'No negativity,'" said Jennifer Steele, 23.

In September 2004, Ms. Steele said, she was drugged and raped by two men who were partying with crew members at a motel in Memphis, where her crew, Precision Sales, was staying. When her manager told her to go back to work the next day, she said she "threw a fit." But she did as she was told, and worked part of the day before filing a police report and having a rape kit performed. She stayed with the crew for another seven months before quitting.

"I know it sounds crazy," Ms. Steele said. "But I believed my manager when he said he would never let that happen again, and I believed him when he said my mom had told him she didn't care about me."

In January 2006, Ms. Steele left her crew and was placed in the witness protection program during an investigation of her former managers, who were accused in the beating and kidnapping at gunpoint of her boyfriend from a city bus, an incident that was caught on videotape and led to the conviction of one person for kidnapping for ransom and assault with a deadly weapon.

"They're frustrating cases," said Sgt. Jeanine Lum of the Norwalk Sheriff's Station in Norwalk, Calif., near Los Angeles, who was involved in the investigation.

"The ones we arrest at the doors often just need to be sent home," Sergeant Lum added, "while the real culprits are back at the hotel or in some office somewhere."

Few Legal Protections

Regulating the industry has been difficult because the companies, many of them operating only out of post office boxes, are small and frequently change names.

“The local police can’t keep up because the crews leave the state before they get alerted and the feds don’t bother with them because they say it is a state’s issue,” said Connie Knutti, who investigated several crews before she retired in 2005 as manager of field enforcement for the Illinois Department of Labor.

The sellers have few labor protections because they are classified as independent contractors, which also insulates the companies from regulation, taxes and liability. Categorized as outdoor sellers, the door-to-door peddlers are also exempt from most federal and state minimum wage and overtime requirements.

A majority of former crew members said that while they occasionally made several hundred dollars a week, most of the time they received little more than the daily allowance of \$15, while the rest of their earnings stayed on the books to cover expenses. Many also said that subscriptions for magazines were never actually fulfilled.

On any given day, said Mr. Smith, the association lawyer, there are probably about 2,500 people, typically ages 18 to 24, selling magazines door to door.

But when state and federal labor department officials held a conference in 1999 to discuss concerns about the industry, a panel concluded that the number of sellers was probably closer to 30,000, said Darlene Adkins, vice president of public policy for the National Consumers League’s Child Labor Coalition. That organization ranks traveling magazine sales among the five worst jobs for teenagers.

Catherine Barbour said it was the constant traveling and working in dangerous areas that most worried her when her daughter, Tracy Jones, said she was joining a crew. “I told her no, absolutely not,” Ms. Barbour said. “But she was 18, so what could I do?”

On Nov. 15, Ms. Jones disappeared while selling subscriptions at a Pilot Truck Stop in North Little Rock, Ark. Ms. Jones was found 11 days later, stabbed to death, in a ditch near Route 61 in southwestern Memphis.

Up at 7 a.m., typical crews start the day with a sales meeting where they rehearse their pitches. “We’re selling magazines to earn points in a contest to win a trip abroad” is the standard and sometimes fictitious spiel. Around 9 a.m., the crews pile into vans to be dropped off at the day’s territory. They switch neighborhoods every several hours and often work as late as 10 p.m.

"You work hard during the day, but you also party pretty hard at night," said Stephanie Blake, 23, who wrote an e-mail message in November to Earlene Williams at Parent Watch because she said she wanted to tell the positive side of the work.

While she and others used methamphetamine, Ms. Blake said it was mostly marijuana, alcohol and sex that filled the nights.

"But there is a lot more to crew than that," she said, recounting having made some of her best friends, including her fiancé, working on the crew. Coming from Evansville, Ind., Ms. Blake said she relished the chance to see the country. The expense-paid trips to Walt Disney World in Orlando, Fla., and a resort in Mexico were more fun than she had ever imagined having, she said. "I still miss it sometimes," she added.

About a half hour into the conversation, however, Ms. Blake's tone began to shift. "I have to admit, some things did get to me about crew life," she said.

The 100 sit-ups and pushups for every number a seller was below her daily quota felt "cultish," she said. The beatings were also unsettling. But the most galling part, Ms. Blake said, was the unfulfilled promise of big money.

When she and her fiancé finally decided to leave their crew in December 2003, Ms. Blake said, they sneaked away late one night from the motel near Houston where they staying. Asked why she left without demanding to be paid what was still "on the books," she said, "These aren't the types who you just go up to and ask to settle up."

Michael Simpson is one reason.

For two years starting in February 2004, Mr. Simpson, a stocky former high school lacrosse player from Newburgh, N.Y., worked on several crews as an "enforcer." His job, he said, was to beat crew members upon a manager's request.

If sellers missed quota regularly or complained about the job, Mr. Simpson, 23, said he hit them while in their room or when they were alone in the van. On more than 30 occasions, he estimated, he and several other enforcers drew blood. In three instances, ambulances were called, he said. Dealing with the police was not a problem.

"You have one kid saying he was jumped and 20 others plus two managers saying he stole something or broke into a room and assaulted a girl," Mr. Simpson said. "Who do you think the cops are going to believe?"

Daivet McClinton, 23, an enforcer who worked with Mr. Simpson, said talking in front of others about wanting to quit invited the worst beatings.

Asked if they ever went overboard, both men recalled an incident in November 2005 involving an 18-year-old recruit from Dayton, Ohio, named Rudy. "All we were told was that Rudy had shoved and disrespected the manager," Mr. Simpson said.

For 10 uninterrupted minutes in a motel stairwell in San Francisco, Mr. Simpson, Mr. McClinton and four other enforcers beat Rudy unconscious, Mr. Simpson and Mr. McClinton said. One held his mouth shut. Two others pinned down his arms and legs. Tearing off his shirt, they pressed a flaming lighter into his back. Mr. Simpson kicked him in the face and body. "I stopped because I ran out of breath," Mr. Simpson said.

Rudy, they said, was taken away in an ambulance.

Darting a glance at his new girlfriend and his chin quivering momentarily, Mr. Simpson explained why he decided to leave last February. "I'd gone from being a kid who was afraid of hitting people in the face to someone who was using objects," he said.

Still, some current crew members said the work had helped them turn their lives around.

"I was in and out of juvenile facilities, and now I'm actually going somewhere," said Jordan Friedley, standing in a shopping mall in Oceanside, Calif., near San Diego, where, for two days, a reporter shadowed two crews, Magnificent Sales and Thoroughbreds, both from Alliance Service Company. "They keep things on the up and up, no drugs or none of that, and I bring in \$700 a week."

Asked about incidents in the last five years involving the two crews, including two fatal drug overdoses and the deaths of two crew members in the crash of a crew van, Mr. Friedley fell silent.

Crystal Hall, who helps manage the crews, said: "We've cleaned things up. Everyone is drug-tested now. They show up dirty, they're gone. Those who stay have plenty of chance to make money."

The Money 'Flows Up'

Since pay is purely on commission, Mr. Smith, the association lawyer, said that only the best sellers survived and that about 20 percent of recruits left in less than a month.

Matt Ward, a former bookkeeper for several crews, said there were other reasons for the high attrition. "Money in this industry flows up," Mr. Ward said. "It doesn't trickle down."

For about two years starting in 1998, Mr. Ward did bookkeeping for several crews with American Community Services, a company with several hundred sellers that is based in Indiana. It is owned by two of Mr. Ward's brothers, LeVan and Albert Ellis, who declined to answer questions both over the telephone and sent by certified mail.

