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August 2009 Newsletter

Please distribute per your office protocol

- Important Dates
- Twin Grandsons – Update
- Speaking Engagements
 - Colorado Association of Legal Support Staff – Annual Conference
 - Professional Private Investigators Association of Colorado – Annual Conference
- Cell Phone and Computer Forensic Data Acquisition
- Professional Investigation News

I hope everyone had a fantastic Independence Day weekend with their friends and family. We did enjoyed our weekend and the spirit of the holiday. We spent time with our growing family; and Sunday Winter and Dylan were back in the hospital. Winter had been re-admitted 07/02, then released again 07/03; for observation due to complications.

IMPORTANT DATES

- AUGUST – No Office Closures or Events
- SEPTEMBER – 10th to 12th (PPIAC Conference); and 18th & 19th (CALSS Conference)

TWIN GRANDSONS!!

July 11th (2:03pm) brought Cash and Gage into our family – what an overwhelming joy! Jacee will be the boss of her cousins, we're sure. No one came close to the date – due to the complications – but I have delivered champagne to Shelly Torimaru (Jouard & Pickering), as she had picked the original planned delivery date (July 29th).

It was touch and go from when Winter was initially hospitalized from June 12th to June 24th. She was hospitalized and released again a few more times and on July 9th she was re-admitted and then flown to Denver that evening, with delivery expected any time based due the complications. Winter called us on Sat 07/11 after it was decided that they were going into surgery within the hour because her protein levels sky rocketed to risk of kidney failure. Cash Michael weighed just 3lbs 7oz (15.5 inches) and Gage Alan weighed 4lbs 13oz (17.5 inches). Both were doing great right away – the only intensive care babies with no artificial support – just 24hr nursing. They are so small and strong - truly new blessings to our family!

We were initially told that Winter would go home after 4-5 days and the boys would stay in Denver until early to mid August. Winter was released on 07/15, Gage was released on 07/22, and Cash was released on 07/26. During that time Winter and Dylan stayed at the nearby Ronald McDonald House. They were very impressed with the facility and people; Karen and I are adding Ronald McDonald House to our charitable donations list.

On behalf of our growing family, we would like to extend our most heartfelt thanks for the support and congratulations we have received. Don't be surprised if next time you see me I have a few pictures to show and brag about, including of Jacee – now seven months old.

I have put a page of photographs on Facebook (www.FaceBook.com/superhubsy) – feel free to drop me an email or send a ‘Friend Request’. If you are on LinkedIn, please feel free to visit me at www.Linkedin.com/in/forensicinvestigators or send a network invitation.

SPEAKING ENGAGEMENTS

- *Professional Private Investigators Association of Colorado* (September 10th to 12th)

My thanks to the membership of the PPIAC, who collectively asked me to give a presentation at this year’s annual training conference. It was requested that I present ‘Legal Investigation for the Professional Investigator’. This will focus on the general course of the legal investigation, from the initial case acceptance to the final work product and case conclusion.

- *Colorado Association of Legal Support Staff* (September 18th & 19th)

I want to thank Joyce Beach (Law Office of Matt Busch) for asking Karen and I to speak at this year’s conference. I also want to thank Vivian Acott (VanMeveren Law Group) for coordinating this and keeping things on track with our presentations.

I will be making a presentation on ‘Cell Phone Forensics and Data Recovery’. The focus of this presentation will be what is available and the benefits of your case. Karen and I will be presenting ‘DNA Evidence’ and ‘Forensic Photography’ together. The DNA presentation will focus on where it is found, how it should be collected, and how it should be stored. The photography presentation will cover several general areas from the basics, the how-to’s, and some legal considerations.

- Do you have a meeting or conference coming up?

Is there a conference or CLE opportunity coming up that needs a topic or two covered? Our past presentations have been on Individual Locates, Individual Backgrounds, Assets and Liabilities, Death and Personal Injury Legal Investigation, and this year’s Cell Phones, Photography, DNA Evidence, and Legal Investigation. Other topics include: Reviewing Autopsy Reports for Attorneys and Legal Investigators, and Trauma and Death Due to Alcohol and Other Drugs. These are just examples – we welcome any requests and subject matter.

