



STATE REPRESENTATIVE

# TOM LARSON

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## Testimony on Assembly Bill 606 January 20, 2016

Mr. Chairman and committee members, thank you for the opportunity to speak today on behalf of Assembly Bill 606, which will require licensed private detectives to take continuing education courses. This issue was brought to my attention by the president of the Professional Association of Wisconsin Licensed Investigators (PAWLI), Jim Greenwold.

Unlike several neighboring states, Wisconsin does not require prospective licensees to have experience. A person need only pass an online exam administered by the Department of Safety and Professional Services, undergo a background check, and meet certain bonding requirements. The exam is designed to "test the applicant's knowledge for protection of public health and safety". It is a one-time assessment of a prospective licensee's professionalism and competence, although the department may discipline licensees for unprofessional conduct, among other things.

In order to ensure that licensees remain informed about the standards expected of them, AB 606 requires licensed detectives to earn 15 continuing education credits during every two-year licensure period (7.5 credits in each year) in order to renew their licenses. This requirement would not apply to a licensee's first renewal. AB 606 also requires DSPS to promulgate standards for continuing education courses to ensure that the courses contribute to the licensee's professional competence. It also gives DSPS the authority to identify sponsors whose course offerings have the presumption of meeting the standards. Given the often-sensitive nature of private detective work, I think it is important that detectives know what they are doing and do it well.

My office worked with Sen. Terry Moulton to develop AB 606, and my staff also shared drafts with DSPS for their feedback. As introduced, AB 606 incorporates some of the department's suggestions.

The Senate Committee on Public Benefit and Regulatory Reform held a public hearing on AB 606's companion, Senate Bill 460, last week. I would like to thank both committees for scheduling hearings on these bills so quickly, and I also want to thank Chairman Petryk for his willingness to hold a vote on AB 606 today.

Thank you for your consideration. I will be happy to answer any questions you may have.

# Pubic Hearing: Senate Bill 460 / Assembly Bill 606

Written and Presented by James Greenwold (715-726-1400)  
President of Professional Association Of Wisconsin Licensed Investigators

## Job Description of a Professional Investigator

The least part of the job for a **Professional Investigator** is what most outsiders think of first, "domestic surveillance". In reality this is a very small part of the case load, and is often refused by many **professional investigators** because it rarely results in useful information and is a waste of client's money.

Additionally, within the category of "Domestic" breaks down into many type i.e. **Custody and child protection, stalking, and domestic abuse and violence protection.**

### The majority of the work covers both civil investigations:

Examples: working with law firms on both sides of the table in accident investigations, and law suits.

### And criminal investigations:

All forms of criminal cases from misdemeanor, to 1st degree murder. These cases have the prosecutors and police on the side of the state; the accused needs someone to investigate for evidence that was overlooked or left out, which can prove or at least mitigate the situation.

**Professional Investigators** are retained outside of the court system to work cases for individuals whom have not received appropriate attention from the legal system. Law enforcement has to work within a budget, so most low priority cases end with a written report and filed. The individual is left with no satisfaction unless they bring in a professional investigator to work the case to a conclusion.

- As examples: Many times **Missing Persons, or child protection** get attention by law enforcement for a short while, then the priority is over ridden and the family is left without an answer.
- Same is true with crimes against property: **Damage, theft, trespass, harassment.** A report is taken and it can sit on the desk of an overworked LEO for years.
- Corporate investigations often involve **Professional Investigators** before Law enforcement to insure confidentiality.

All of these situations can be complex enough to require special training, knowledge of the rules of evidence and procedures, and being able to recognize the significance of evidence when it is discovered. Solving these cases requires training. To enter into a contract to provide services that you are not trained to resolve is not **Professional.**

## Ramifications of Lack of Training

When a client retains a **Professional Investigator**, they deserve to get a "**Professional**". Not someone who has passed an open book test and has no experience in the case.

Investigators will often specialize in certain concentrations this allows the time to study as an expert in these very complicated cases.

The latter could be considered fraud, even if it would be hard to prove. So the result of having a very large number of investigators at the other end of the phone line is unhappy clients, incomplete cases, costs incurred by client creating another victim. This reflects negatively on an entire profession.

In past years we have seen the reputation of Wisconsin investigator diminish to where insurance companies and corporations will import investigators from out of state in order to not take the chance on retaining one who is not qualified.