Mr. Ward said that while the company should be commended for sticking to its strict antiviolence policies, he left in 2000 after becoming uncomfortable with what he saw while he was keeping the books.

"The sales agents remain almost always in the red while the managers, car handlers and everyone else is in the black almost from the start," Mr. Ward said between shifts at a restaurant in downtown Washington, where he now waits tables.

Of the more than 400 sales agents whose accounts Mr. Ward said he handled, he estimated that fewer than 40 left the company having made money. The rest spent their earnings on the road or, more often, to cover their daily deductions for room expenses, gas and meals.

This is not a new criticism. In 1987, during the Congressional investigation of the industry, the Senate committee reviewed the records of one company and found that of its 418 sellers, 413 had finished the year in debt to the company, even though the company itself had reported large annual profits.

Ms. Williams, from Parent Watch, said her organization advised customers not to buy from the sellers or to let them in the house, but to offer them a phone to call home or her organization's phone number to help anyone who might want to arrange a bus ticket home. She said her organization had lobbied for legislation to prevent sellers from being categorized as independent contractors and to provide them with minimum wage and safety and health protections.

"Leave these kids off radar as they are now," Ms. Williams said, "and the abuses will continue."

Bob Driehaus and Sean D. Hamill contributed reporting.

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Traveling Door-To-Door Sales Criminal Chronology

Compiled 08/21/06

Crimes Recorded From 1982 – July 2005

Dedicated Memorial Parents Group

www.dedicatedmemorial.org

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1. 2005 - Magazine Salesman Arrested For Sexually Assaulting Baby Sitter. Loveland Teen Says Man Forced His Way into Home. A man police say sexually assaulted a 17-year-old girl is in custody. Loveland police arrested the 34-year-old man while he was selling magazines door to door near West 1st Street and S. Tyler. The teenager told police said she was babysitting at a home in the 100 block of Ranae Drive Wednesday evening when the man forced his way into the home and assaulted her.
2. 2005 - Duwane C. Walker, who has no permanent address, was being held in Spokane County Jail Friday on 19 separate charges, with another 24 charges pending. Together, they comprise nine counts of residential burglary, 24 counts of forgery and 10 counts of identity theft. Walker is employed as a door to door salesman working for World Wide Reader Service.
3. 2005 - Three Sentenced for Federal Criminal Tax Offenses. On June 6, 2005, in San Diego, CA, Lonnie R. Divine, Yvonne R. Ruel and Deanna M. McKinnon were sentenced for federal criminal tax offenses. Divine, pleaded guilty to tax evasion and was sentenced to serve 18 months in prison, ordered to pay a \$6,000 fine, and serve three years supervised release. Divine operated a door-to-door business that earned over \$11 million in gross receipts from 1993 through 1997. Divine evaded his taxes by converting a substantial portion of the gross receipts to cash, often after transferring the money through several bank accounts; transferring gross receipts of the business from business bank accounts to personal bank accounts for non-business purposes; and using the gross receipts of the business to make payments of about \$1.8 million to his casino accounts in Las Vegas and Tahoe, NV; acquire assets and invest funds; and disguise his ownership in assets. Also sentenced were Divine's wife, Yvonne Ruel receiving 5 months in prison, followed by 5 months home confinement and ordered to pay a \$2,000 fine and daughter, Deanna McKinnon, who received three months in prison, followed by three months home confinement and ordered to perform 192 hours of

community service both admitting to failing to file a tax return on income earned from Divine's business.

4. 2005 - Salesman arrested on fugitive charge:
NARRAGANSETT -- A door to door salesman working in the pier area turned out to be a fugitive from justice wanted on burglary charges in New Jersey. After running his name through a national criminal database police arrested Michael W. Cooper, 23, of Millville, N.J., as he was selling magazine subscriptions on Atlantic Avenue Wednesday evening. The police obtained his name, age and address from a list of salesmen working in town provided to the police and the town clerk by their employer, Jaguar Sales.
5. 2005 - Fugitive Sex Offender Captured:
A high risk sex offender who's been on the run since mid-March has been caught in Connecticut.
26-year-old Michael Davenport was arrested yesterday in New Haven Burleigh County Captain Collin Rixen says the arrest came after police there received a call about a man selling magazines door to door.
6. 2005 - Magazine seller attacks 84-Year-old woman:
CENTENNIAL - An 84-year-old Centennial woman may have escaped further injury by an attacker by playing dead.
It happened on Tuesday near Arapahoe and I-25. Investigators say a 23-year-old man came to her door, trying to sell magazine subscriptions. When she said no he entered her home, and started choking her. Edward Irving is currently in custody for among other things, suspicion of attempted murder. Irving's rap sheet includes drugs, burglary and assault.
7. 2005 - Felony theft: A 21-year-old Oshkosh, Wis., man was arrested Monday after he allegedly stole prescription narcotics from a resident in the 1400 block of Goodwin Avenue. The man, who was selling magazines door-to-door, reportedly entered the home after getting permission, asked to use the restroom and stole the pills, which were valued at \$174.98. Police located the suspect about 1:30 p.m. with the pills and booked him at the county jail.
8. 2005 - Florida firm cited in rape case rejects claim:
CONCORD - The owner of a Florida company named in a rape investigation involving three door-to-door salesmen is disputing a prosecutor's statement that his business is a front for criminal activity. "He's a liar," Belo Kellam said Friday of prosecutor Scott Murray. "For him to say that we encourage people to do those acts, well, that's just out of order." Kellam owns Fidelity Readers Service Inc., in Naples, Fla. The company hires traveling crews to sell magazine subscriptions door-to-door. At a hearing Thursday, Murray said the company "appears to be a cover for an organization which engages in home invasion, burglary, theft and sexual assault."
9. 2005 - Another Mag. Salesman Nabbed For Burglary
Spokane County-Sheriff-News Release. A second traveling magazine salesman has been arrested for burglary, this suspect for smashing out a

- window at a West Plains motel and entering the room where a resident was watching television. Deputy Shawn Audie and others were called to the Cedar Village Motel at 5415 West Sunset about 1:30 a.m. Sunday. When he arrived, Audie found a man standing in front of the victim's room. The suspect was bleeding profusely and screaming for an ambulance. Audie detained the man in handcuffs, identified him as Andre A. James, 23, of Massachusetts, and turned him over to paramedics.
10. 2005 - Antonio M. Smokes a traveling magazine salesman working for American Global Services Inc. is wanted for armed robbery. 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. Gainsville, Florida Police Department Bulletin #: 05-084p/jm.
 11. 2005 - Michael Anthony Smith (18) is in town from Modesto selling cleaning products door-to-door. He contacted a woman at her residence on Inglewood and began demonstrating his wares, even though the woman asked him to go away. Before she could shut the door Smith walked into the residence and began demonstrating his product on several pieces of her furniture, all under the protests of the woman. Smith then asked for a drink of water and actually walked into the kitchen where he grabbed a drink. As he returned to the living room he was being escorted out the door when he grabbed the woman and pulled her to the floor. He then attempted to sexually assault the victim. The woman was finally able to convince him to stop and leave by telling him she was expecting family home any time. Smith fled from the residence but was stopped a short while later when one of his co-workers was stopped for harassing other folks in the area. Smith was in the same vehicle and after a field line-up where he was positively identified by the victim and arrested. He was booked for all violations. Salinas, California Police Department Release 01/28/05.
 12. 2005 - Fugitive Sex Offender Captured: A high risk sex offender who's been on the run since mid march has been caught in Connecticut. 26-year old Michael Davenport was arrested yesterday in New Haven. Burlingame county captain Collin Rixen says the arrest came after police there received a call about a man selling magazines door to door.
 13. 2004 - Dangelo Langford a traveling magazine salesman working for American Community Services has been charged with Intent to Commit Rape, Assault With A Deadly Weapon, Elder Abuse, Burglary, Resisting Arrest, Kidnapping, False Imprisonment. On Oct. 7, 2004 Langford beat and tried to rape an elderly woman during an October home invasion that rattled her downtown Menlo Park neighborhood. In August of 2005 Langford was sentenced to 11 years in prison.
 14. 2004 - Derrick Todd Jones was convicted of sexual assault of a 15 year old girl to whom he was trying to sell magazines in Cleveland. Seven months earlier he was convicted of sexually assaulting a 17 year old girl while selling magazines door-to-door in Menlo Park, California.