CELL PHONE AND COMPUTER FORENSICS

This year I have been working on another goal of receiving training and acquiring equipment for cell phone and computer forensics. This can range from minimal to significant investments of time and costs. I have partnered with a colleague to take care of the ‘deep’ computer forensics data acquisition.

I am prepared to facilitate full forensically sound data acquisition from active (powered on) computers and limited acquisition from inactive (powered off) computers. This information, and timing, is critical. Please call as soon as you expect that data acquisition may be necessary and a plan will be formulated. Information that can be collected will depend on the computer, operating system and other circumstances too entailed for this newsletter. You are welcome to contact me any time to review your needs and these services, together with our computer forensics partner.

Cell phone data (including PDAs and smart phones) is a bit trickier. For several years I have acquired data, however in late 2008 and 2009 there were many changes to both phones and technology. At this time I still acquire SIM card data (all T-Mobile service, other services vary). Due to software changes I am holding on upgrading until late 2009 – allowing data collection from more phone models and services. This data collection should be supplemented by call

detail logs from the cell phone company. Please contact me for more information on formulating a proper plan. Our computer forensics partner is also available to extract cell phone and other handset data.

PROFESSIONAL INVESTIGATION NEWS

'Popular Mechanics' is not often a magazine I would consider turning to for evaluating investigative techniques. The current August issue has two excellent articles that review the findings of the National Academy of Sciences [NAS], as published in their February 2009 report. This report was scathing, and in conjunction with the October 2008 US Supreme Court decision in *Melendez-Diaz v. Massachusetts*, requiring the testimony of the forensic analysts, has left the 'science' of forensic science in question.

These two articles are worth reading, if only for a primer on the questions of forensic techniques. I have found, and my experience has been, that most 'mistakes' in forensic science are simply either inept or lazy technicians. The other common 'mistake' is that, aside from DNA, most techniques are not science and do not provide evidence to the 'exclusion of all others'; evidence should instead be properly defined as being 'class' inclusive or excluded. As noted in this 'Popular Mechanics' article, most forensic science was created by law enforcement to assist in solving crimes and, until the investigation by the NAS, was relatively unchecked and opinions were accepted by juries simply because it was perceived that the testimony 'must be true'. Hence, the 'CSI effect' was born.

The links for these articles are:

- http://www.popularmechanics.com/technology/military_law/4325774.html
- http://www.popularmechanics.com/technology/military_law/4325797.html?page=1

I have also written a peer-reviewed whitepaper detailing my use fingerprints to identify a decedent in an industrial accident, with no other possibility of identification other than DNA. I also used fingerprints to assist in determining the manner of death and excluding the possibility of other victims. This article can be found on our agency website, under the '[Articles](#)' tab or email me and I will gladly forward a copy; PDF versions can [follow this link](#).

We are available 24/7 for your investigative needs and provide no-fee consultations.

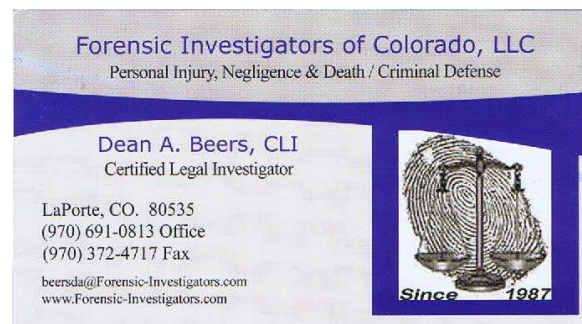
www.Forensic-Investigators.com – for updates, current information and articles.

If you are receiving this newsletter by fax, contact us with your email address to receive the PDF version by email.

Sincerely,



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A business card with a blue and white color scheme. The top section is blue with white text: "Forensic Investigators of Colorado, LLC" and "Personal Injury, Negligence & Death / Criminal Defense". Below that, on a white background, is "Dean A. Beers, CLI" and "Certified Legal Investigator". Contact information includes "LaPorte, CO. 80535", "(970) 691-0813 Office", "(970) 372-4717 Fax", "beersda@Forensic-Investigators.com", and "www.Forensic-Investigators.com". On the right side, there is a graphic of a fingerprint being scanned by a scale of justice, with the text "Since 1987" below it.