That is why I have brought the problem to those who can help, not only protect the clients who retain someone who they wrongly believe can solve their problem, but also protect those small business owners who care about their work and make efforts every year to keep up with the changing laws and technical and tactical procedures that are used to efficiently solve those cases

# Requirements For Neighboring States Professional Investigators

## Illinois

Agency license issued to one owner. Different license for Investigative and Security.  
One individual must hold a personal investigator's license  
A Permanent Employee Registration Card has to be held by all employees.  
3 years experience required before a Perc card can be acquired.  
The license exam has to be passed with 70% or higher. Retake exam every 6 years  
A carry permit for firearms requires 40 hrs of training, Every 2 years everyone has to re-qualify.

## Minnesota

Agency license issued to one owner. Different license for Investigative and Security.  
One individual must hold a personal license  
6,000 hrs of experience before applying for a license.  
Preliminary training of 12 hours before field operations  
Mandatory CEUs 12 hr / 2 years  
12 additional hours / 2 yr for firearm training if applicable.

## Iowa

Agency license issued to one owner. Different license for Investigative and Security.  
One individual must hold a personal license  
Every employee has an Employee ID card and has to meet the same standards as the license holder  
Mandatory CEUs of 12 hrs / 2 years

## Indiana

Agency license issued to one owner.  
4,000 hrs experience before applying for license  
License expires every 4 years  
Academic transcripts for those who have a cert in criminal justice  
DD 214 from military service.

## Michigan

Age of 25+ GED+  
no felonies but then carries it further than most by adding no misdemeanors involving dishonesty, fraud, controlled substances, 2 or more alcohol related offenses, or carrying a firearm, impersonating a LEO or divulge information or evidence.  
Must have 3 years experience before applying for a license

## Wisconsin

Agency license issued to all agencies held by one owner  
Owner and all employees must have an individual license  
Unless that individual has only one client, (law firm, corporation) then license is not needed.  
Off duty LEO can act as a Professional Investigator without a license as long as there is permission from the boss.  
Licensing test has to be passed but is taken on the home computer over a few days.  
No experience necessary.  
No CEUs required

## Places Where Education is Available

Many states surrounding Wisconsin have required continuing education for years. Each have a state association which organize annual conferences following a national standard of quality. Additionally, Wisconsin's association, PAWLI (Professional Association of Wisconsin Licensed Investigators), has organized an annual conference for more than 20 years, attended by investigators from, not only Wisconsin but surrounding states.

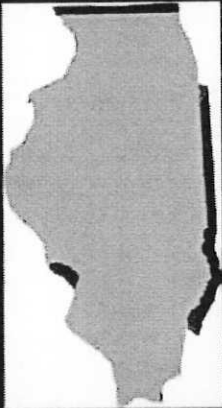
There is no restriction as to where the "student" goes to gain credits as long as source conforms to the standards set forth.

The requirements for continuing education units follow rules which would correlate to any other profession. The standard upheld by all state associations offering continuing education has followed the model reflected by example of National Association of Licensed Investigators, (NALI).

- The course must be presented by a certified expert in the topic being presented.
- Documentation must be available to prove proficiency of the presenter and content of the presentation.
- The topic must be related in a substantive manner to the students practice.
- Each unit of credit represents 50 minutes of classroom presentation.
- A certificate of completion must be issued by the presenter and possessed by the student as proof of attendance.

James Greenwold  
President PAWLI  
715-726-1400

## **More Detail on States Requirements**



## Illinois Requirements Licensing of Private Investigators And Proprietary Security Force

Illinois has a different license for Security and Investigator  
As of October of 2013 , there are 1091 investigators and 560 security personnel. There is also an agency license for each of those.



Applicant is the Licensee in charge. Structured under Sole Proprietor, Partnership or Corporation..

Additionally, there is a Permanent Employee Registration Card (PERC) that can be held by employees of an agency for which there has to be at least one full license holder.

Investigators can carry fire arms after 40 hours of training. There are no restrictions as to where you can carry. Every 2 years the investigator has to re-qualify with a formal test.



An examination is necessarily passed by 70% or greater to qualify. The passing score is valid for 6 years at which time it becomes void. Then the applicant needs to reapply with the full process.

In January, IL will be enacting their citizen carry permit. It is still not decided if this permit will replace the current or if it will have restrictions that the current one does not.