15. 2004 - Ronald Glenn Bell, age 23, was arrested for sexually assaulting a woman to whom he was attempting to sell magazines
16. 2004 - Joshua Montez Bradshaw charged with burglary, grand theft, trespassing, and selling magazines without required permit in Collier County, Florida. Bradshaw is a previous offender wanted in New Jersey for failing to appear in court on previous burglary and theft charges.
17. 2004 - Traveling Magazine Salesman Azriel Rashad Bridge Murders Shirley Reuter. Shirley Reuter was found beaten and stabbed on the floor of her suburban New Jersey home. Bridge is being held on a \$500,000 bond, has outstanding warrants in Illinois, and is also being charged with robbery.
18. 2004 - EL CAJON, California – A door-to-door magazine salesman admitted in Superior Court yesterday that he molested a 9-year-old girl in the living room of her family's apartment while her mother rested in another room. As part of a plea agreement approved by Judge Allan Preckel, Maurice Andre Thomas will be sentenced to 24 years in prison for molesting the girl March 16 after accosting her in a gated play area outside the front door of her Estes Street apartment. Sentencing was set for Sept. 28. Thomas, 26, of Glendale, Ariz., pleaded guilty to four counts of lewd and lascivious conduct with a child under 14 in exchange for the dismissal of other related charges. Had he gone to trial and been convicted on all counts, Thomas could have faced a life term in prison, prosecutor Kurt Mechals said.
19. 2004 - Salinas Police Department, California
Woman suspected of lighting fires in stores. Blazes damage four shops in Newbury Park mall. A 19-year-old woman soliciting magazine subscriptions at a Newbury Park strip mall was arrested Monday in connection with a series of fires that erupted in bathrooms of four shops, authorities said. Latrice Brown of Dallas was being booked into Ventura County Jail late Monday on suspicion of arson of personal property of others, authorities said.
20. 2004 - Magazine Salesman Arrested For Sexual Assault.
A door-to-door salesman is under arrest, accused of trying to sexually assault a young woman in Pullman Friday. Christopher Day working for Unlimited Sales, Inc. is being charged with Sexual Assault, Attempted Rape, and Burglary. Pullman Police Department: Case Number 04 P06490. Pullman, Washington.
21. 2004 - A convicted sex offender has been arrested while selling magazines door-to-door. Omaha Police Sergeant Teresa Negrón says, "When they got him to central station they performed an ID check to verify his name. In doing so, found his name was different than what he had said and he did have two felony warrants out of Washington state." Joshua Brewster is also a registered sex offender. He will be extradited to Washington.
22. 2004 - Teen Door-To-Door Salesperson Arrested For Assault
Police: Many Individuals On Sales Crews Have Criminal Records.

COPLEY, Ohio -- Every summer door-to-door sales crews hit the streets attempting to convince people to purchase their products.

Last week, an 85-year-old woman told police in Copley that she was assaulted and robbed by one of these salespeople.

Police have arrested a 16-year-old in connection with the assault, and Summit County juvenile authorities are holding the teen.

A News Channel 5 investigation found that the company for which the teen works is United Entrepreneurs out of Texas.

23. 2003 - A 19 year old Marietta Georgia woman was raped by a man selling magazine subscriptions.
24. 2003 - Bolton, Massachusetts: Check theft in Bolton casts spotlight on magazine solicitors nationwide. A magazine saleswoman selling magazines door to door and working for American Community Services has been charged with felony larceny by check, felony forgery by check, and misdemeanor theft.
25. 2003 - Two female magazine salespeople were arrested in Westbrook Connecticut for larceny from homes while going door-to-door selling magazines.
26. 2003 - Joshua W. Williams sexually assaulted a 19 year old Gurnee, Illinois woman while soliciting door-to-door for magazine sales.
27. 2003 - On Nov. 13, in Portland, Tenn., about 40 miles north of Nashville, magazine salesman Brandon R. Barte, 22, talked his way into a home and, according to police, sexually fondled a 6-year-old girl — in front of her mother. When arrested, Barte had a card in his wallet identifying him as a registered sex offender from Texas, Assistant Portland Police Chief Richard Smith said. Barte was charged with aggravated sexual battery.
28. 2003 - Rodger Erick Broadway was sentenced for life imprisonment without parole for a 2001 murder of a Knoxville woman who he raped and murdered while employed by The Real Deal and American Community Services as a traveling door to door magazine salesman.
29. 2003 - In August of 2003 Aaron Fulcer working as a traveling magazine salesman for Imperial Sales was arrested in Dane County, Wisconsin Town Of Dunn, for outstanding warrants, operating a motor vehicle after revocation, and contempt of court.
30. 2003 - Philip White III is charged with Second-Degree Felony Burglary With A Firearm and Second Degree Kidnapping With A Firearm. White was employed as a traveling magazine salesman working for Paragon Sales. White is a previous offender with six previous felony convictions. Many of his convictions were for armed robbery.
31. 2003 - In February of 2003 Gerald L. Thompson, 19, was arrested on charges of breaching the peace and resisting arrest with violence. He is in the St. Johns County Jail on a \$15,000 bond. According to the arrest report, Thompson lashed out when they tried to handcuff him. It took three deputies to force him onto the trunk of a patrol car. Thompson grabbed one by the neck after his hands were locked. Thompson was selling magazines door to door.

32. 2003 - Camerae Harris, 23, of Maple Heights, Ohio, was arrested and charged with possession of a Class D substance and possession of a Class D substance with intent to distribute. Harris was working as a traveling magazine salesman for American Community Services.
33. 2003 - Prince Jermaine Gregg, 22, of Bishopville, S.C., was arrested Wednesday and charged with first-degree sexual abuse, according to the Mobile County Metro Jail's Web site. Gregg remained in jail Wednesday in lieu of a \$3,000 bond, a corrections officer said. Gregg was going door-to-door, selling cleaning supplies and employed by Pumpppers Trust.
34. 2003 - Man Rapes Woman In Front Of Child:
A woman was raped inside her home Tuesday afternoon in Rutherford County. A man forced his way inside the woman's home around 1 p.m., tied her up and raped her in front of her 18-month-old child, police said. Later in the afternoon, LaVergne police arrested Donnelle Covington, 19, and charged him with aggravated burglary, aggravated kidnapping and aggravated rape. The suspect and several other people were selling magazine subscriptions door-to-door in the neighborhood, police said. Covington was working for American Community Services out of Michigan City, Indiana.
35. 2003 - Felony Theft From An Elder:
Two magazine salesmen will each serve 150 days in jail after being convicted of defrauding an 85-year-old Camarillo woman, who ended up paying for more than 200 years' worth of subscriptions, according to the district attorney's office.
Jeremy Marquez, 21, of Sacramento, and Jonathan Carey, 22, of Tacoma, Wash., each pleaded guilty to one count of felony theft from an elder. Both men also received 36 months' probation during their sentencing Tuesday. Marquez and Carey were employed by Unified Family Circulation, Inc.
36. 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.
37. 2002 - A door-to-door magazine salesman charged with the September rape of a 12-year-old Lancaster girl was expected to plead guilty Tuesday, but instead told a Fairfield County judge he wants to go before a jury. Michael Roland Poissant, 30, of Bristol, R.I., is charged with two counts of rape and one count each of kidnapping, abduction and aggravated burglary. Poissant was working for Palmetto Marketing out of Coral Springs, Fla. Poissant had an extensive previous criminal record.
38. 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.
39. 2002—A 24 year-old magazine salesman was arrested in Durham, North Carolina for molesting and exposing himself to a mentally disabled teenager who answered the door

40. 2002 - The Illinois Attorneys General office has filed a civil lawsuit against Karleen H. Hillery and Circulation I, Inc./ Circulation II Inc./Services Unlimited Plus for 70 counts of magazine consumer fraud.
41. 2002—A magazine salesman is charged with felonies of attempted forcible rape, attempted forcible sodomy, and first-degree burglary and with misdemeanor false imprisonment. According to the prosecutors, Edward O'Neill, Jr. was selling magazine subscriptions and attacked the girl after she made a purchase and went to retrieve her purse.
42. 2002 - A door-to-door salesman from Virginia was ordered to stand trial yesterday on charges that he raped a 14-year-old Dormont girl last month while she was baby-sitting. Deon Bowens, 23, of Richmond, Va. is being held on charges of rape, sexual assault and statutory sexual assault because the girl is underage. Bowens is being held at Allegheny County Jail. Bail has been set at \$110,000. Bowens was working for Austin Diversified Products.
43. 2002—A door-to-door magazine salesman was arrested on a warrant for felony sexual abuse charges in Dublin California. The sexual assault was of a 13 year-old girl in Cook County, Illinois.
44. 2002 - Salesmen suspected of burglary, forgery: Two 20-year-old men working as door-to-door salesmen have been arrested and booked into county jail on suspicion of burglary and forgery, police said. They were identified as Steven J. Varley and Jeovanne B. Brackett, said Bill Robinson, spokesman for the San Diego Police Department. Varley and Brackett were being held in county jail yesterday in lieu of \$110,000 bail each, and are scheduled to be arraigned tomorrow at 1:30 p.m. in San Diego Superior Court. Varley was booked on suspicion of burglary, forgery and receiving stolen property, according to jail records, while Brackett was booked on suspicion of two counts of first-degree burglary, forgery and receiving stolen property. The two men told police they worked for Circulation 2 Inc. of Rock Island, Ill.
45. 2001—Magazine salesman arrested for criminal trespass and possession of drug paraphernalia in Spokane, Washington.
46. 2001 - Santa Clara County sheriff's deputies have arrested a door-to-door magazine salesman on suspicion of sexually assaulting a Pleasanton housekeeper. Sheriff's deputies detained Jeremy Ruben Karabela, 23, of Charlotte, N.C. for questioning last Thursday following complaints about a stranger in the Pleasanton neighborhood. When deputies ran Karabela's name, they discovered he was wanted in Pleasanton on suspicion of sexual assault and burglary and turned him over to Pleasanton authorities. Karabela is being held in lieu of \$150,000 bail at Santa Rita Jail on suspicion of burglary (entering a home with the intent to commit a felony) and forcible sexual penetration with a foreign object.
47. 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.

48. 2001 - Police charge 17-year-old in sexual attack in Fern Creek. A 17-year-old boy from Texas who had been selling magazines door to door in Jefferson County is wanted in last month's attack on a 27-year-old woman in Fern Creek, police said yesterday. The boy, whose name was not released because of his age, is charged with first-degree sodomy and attempted murder, said Officer Robert Biven, a Jefferson County Police spokesman. Police said the youth had been an employee with Interstate Subscription Services, based in San Antonio, which has more than 100 independent contractors nationwide who handle solicitors.
49. 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.
50. 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.
51. 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.
52. 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.
53. 2001 - Norfolk - A Peninsula man was sentenced Friday to 43 years in prison for gunning down a door-to-door salesman last year in Ocean View. Arthur Matthews Jr., 19, of Newport News, received 40 years for his guilty plea to second-degree murder and three years for his plea to a firearms charge. John Skyles III, 31, was in town selling magazine subscriptions when he was shot to death on March 15 in a room at a Quality Inn. Skyles was from Luther, Mich., and worked for Palmetto Marketing in Coral Springs, Fla. He came to Newport News with a group of salesmen. Matthews told Judge Junius P. Fulton III on Friday that the shooting was an accident, but police said the killing involved a dispute over drugs.
54. 2000—Oswego County, NY. Matthew Maxson, age 18, a traveling magazine salesman was convicted of murdering Diane Cooper. Maxson entered Cooper's home attempting to sell her magazines. He entered Cooper's home attempting to sell her magazines and then brutally attacked her using a glass jar and a knife. She was beaten into unconsciousness and died. Maxson had previously been convicted of two crimes and was a chronic abuser of alcohol and street drugs. Maxson was employed by Palmetto Marketing.
55. 2000—Two traveling salesmen and their employer agreed to a \$1.8 million settlement for beating a man in Portland, Oregon.
56. 2000—Grand Island Neb. 20 year old man, no permanent address, in town selling magazines door-to-door was arrested for robbery.
57. 2000 - A Minnesota magazine salesman, who apparently decided to switch careers in Texas last week, was jailed early Saturday at the Carter

County Detention Center on drug trafficking and possession of a stolen vehicle charges. Deputy Jim Sturges, assigned to the Task Force, said 22-year-old Dwight Hammond, Red Wing, Minn., was arrested about 9 a.m. by Deputy Greg Johnson and reserve officers. Hammond was taken into custody when deputies found him inside a stolen Jeep that had careened into a Telephone Road pasture, located near Springer. "The deputies received a call there was a vehicle in a pasture. When they arrived they found Hammond and an enormous amount of a controlled dangerous substance and called the Task Force," Sturges said. The narcotic in Hammond's possession turned out to be 130 grams of crack cocaine. "It only takes five grams to be charged with trafficking and Mr. Hammond had way, way more than that," Sturges said. The street value of the crack cocaine Hammond was carrying was estimated at \$15,600. "He had been working all over the country as a traveling magazine salesman," Sturges said.