The license is for 3 years. There is a \$500 initial fee and then \$450 for each renewal. The Agency license is approximately the same price and duration.

The PERC card is \$55 and a \$45 renewal fee every year.

All holders have the same renewal date, May 31st.

Liability insurance is mandatory. There is no bond required.

Some one with a PERC card has to acquire 3 years experience out of the last 5 years before applying for a PI license.

Illinois PI Requirements Private Detective Licensure Exam Information

Experience / Education Documentation

Fees are charged for the process of applying.  
Firearms control card \$75 and a renewal fee of \$45.  
Proprietary Security Force fee is \$300 and the renewal is \$200.  
Firearm instructor application fee is \$75 with a renewal of \$45.  
A 40 hour Firearm Training Course has a \$100 application fee.

Fingerprints from vendor licensed by Illinois for background

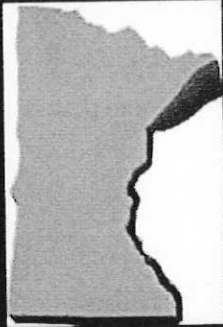
Regulations for Investigators and Security are listed in the Public Acts

If you want to download the Public Act in its entirety there is a PDF available.

All applicants should review the changes to the Public Act.

Licensure by endorsement is no longer available. Everyone has to take and pass exam.





## Minnesota Investigator and Protective Agents Application Procedures

The division of "types" of license holders are divided into:

Individual - which is listed as a sole proprietor

- A person with a corporation related to the business can not claim sole proprietorship.

Partnership or Corporation.

- A "Qualified Representative managing the day to day business is the license holder.
- A Minnesota Manager is the holder if the business is based out side of MN.

Insurance policy for applicant alone @ \$10,000 to 51 employees @ \$100,000.  
A Surety Bond of \$10,000 at the time of application.

Mandatory employment experience.

Document 6,000 hrs of investigative experience in 1 or more of:

Private Investigator

- As an investigator with a licensed agency
- U.S. Government
- Police department
- Other experience that the board would deem relevant.

A protective agent has the same requirements just replace investigator with PA. Additionally, PA requires experience in security systems, audits, and supervisor of other security personnel.

There are 211 private investigators and 100 security agents licensed in the state.

Fees for investigators:

- Individual \$1000
  - Partnership LLP \$1700
  - Corporation LLC \$1900
- Director is trying to change 0-1 person \$540 PI license

Fees for Protective Agents:

- Individual \$1,000
- Partnership LLP \$1,700
- Corporation LLC \$1,900

No test is taken

Experience package is submitted to board and, upon successful evaluation, board grants license.

Preliminary training of 12 hours before field operations

Mandatory CEUs 12 hr / 2 years

12 additional hours / 2 yr for firearm training if applicable.

Director Greg Cook is working on a statute to make unlicensed activity a felony. Now just the now \$35 fine.

No ID for carry is issued by state, however the individual is allowed to purchase an ID from an outside vendor.

## Iowa Requirements Private Investigators and Security Agents

Iowa requires a license to operate in the state. The license packets are available for \$15 by mail or \$10 at the door.

Employees of an agency are to obtain an employee ID card and must meet the same standards as the license holder.

Iowa does have mandatory CEUs of 12 hours accumulated during a 2 year period or the license will not be renewed. Credits gained from other states are transferrable. 50 minutes minimum equal 1 hour. 100 minutes equal 2 hours. 99 minutes equal 1 hour.

A program qualifies if:

- Outline is prepared in advance
- Lasts at least 50 minutes
- Is presented by a qualified instructor, background and experience documented.
- A record of attendance is maintained.

There is no examination process to obtain a license.

Most current count is 255 investigators and 120 security.

A 2 year license is issued at a cost of \$100 and an ID card cost is \$10. Fingerprinting and background check is \$30.

The ID card is issued with the name of an agency. So working for more than one agency, (which is permitted), would require more than one ID card. You have to carry the ID all the time you are working. Failure can result in suspension. The card belongs to the state. For what ever reason you are no longer in business, the card is to be surrendered.



Renewal of the license has to be applied for with 2 new fingerprint cards., 30 days before the expiration. If received after expiration of the license, apparently the state wants you to start over again.

Iowa offers reciprocity with other states that have similar requirements. A temporary permit is issued for a period of 90 days. But to note, the cost of the 90 day permit is the same as a 2 year license.