58. 2000 - A Newport News man was sentenced Monday to six years in prison for his role in the slaying of a door-to-door salesman last year in Ocean View. Yannick Marsala, 20, pleaded guilty to second-degree murder and a related gun charge. His first trial ended with a hung jury, but Marsala agreed to a plea bargain with prosecutors Monday just before his second trial was to begin. In January, his accomplice, Arthur Matthews Jr., 21, of the 200 block of Maple Ave. in Newport News, received 43 years for his guilty plea to murder and gun charges. Police said he was the trigger man in the slaying. Their victim, John W. Skyles III, 31, was in town selling magazine subscriptions when he was shot to death on March 15, 2000, in a room at the Quality Inn on West Ocean View Avenue. Skyles, originally from Luther, Mich., worked for Palmetto Marketing in Coral Springs, Fla. He was here with a group of salesmen.
59. 2000 - Three men were arrested in connection with a robbery in the parking lot of a local credit union, but only two were charged with the crime. Adam N. Sisk, 20, was charged with robbery and carrying a concealed knife. Jeffrey L. Ritter, 21, was charged with robbery, making terroristic threats and attempted first-degree sexual assault for the Sunday incident. Neither man has a permanent address. They told Judge David Bush in court Thursday that they are in town selling magazines door to door and were staying at the Relax Inn, 507 W. Second St. Both men also told Bush they were originally from Minnesota. Ritter and Sisk were employed by Atlantic Circulation Inc..
60. 1999--A door-to-door magazine saleswoman was sentenced to 25 years in prison after pleading guilty to stabbing to death a Peoria man in his home.
61. 1999 - A 31-year-old man charged with robbing and sodomizing a Tualatin woman in March was sentenced last week to 15 years, three months in prison. Robert Henry Evans admitted attacking the woman March 12 in her home in the Stafford Road area in Clackamas County. The victim, 38, bought magazines from Evans weeks earlier, police said. Evans returned

to woman's home, saying he needed to clear up mistakes on her magazine order. Evans threatened to kill the woman and her young children, then forced her to perform a sex act on him, said Chris Owen, a Clackamas County deputy district attorney. Evans also stole jewelry from the woman's home.

62. 1999—A door-to-door magazine salesman was arrested in Belleville, Ill. For damage to property, trespassing, and resisting a police officer.
63. 1999—Two door-to-door magazine salesman were arrested for burglary in Cedar Rapids, Iowa. They knocked on the door and when no one came, went around to the back and forced a patio door.
64. 1999 - Two men selling magazines and books door-to-door in the Holland area were arraigned Wednesday on three counts of home invasion in Holland District Court. Charles Crawford, 21, and Kevin Alfred, 24, are both charged with first-degree home invasion for allegedly entering four homes in the same Park Township neighborhood Tuesday afternoon. The pair work for American Community Service, a Michigan City, Ind.-based company that drops off individuals in communities to sell books and magazines door-to-door, said Lt. Del South of the Ottawa County Sheriff's Department. Crawford, of Norfolk, Va., was convicted on weapons and drug charges earlier this year in Minnesota. Alfred, of Minneapolis, Minn., has a drug-related conviction on his criminal record.
65. 1999—West Lafayette Ind. Antmargo Peacock, Albany Georgia, a traveling door-to-door magazine salesman pled guilty to raping a 19 year old woman after knocking on her door attempting to sell magazine subscriptions.
66. 1999 - Oklahoma Department of Labor fines Karleen Hillery \$10,000 for labor violations committed during the March 25, 1999 van crash that killed seven sales agents and maimed five for life. Jeremy Holmes the driver of the van is charged with seven counts of vehicular homicide and five counts of feloniously causing great bodily harm to another. Holmes is sentenced to seven years in prison. Holmes did not have a valid Wisconsin drivers license. The Manager of the sales crew Choan Lane is charged with obstructing an officer, contributing to the truancy of a child, contributing to the delinquency of a child, and interference with child custody. Lane was sentenced to 3.5 years in prison. Holmes and Lane worked for Subscriptions Plus, Inc. a magazine sales company out of Oklahoma owned and operated by Karleen Hillery.
67. 1998—A grand jury in Strafford County, NH indicted a door-to-door magazine salesman for felonious sexual assault and kidnapping on a 9 year-old girl. While attempting to sell magazines in a trailer court Walter Collier, 19, of Yuma AZ. lured a nine year old girl to a wooded area on the edge of the court and held her against her will to commit the assault. Police claim that Collier's job enabled him to commit the alleged assault.
68. 1998—Quinton Jackson, 21, was being held in jail in Plano, Texas for the aggravated sexual assault of a 67 year old woman. He was working as a

- door-to-door salesman. Jackson worked for American Community Services.
69. 1998 - Police charged a Bloomfield man Wednesday with attempted murder in an Aug. 2 shooting at the Travelers Inn on Main Street. Chauncey Whitehead, who police say also goes by the name Chauncey Watts, was charged after a bizarre chain of events that landed him in jail, accused not only of the East Hartford shooting but also of a 1995 slaying in Hartford. Whitehead, 20, whose address police gave as 16 Rosewood Lane, was staying at the Travelers Inn as part of a group of 58 people who were selling magazine subscriptions door-to-door for a New Jersey company, according to a police affidavit. Whitehead was working for Chapel Sales. Whitehead was a previous offender and wanted by the police. On July 1, 2000 Whitehead was sentenced to 100 years in prison for firing shots into a crowd in the city's South End and killing a man while wounding three youths. Judge sentences man in killing. Gunman gets 100-year term for 1995 shooting.
 70. 1997— Bridgette Latrice Brown, 23, while selling magazines, door-to-door in Seattle Washington asked the customer if she could use her phone. She then turned vicious, tied her up and raped her. Brown was charged with Second-Degree Rape and First-Degree Burglary. She was sentenced to 6 years in prison in 1998.
 71. 1997 – Bakersfield, California: The California Supreme Court has upheld the death penalty given a door-to-door salesman who was convicted of murdering a 65-year-old woman who told him to leave. A Kern County Superior Court jury convicted John Lee Holt of robbery, rape and murder in the 1989 incident, and the state court upheld the decision in this automatic appeal. Holt worked for Austin Diversified Products.
 72. 1997 - The second defendant in the murders of two young magazine salesmen agreed Tuesday to a plea deal that spares him a possible death sentence in return for a lengthy prison term. Michael W. Grinnell, 25, who was to be the first death-penalty defendant in the state to go on trial, agreed to a plea bargain similar to that granted last December to a co-defendant and admitted that he murdered Adam Chesneck, 18, of Dixon, Ill., and Billy Jo Gilbert Jr., 20, of Terre Haute, Ind., last August in Genesee County. All were among a group of magazine salespeople and supervisors working in the county at the time. The only motive disclosed was that Grinnell, of Massillon, Ohio, and co-defendant Jacob R. Russell, 20, of Elk Grove, Calif., planned to rob a convenience store and feared that Chesneck and Gilbert would alert police. The robbery never occurred, and many were puzzled because the viciousness of the crime seemed so out of proportion.
 73. 1996—San Jose, California. An 18 year-old door-to-door salesman would burglarize a home if no one was home. He would take credit cards or individual checks and charge subscriptions. Kevin Lee Mobley worked for Palmetto Marketing, Inc. out of Coral Springs, Florida. Mobley was

- arrested in Rochester, Minn.. Police found stolen checks and credit cards belonging to at least 30 people.
74. 1996—Police arrested a California salesman for allegedly molesting a young girl while trying to sell magazines in Coeur d'Alene.
 75. 1996 - Police arrested a 30-year-old door-to-door salesman Friday, saying he tied up and robbed an 88-year-old woman this week after selling her a bottle of cleaning solution. "She couldn't understand why he did that after she bought his product," said police Detective Michael Mitchell. Creston Lee Betts, who had no listed address, was held in Hillsborough County Jail Friday on \$20,250 bail on charges of home invasion robbery, false imprisonment and possession of marijuana.
 76. 1995—Orlando, Fla. Samuel Erby, 20, a magazine salesman revisited the apartment of an 88-year-old woman who turned down a subscription and attacked her. He first tried to suffocate her with a scarf and then smother her with her hand. When she screamed he ran away and a neighbor called 911.
 77. 1994—John James Smith, a 19 year old Illinois door-to-door salesman admitted murdering a 9-year-old Franklin, Wisconsin boy. The boys naked body was found in brush adjoining a neighbor's backyard.
 78. 1993—Tucson, AZ. A 26 year-old door-to-door salesman from Vancouver was arrested for raping a woman.
 79. 1993—Seattle Washington. Jeffrey L. Robinson, a traveling magazine salesman from Macon Georgia was held on \$150,000 bail for first degree rape of a four-year-old child.
 80. 1993—Orlando Florida. Traveling magazine salesman accused of rape.
 81. 1993—Fayetteville NC. Magazine salesman Michael Paul Scott working for Sun Circulation murders Dennis Craig House. The jury found defendant Scott guilty of robbery with a dangerous weapon, conspiracy to commit robbery with a dangerous weapon, and first-degree felony murder.
 82. 1992—Tucson AZ. A traveling magazine salesman was arrested for rape of a woman who let him into her apartment while attempting to sell magazines.
 83. 1991 - A 23-year-old Mississippi man who sold magazines door to door was in custody at Santa Clara County Jail Thursday after being arrested on suspicion of raping a woman in East San Jose. Police said the man forced his way into the residence after the woman described as being in her 20s opened her front door. Officers would say only that the rape occurred about 3 p.m. Tuesday near White Road and Cunningham Road. The man choked the victim and kicked her, raped her and then fled out the rear of her house, police said. Sgt. Greg Trapp said an officer responding to the call recognized the description as resembling a magazine salesman in the same neighborhood. Trapp said investigators then interviewed neighbors, who were able to describe the man and the identity card he used to sell magazines. After checking with the city's permit division, the police determined that the man worked for American Community Services Inc., which sells a variety of magazines.

84. 1991—Portland, Ore. Two traveling magazine salesman arrested for cutting the tips off of two cats.
85. 1991—Bloomington, Il. A traveling salesman was arrested for stealing checks from a customer who had been let into his living room.
86. 1991—Hillsborough County Florida. Carmon Eugene Lund, 26, a traveling magazine salesman was charged with raping an 18 year old woman while her 3-month old daughter was in the room. He then tried to disconnect the baby's breathing monitor.
87. 1991—Woburn Mass. A Middlesex Superior Court jury deliberated approximately two hours before finding that Darrin Whitman, 24 had killed a retired beautician, with deliberate premeditation. Whitman was one of a large group of young persons brought into Woburn to sell magazines. He sold a subscription to the victim earlier in the day. Later he came back, made her undress and lie on her back before stabbing her four times, once in the heart. Whitman worked for American Community Services.
88. 1991 - Orange County, California. A magazine salesman is charged with raping a 15-year-old girl. A man claiming to be a magazine salesman raped a 15-year-old girl at knifepoint Tuesday in her Seal Beach home. The girl, who lives in the Old Town neighborhood, answered a knock at the door shortly before 3 p.m. from a man in his early 20s identifying himself as a representative of a magazine marketing company, Seal Beach police said. As they were talking, he pulled out a knife and raped the girl.
89. 1990—Ames Iowa. A 22-year-old Huron, S.D., magazine salesman was arrested in Omaha on charges of a sexual assault in Ames, Iowa.
90. 1989—Austin TX. A door-to-door magazine salesman from Tucson was arrested for attempted rape and burglary after forcing his way into a customer's home.
91. 1989 - Braintree, MA. A magazine salesman accused of raping an East Braintree woman this month was arrested by Augusta, Maine, police late Friday night and returned to Braintree, authorities said yesterday. William Sutherland, 24, of Battle Creek, Mich., was charged with rape, police said, after Maine police were told by a hotel clerk that Sutherland was in the Augusta area.
92. 1989 - Chicago, Illinois. Michael Ray Hughes robs a door to door salesman selling magazines robs and murders Beata Lhee while selling magazines. In April of 2005 in a plea deal that spared Hughes the possibility of the death penalty, Judge James Egan sentenced Hughes to life in prison with no chance of parole for the Sept. 21, 1988, murder of Beata Lhee.
93. 1988--American Fork Utah--A five-man, three-woman jury deliberated three hours before finding a door-to-door salesman from Chicago guilty of raping a 19 year-old American Fork woman.
94. 1987--Opelousas La. Roosevelt Chapman, a 23 year old traveling magazine salesperson from Bristol, Pa. was arrested after he stole more than \$100 from a customer's purse while she was out of the room getting

change. He will be extradited to Dayton where he is wanted on a burglary charge.

95. 1985 - Allentown, Pa.: Mar 19, 1985. An Ohio magazine salesman has exhausted his efforts to get a new trial after being convicted of raping a 31-year-old Allentown woman. Two Lehigh County judges have disagreed with Clinton Dudley's contention that his attorney was ineffective in his April 1981 trial. A jury found Dudley guilty of rape, indecent assault and simple assault.
96. 1982 - On August 19, 1982, David W. Steffen talked his way into the home of a 19-year old Cincinnati woman. David Steffen, a young door-to-door salesman, was selling a cleaner product which was packaged by Hy-Pro Chemical. The 19-year-old Cincinnati woman allowed him in to give her a demonstration. The Cincinnati woman watched as Steffen scrubbed the tile under the sink. When he stood up, Steffen brushed against her breast. She started to scream. Steffen warned her to stop but she continued. Steffen then beat her severely, ran into the kitchen, found a paring knife and returned to the bathroom where he raped her and cut her throat. Steffen beat her, broke her nose, choked her and slashed her throat 4 times. He left the home after raping her, leaving her body for her mother to find.

LOUISVILLE METRO POLICE



PATROL OFFICERS REFERENCE GUIDE TO DOOR TO DOOR SOLICITORS

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This reference guide was written by Officer George D. Dahl. The information in this manual was gathered through KY LRC, interviews with solicitors, officers and investigations involving solicitors.

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Introduction to the Reference Guide

The following reference guide is designed to educate and assist Louisville Metro Patrol Officers in dealing with problems and calls for service from citizens in the Louisville Metro area dealing with door-to-door solicitors. Through this reference guide, we can better serve the community by educating officers on how solicitors operate and how they are organized. In fact, some solicitors actually become victims themselves. Problems encountered by the police when dealing with solicitors are specifically addressed in this guide.

Louisville Metro is not the only city across the United States that is dealing with unwelcome door-to-door solicitation. Across the nation, many cities have enacted "no knock" ordinances to deter harassment and other crimes committed by some of the sales crews. In Louisville, we believe that it is possible to reduce the number of citizen complaints by strictly enforcing existing laws through a coordinated effort. Our goal is to eliminate fraudulent solicitation in the Louisville area.

Introduction to Sales Crews

Today it seems like door to door sales crews have been canvassing our cities and neighborhoods in increasing numbers since telemarketing crews have lost ground to "no call" lists. Many of the crews who operate in the Louisville Metro area are operating illegally by not having permits or they are conducting business on posted private property. It is not unusual for sales crews committing fraud to operate without permits to avoid detection from government agencies who would prosecute them for their illegal activities. Many sales crews commit other crimes such as burglary, theft, harassment and assault. Alarming crimes such as rape and murder have also been attributed to door-to-door sales crews across the United States.