Iowa does require insurance in the name of the agency on the application.

Iowa does require a bond of \$5000 issues by a bond company licensed to work in Iowa. If more than one service, i.e.: Detective and Security, the bond is bumped up to \$10,000.

Uniforms, badges hats, and patches are not permitted without written approval from the commissioner.

Written reports have to be submitted to every client unless a signed waiver is possessed. Reports are to kept for at least 3 years.

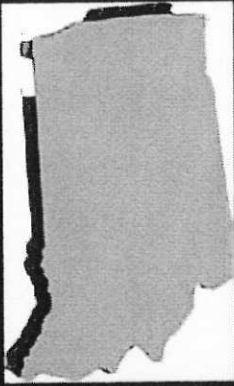
Carrying a weapon while working must meet Iowa Admin code 661 chapter 4.

Application Packet Check List

Iowa Code 80A

Administrative Rules





## Indiana Requirements Private Investigators and Security Agents

Indiana has a few things in common with states listed above and a couple things that are unique. The requirements are mostly historical:

- Requires at least 4,000 hours of experience. (2 years full time employ.)
- Background check back 7 years, state, local and fed.
- Errors and Omission liability insurance of \$100,000
- Academic transcripts for those who have a cert in criminal justice
- DD 214 from military service
- Corporate filing paper work for those who are not sole proprietors.

Application fee is \$300. \$150 if the expiration date is less than one year from application. Renewal is the same \$300. Late fee of \$50 and an additional \$10 for a wall or packet card.

Unless you spend the \$10 for the certificate, there is no personal carry license unless you make your own. The same rules apply as others, no seals or words that imply state agency affiliation.

### Application

License expires every 4 years on October 1st. (Next is 2015.)

The license holder in an agency is licensed but the employees are not. It is the responsibility of the agency to regulate the activities of the employees.

There is 488 agencies licensed as investigators and 381 as security.

The state requires no test nor CEUs.

An out of state agency no longer needs to keep an office within the borders.

A licensee shall maintain a record, relative to the licensee's employees, containing the following information:

- A picture taken within thirty (30) days of the date that the employee commences employment with the licensee.
- A full set of fingerprints of both hands of the employee.
- A licensed private investigator firm shall, at the board's request, provide the board with a roster of all unlicensed individuals employed by the private investigator firm.

The link below will give you the long version if you want all the details.

Licensure Law and Regulations



## **Michigan Regulations Private Investigators and Security Agents.**

In Michigan the age of licensure is 25, must have a GED or better. As with all, no felonies but then carries it further than most by adding no misdemeanors involving dishonesty, fraud, (which is redundant), controlled substances, 2 or more alcohol related offenses, or carrying a firearm, impersonating a LEO or divulge information or evidence.

If currently law enforcement, must have written permission from their boss.

Must have 3 years experience to get a license.

There is no exam for the license nor CEUs required.

A new twist is 5 notarized Personal Reference Forms from individuals that can attest to you being a good and honest person.

The application fee is \$150 and an initial fee of \$600.

A bond is required for \$10,000 or

Insurance is required for, (a little more detailed):

- \$10,000 Property Damage
- \$100,000 Injury or death
- \$200,000 If more than one person involved

Fees are \$750 for everyone, no matter what business status. But the paperwork for the corporate and partnership is a little more work than the sole proprietor.

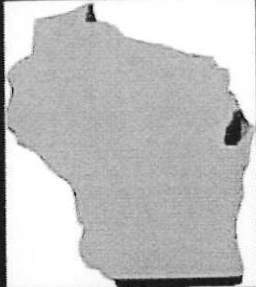
The license is valid for 3 years. Beyond the "hang on the wall" certificate, Michigan does issue a picture ID that must be carried by each licensed individual. The license is issued to the sole proprietor, partners or corporate members.

Other investigators on staff would not have an ID issued by the state but can have one from a vendor that meets the criteria of, no state seals or wording that sounds like state issue.

The recent count is 580 PIs and 277 Security Agents.

The Director of the State Department has to report the count of licenses accepted or denied by December 1st.

Application forms



## Wisconsin Requirements Professional Investigators and Security Agents

Last but not least is our state. Most will have known enough to get you through the test in the first place. And some will have learned a little more along the way. Wisconsin does not have continuing education, so it is possible that picking up things along the way might take longer than desired.