History

Traveling sales crews have been operating since ancient times. Stories of men traversing ancient civilizations to sell and trade goods can be found in history books from all over the world. In the United States there are many stories of men selling household goods door-to-door in the mid 1800's.

Around 1853, the problem became so bad that some states started enacting laws to deal with annoying peddlers, drummers, and canvassers. After 1929 the great depression started and again men went to work going door-to-door selling goods to make enough money to survive. After WW II, veterans who returned home with war wounds could be found going door-to-door using their wounds to help make sales of goods and books. In the 1980's Congress held two congressional hearings on the sales crews. Nothing changed and the only regulations were through state and local governments. Today crews in the Louisville Metro area can be found selling everything from bogus coupons, candy, cleaning products, magazine subscriptions, books, vacuum cleaners and cell phones. Although we have enforceable laws the crews continue to come.

Recruitment

Working as a solicitor can be a dangerous and hard lifestyle with very few benefits. Some solicitors realize in just a few weeks that they need to get out and this causes a high turnover rate among door to door solicitors. To get members many crew bosses spend a lot of time recruiting. They place fliers on utility poles, campuses, and other areas teens and young adults hang out. Some of the fliers promise a fun job, rock and roll all day, parties every night, travel, lots of money, scholarships and prizes. They also advertise in newspapers using a lot of the same propaganda. Once in a crew, many realize they work six days a week, long hours, no benefits, and little pay.

The crew bosses have total control of all aspects of the crews and car handlers. The bosses make sure there is no dissent by crew members. Crew members have stated in interviews that no one on a crew is allowed to be negative. Being negative includes wanting to leave the crew, thinking that what they are doing is wrong and not having a positive minded attitude at all times. If a crew member states any thing negative punishment may occur. On many crews the negative crew member will be ignored and the other crew members will even refuse to talk to or acknowledge they exist. In others, the crew members all try to encourage the member to be positive and that tomorrow will be a better day. I've been told in a few interviews that they may even be physically beaten. Many crew bosses know they have crews operating without the permits they need. They make the solicitors believe that what they are doing is legal and if anything happens to the crew

member they will take care of it. The promises of scholarship money and prizes are always on the solicitors mind. Many believe they will soon have the record sales that they are constantly hearing about and are on their way to winning. I have heard from some crew members that had been on more than one crew that they sometimes get burnt by the bosses. Some have stated they end up having a criminal record or arrest warrants because the bosses did not follow through or they were not allowed to return for a court date.

Sale tactics of crews

Solicitors are typically going door to door selling products, subscriptions, and services. The products, subscriptions, and services are some times over priced, poor quality or non existent. Solicitors manage to sell the items through aggressive tactics, peer pressure, and deceptive practices.

Solicitors are trained to aggressively push the products they are trying to sell. Solicitors make a game out of how many customers say no at first and through aggressive tactics later end up purchasing the product. Many solicitors get a thrill when making a hard sell and take pride in their style. To the amazement of many in law enforcement many customers let complete strangers into their home. Remember some of these crew members have committed rapes, murders and assaults. As a general rule, the solicitors use some of the following methods when engaged in aggressive sells.

- Solicitor introduces himself then quickly begins the sales pitch
- Solicitor will not take no as an answer
- Tells the customer they will never get this opportunity again
- Gets upset at the customer if they indicate they want to end the conversation
- Argues with the customer
- Some will ask for a drink of water
- Some ask to come in the home to use the phone
- Some ask to come in the home to use the bathroom
- Once inside they continue the sales pitch.
- Many demand the customer purchase because the customer has wasted their time
- Every time a customer says no they sell harder and get more aggressive

Solicitors also use deceptive practices and peer pressure. Many will show customers a sign up sheet with names of neighbors and/or others in the area that had purchased a product from them. Solicitors use this method to build trust and put peer pressure on the customer. Many solicitors will make comments about the Jones's purchasing the product because it was a great deal. On many occasions I've inspected the sheets and found them to be deceptive. On one occasion the sheets I inspected stated nothing about purchases only about how effective the sales pitch was. On another occasion the sheet indicated that the following persons had purchased the product from the seller. When I inspected the sheet the first thing I noticed was the handwriting was all similar. The handwriting also seemed to match the handwriting of the solicitor I was investigating. In addition, I went the customer's homes that were listed and only two of the twelve stated they had purchased the product from the solicitor. The following list is of common deceptive practices I've come across:

- No sales tax collected when required
- Charging higher percent sales tax
- No permits when required
- Not registered as a professional charity
- False claims about the product
- False claims about donating to a charity
- If a subscription is not purchased telling customer they can donate to the solicitors educational fund instead
- No receipt issued to the customer with the companies actual name and correct information
- Forged documents

Operations

To be effective in dealing with the traveling sales crews it is a good ideal to understand how they operate. Not all crews operate exactly this way but according to most of the interviews conducted with crew members and the car handlers that were involved in criminal activity this tends to be the norm. The crews stay in middle to lower priced hotel rooms at least two to a room some times four to a room. When in the Louisville Metro area, the crews

usually stay in hotels outside the jurisdiction of LMPD. It is not unusual for them to stay in southern Indiana, Frankfort, or their surrounding counties.

The crews change localities usually every week. They call the trip to the new location a jump. Once settled in after a jump the crews prepare to make sales. Their manager will rally the sales crew and the car handlers at meetings. The crews may practice sales pitches and get a pep talk about how to be positive and make a sale. The crews then leave the hotel with the car handlers. The car handlers drop off the crew members in various neighborhoods around the Louisville area. The crew members are left walking the neighborhood going door-to-door trying to sell. The car handlers sometimes drive around checking on the crew members and even attempt to sell or work with a poor performer to motivate them. Some crew members have reported that the car handler also recruits new members and even finds drugs for the crew members.

Crew members may be left out on the street for over 16 hours. At the end of the day the crew members wait for the car handler to pick them up. Once everyone has been picked up the crews return to the hotel. Receipts are then turned into the manager or bookkeeper and \$15 to \$20 is given to the crew member for food for the next 24 hours. All other money that is earned is kept by the manager or bookkeeper. Many crew members are led to believe it is better to keep their money in the book keepers account book. Several crew members and car handlers have reported this is also effective in keeping members from leaving because they never have enough cash to get home. Some even stated that when they went to cash out the managers subtracted the \$20 a day for food, the cost for gas in the van, the van lease, hotel rooms and any money owed for drugs. It was not uncommon for those interviewed to state they were not able to leave because they only had \$100 left in their account.

According to statements by crew members drug use seems to be very high. Most only admit to using marijuana. The same subjects will usually admit others on the crew use drugs such as meth, heroin and crack. A few stated certain crews specialize in hard drugs and if your into a particular type of drug you can eventually find a crew to join. Only a few crews of this type seem to come through the Louisville Metro Area. If you are searching a vehicle or person make sure you look for hidden pockets in the clothing and

compartments in the vehicle. I've had two that had extra pockets sewn in a seam to hide marijuana. I usually find drugs or drug paraphernalia when making arrests with solicitors. Watch for concealed weapons during searches. Life on the road is dangerous and many crew members are armed with some type of edged weapon.