Of course PAWLI has come to the rescue for those who want to know more than the minimum: Check out the info on the upcoming conference.

Most of the following, everyone who is reading this, knows because you have already done it. But there are those searching the information so I have to fill in the blanks.

Now, the part that takes all the information from the other states and compares that data to what Wisconsin requires.

As with the other states, if you are going to advertise and do the work of an investigator, you need a license. The exceptions are:

- If you work for one law firm only
- An off duty LEO with written permission from the boss.

Can't have "no stinking badges".

Unlike most of the others, "Don't need no experience."

Pass a fingerprint background and a written test.

The test is 100 questions covering Wis Statutes and administrative codes relevant to PIs. The Statutes are linked below and the codes link given came up with a "no page". Went to the page with all the professional codes and the PIs were not listed. So the best I can find are search results covering some interesting things.

No felonies without a pardon

Can have misdemeanor under departments discretion.

Unlike most that require an agency and then a few hours to get to work, Wisconsin requires you to get a license personally. Then work for a licensed agency.

The full 118 pages of statutes are in a PDF.

But what pertains is found at 440.26 Subchapter II

For those of you working on or helping others, I'll toss in the forms.

And the instructions for the packet.

Renewal Fee is \$115 both PIs and Security and \$107 for agencies.

Last is insurance, requiring general liability or, (get this) a \$2000 bond.

No exacting numbers are known for the licensee count, but it is some where around 750.

### Epilog

It is no secret that I have continued the effort of presidential predecessors by lobbying for CEUs. If you have made it through this article you have read about how some states have higher requirements in some things and less in others. I, for one, and I know that all the investigators who show up for the conference agree, that Wisconsin Professional Investigators should want to be the best they can be in their profession, not just get by on the minimum or the average. And those who are just doing what they are required to do, really do harm the reputation of the rest of us. Please go to your "profile" on the PAWLI site and fill out the survey. It has a few more questions just for this occasion. A couple minutes to advance our profession.

James Greenwold  
President PAWLI

**Example of CEUs Offered Annually by  
State Associations  
2016 Annual Pawli Conference Schedule**



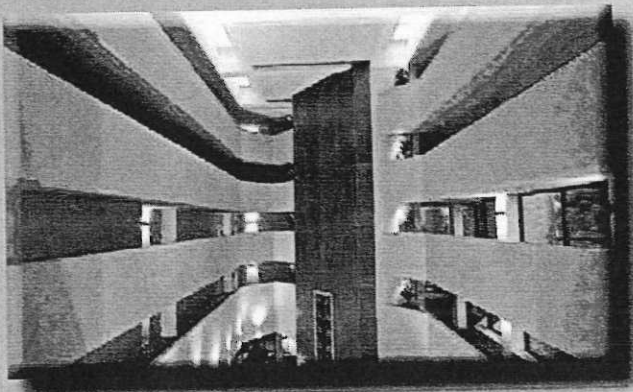


# PAWLI Conference 2016

March 31 and April 1, 2016  
Hotel Mead  
451 East Grand Ave  
Wisconsin Rapids  
(Pet Friendly)



**Room Costs** \$82.00 per night  
**Conference Costs** \$175.00 Early bird amount, non members \$260.00  
 \$200.00, Non members \$285.00. After February 28, 2016



Breakfast/ Buffet Dinner and three drinks for non conference attendees, \$50.00 for two days.

## Wednesday March 30, 2016

6:00PM until 8:00PM Registration

6:00PM until 10:00PM Hospitality Room- to include three free drinks and a buffet style dinner. Cash bar will be available in the room throughout the night.

## Thursday, March 31, 2016

8:00AM - 9:00AM Registration

9:00AM - 9:15AM Opening Remarks- Jim Greenwold

9:15AM - 10:05AM Steven Spingola – Jeffrey Dahmer Homicide Investigation.

10:05AM - 10:15AM Break

10:15AM - 11:05AM Attorney Jeffrey Pittman Elder Abuse Investigations.

11:05AM - 11:15AM Vendor

12:00PM - 1:00PM LUNCH (on your own).

1:00PM - 1:55PM Jack Freiss- Cold Case searches, missing and unidentified person investigations.

1:55PM - 2:15PM David Ross, Secretary of Department of Safety and Professional Service Update on the CEU credits and Administrative codes for PI's.

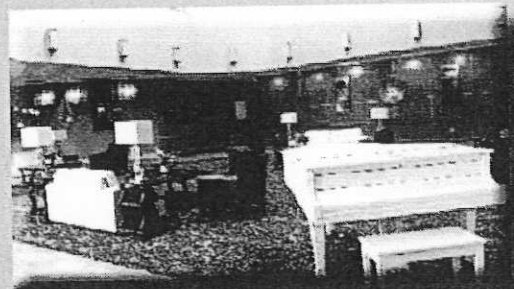
2:10PM - 3:00PM Dean Beers- Ethics for Investigations and Security Professionals.

3:00PM - 3:50PM Jeffery T. Ebel- How to run your business

3:05PM - 3:15PM Break

3:15PM - 5:15PM Tom Sipin Self defense course.

5:30 PM to 6:30PM Board Meeting



6:00PM until 10:00PM Hospitality Room- to include three free drinks and a buffet style dinner. Cash bar will be available in the room throughout the night.





## Friday, April 1, 2016

9:00am - 9:15AM Vendor Speaker

9:15AM - 10:05AM Kevin McClain- Social Media Websites To Use in Your Investigation.

10:05AM - 10:15AM Break

10:15AM - 11:05AM Kevin McClain- Eyewitness testimony and Wrongful Convictions.

11:05AM - 11:15AM Vendor Speaker.

11:15AM - 12:15PM Open Membership Meeting and Elections.

12:15PM to 1:15PM Lunch (on your own).

1:00PM - 1:15PM Vendor Speaker.

1:15PM - 2:05PM James Greenwold  
Evidence recovery.

2:05PM - 3:15PM Lisa Steinbacher  
Process Serving Do's and Don't s

3:15 - 4:00PM Professor Lawrence White  
Police Induced False Confessions.



4:00PM - 4:30PM Conference Wrap up.

5:00PM - 6:00PM Board Meeting.

If your staying Friday night the Hotel Mead will be featuring live entertainment.

[Sign-Up Now](#)



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**Position on SB 460/Assembly Bill 606- Continuing Education Requirements for  
Private Investigators.**

My name is Thomas E. Fischer. I am currently the Vice President of the Professional Association of WI. License Investigators. As the Vice President of the State wide organization it is my responsibility to educate and have effective training conferences and seminars for our members. Prior to becoming a License Private Investigator in the State of WI I was in law enforcement for the City of Milwaukee Police Department for over thirty years, and the Vice President of the Milwaukee Police Association.

I am supporting passage of this bill. When I was working in law enforcement in order to become a City of Milwaukee Police Officer I had take participate in over 800 hours of training. At the time this was above what the State of WI required. Today the State of WI. requires 720 hours to become a police officer. As a police officer there is continuing training on a yearly basis. Milwaukee Police Department requires 40 hours of on going training every year. The State of WI also requires a certain amount of continuous training on a year basics. The State of WI Department of Justice realizes that officers need on going training in order to maintain their law enforcement certification as well as their skills. With all the changes going on with new or updated laws, internal policies/ rules changes, and new ideas on how to conduct policing in today's society training is a must.

You may ask why does a private investigator need continuing education, basically for the same reasons as law enforcement does. There are approximately 700 licensed investigators in the State of WI. today. There are over a 100 members in PAWLI. Within those numbers the investigators do many different type of jobs in this field. There are some that do civil cases, surveillance, skip tracing and like myself specialize in criminal defense of person.

In my job if I did not take continuing education how could I investigate the the alleged crime that a person is accused of. I have to know criminal law, evidence gathering and retention, trial preparation and testifying in a court of law. Now grant it I have over 30 years of experience doing this but I still need to keep up on changes in these matters. There are other investigators that have either no or limited knowledge how to conduct these types of investigations. If you were on trial for a criminal matter who you you want to work with your attorney, someone with ongoing experience or someone that learned how to investigator by watching television.

On Tuesday, January 19, 2016, Governor Walker will be presenting his State of the State Address. In his speech he will be the calling for more on going training in the employment force. I ask you if the person who cuts my hair needs continuing education credits to remain licensed why should a PI who is responsible for the rights and future of an accused person or any other client not be held to the same standard.

Thomas E. Fischer  
WI PI License #11713-063  
414-460-0006

**[www.thomasfischerinvestigation.com](http://www.thomasfischerinvestigation.com)**