The crews typically travel in fifteen-passenger vans. The vans almost always have out of state plates. The vehicle is usually owned by the company the crew works for but is leased to someone on the crew, the manager or the car handler. Some of the leases have a section stating that the person leasing the vehicle should not use the vehicle in an unlawful manner and should have secured any necessary permits before using the vehicle for business.

On some occasions solicitors report to officers that they want to get away from the sales crews lifestyle. Most will not because they think they won't be able to collect their personal belongings and money to travel home. When talking to crew members who have reported abusive situations you will notice they react much like victims in domestic violence situations. This is most likely because the crew members work and live closely together. According to many of the interviewed crew members, the crews become a surrogate family to them. It is also not uncommon that the crew member left home because of problems with their own families. Crew members are sometimes physically and mentally abused by car handlers, managers and other crew members. On several occasions crew members stated they would rather go to jail than give answers to questions about their employer because they would be beaten if others on the crew found out they had talked to an officer about their situation. In an actual case a crew member gave officers information on where to find the marijuana that was in a vehicle occupied by the other crew members. When the subjects in the vehicle were arrested the subject that gave the information stated he had to go to jail with the others or the crew's enforcer would beat him. Make sure you talk to every crew member separately to protect them from this type of retaliation

Patrol officers guide

Crews descend on areas that are profitable and lax on enforcement. Some reported they typically avoid communities with strict ordinances and enforcement that result in high fines. The cities of Erlanger and Covington

have strong "No Knock" ordinances. Those communities enacted them because of aggressive sales tactics used by solicitors. As a patrol officer you will receive many calls for service involving subjects going door to door. Many of the runs will involve solicitors who were threatening or harassing citizens that would not purchase or donate. In some cases the solicitors may be legitimately conducting business with the proper permits and receipts. Some may be involved in protected religious activities. Others may be asking for donations for a legitimate charity such as the girl scouts or local school fund raiser. In other cases the solicitor may be operating illegally without a permit or registration receipt. The solicitor may also be committing frauds or casing homes in the area for later burglaries.

When responding to a call for service on door to door solicitors use the same precautions that you would use with any suspect that may be acting suspicious or casing homes. It is not unheard of for burglars to use this line of work as a tactic to case homes and businesses for future thefts and robberies. In the 8th Division it has been noted that when the crews pass through neighborhoods the number of theft reports sometimes increase. The most effective way to reduce complaints about solicitors is to aggressively enforce all laws that apply to conducting business in the Louisville metro area and Kentucky. If you make multiple arrests from one crew they usually move on to another city or are forced to get a permit.

When dealing with a solicitor, always check for a permit or registration receipt. If the solicitor fails to produce one or states they do not have one see if they meet the criteria to be exempt from obtaining a permit or registration receipt from KRS 367.660 and / or KRS 367.655. If the solicitor is claiming he is practicing religious beliefs and is not selling or collecting money he should be ok, unless you had reasonable suspicion to stop the subject for other suspected criminal activity.

If the solicitor you stopped is collecting donations for charity find out if he is being compensated to solicit. If compensated he may be considered a professional solicitor under KRS 367.650(6) which under KRS 367.990(10)c is a class D felony. If the subject meets the criteria of a professional solicitor ask him to produce a photocopy of the letter of compliance from the Attorney General of Kentucky with the assigned registration number. If he can't, consider using Louisville Metro Ordinance 117.012, which also covers solicitors seeking donations.

Ensure you completely read the exceptions to each KRS before attempting to enforce it with charities and non profits. Also, always know what elements are needed for the charge you use and ensure that all elements of the crime are listed in the summary section on the citation. List the name of the company they work for on the citation. The name of the company may be needed to assist other agencies such as the Attorney Generals Office in prosecuting them for fraud. Look at all sales slips, ID's and documents. Some crew members give customers false information and use false documents to trick customers who pay them in cash. The solicitor then pockets the cash and the customer never receives a subscription or product.

With team work and strict enforcement, the crews operating illegally will not want to stay in the Louisville Metro Area for long. Hopefully we can also help a few crew members to get out and get home to their families. Please visit the web sites listed on the next page and explore the links.

WEB LINKS

THE FOLLOWING WEB LINKS MAY BE HELPFUL IN OBTAINING ADDITIONAL INFORMATION:

<http://www.parentwatch.org>

<http://www.travelingsalescrews.info>

<http://www.dedicatedmemorial.org>

<http://www.magcrew.com>

<http://edumacation.com/YouthFieldSalesAlert>

KRS QUICK REFERENCE

DOOR TO DOOR SUBSCRIPTION SALES OF PRINTED MATERIALS

367.513 02689 REGISTRATION OF SOLICITOR CLASS A MISDEMEANOR

367.515 02689 DISPLAY OF REGISTRATION RECEIPT CLASS A MISDEMEANOR

DOOR TO DOOR SALES OF GOODS WARES MERCHANDISE OR COMMODITIES

365.660 60167 FAILURE TO SECURE REQUIRED PERMIT CLASS A MISDEMEANOR

PERSONS ACTING AS PROFESSIONAL SOLICITORS FOR CHARITIES

367.652 91000 REGISTRATION OF PROFESSIONAL SOLICITORS CLASS D FELONY

189.570 00576 PEDESTRIAN DISREGARDING TRAFFIC REGULATIONS VIOLATION

LOUISVILLE METRO ORDINANCE

LOUISVILLE METRO ORDINANCE §117.07

LOUISVILLE METRO ORDINANCE §117.11

OTHER LAWS THAT MAY BE USED ON SOLICITORS AND CAN BE FOUND IN THE CRIMINAL LAW MANUAL

511.080 CRIMINAL TRESPASS IN THE THIRD DEGREE

511.070 CRIMINAL TRESPASS IN THE SECOND DEGREE

511.060 CRIMINAL TRESPASS IN THE FIRST DEGREE

514.040 THEFT BY DECEPTION

512.080 UNLAWFULLY POSTING ADVERTISEMENTS

516.070 CRIMINAL POSSESSION OF FORGED INSTRUMENT IN THE THIRD

Struggling to Stay in the Black

As they move from state to state, living in motels, magazine sales agents work 10 to 14 hours a day and receive as little as \$6 for each subscription they sell. In addition,

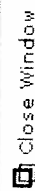
their earnings are kept on the books and each day they receive a "draw" from those earnings. Managers say they hold earnings in order to cover expenses and to wait for

subscription payments to clear. Some crews are paid weekly. Many get their money only by asking their manager to draw from their account or when they leave the crew.

The payment structures of magazine crews vary, but here are some approximate scenarios that show the challenges of magazine sales, compiled from interviews with former sales agents, crew managers and bookkeepers.

	A VERY GOOD DAY	A GOOD DAY	A BAD DAY	A SICK DAY	A VERY BAD DAY
Sales agent's take	\$120	\$60	\$18	\$0	\$12
Deductions					
Daily "draw" for meals, laundry, phone cards, other expenses	-\$15	-\$15	-\$15	-\$15	-\$15
Hotel room	-\$10	-\$10	-\$10	-\$10	-\$10
Cancellations of previous subscriptions sold	+\$30	-\$6	-\$12	-\$6	-\$100
Fines or bonuses					
Net gain or loss (kept on the books)	+\$125	+\$29	-\$19	-\$31	-\$119
Number of 'good days' to get back to positive earnings	0	0	1	2	5

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