

Email to the Colorado Judicial Committee

From: Rick Johnson

Sent: Friday, February 07, 2014 6:20 PM

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Subject: SB-133

Howdy to all:

Here we go again as related to the licensing of Colorado private Investigator's (year # three) I will attempt to keep my comments short.

1-A \$40,000.00 deficit exists in the volunteer licensing program as a DIRECT result of the Professional Private Investigators Association of Colorado (PPIAC) fudging numbers in 2011. They said 250 pi's would apply for the voluntary license. Never happened, as of last week 85 pi's had the license and 18 of them out of state. To make matters worse, only 60% or so of PPIAC board members had/have a license and less then around 40% of the membership had/have a license-appears to me their PPIAC membership does not support this licensing idea. I do find it interesting the PPIAC board spends member money on a lobbyist when the membership isn't on board with the current licensing bill.

As a Colorado taxpayer and under the present circumstances, if this \$40,000.00 is paid off by the general fund, I promise this will not go unnoticed and I will respond accordingly as will a number of organizations, including the general public, and who knows how they might use it.

This \$40,000.00 deficit should be paid off by PPIAC-they are the ones who fudged the numbers, but at the same time it was the 2011 Colorado Legislature who would not listen to those of us who testified on numerous times the program would have fiscal problems. The experimental voluntary licensing program has been a disaster from day one with a license starting at \$340.00 and three years later is a whopping \$1,095.00,OUCH! Send PPIAC an invoice for the \$40,000.00.

If the \$40,000.00 is added to the cost of the license it could make the cost unbearable to many and will no longer be in or consider the business. OUCH again!

To be honest with you, I am surprised after all the issues with phony numbers provided by PPIAC that this license was actually introduced, assigned to a committee and here we are again. I believe phony numbers will once again be presented by them to get what they want. I hope this time they will not go unchallenged .

Don't be fooled, this licensing push (for the third time) has nothing to do with consumer protection, if true, why wasn't that issue brought up in 2011. This has to do with the cost of a license. I challenge each of you to ask those who testify in favor of this license to ask one simple question, if the cost of a license was \$200.00 do you think we would be here today?

This is not about, CRS 18-13-126 locating a protected person, this not about pi's inability to access proprietary databases, this is not about a pi that can't get work in Colorado if not licensed , this is not about consumer protection, this is about a bunch of Colorado pi's who need recognition and if licensed they are on their way-I thought recognition and reputation was earned not purchased.

Let's not forget, PPIAC got just what it was they wanted in 2011 when their experiential voluntary licensing bill was passed. That is until the cost of the license was announced-oops, poor planning on their part, out of control costs and ticked off PPIAC members. PPIAC needs to take ownership of their error-ya know, same things must of us teach our kids when growing.

2-There is no need for a license. If allegations of pi misconduct are brought up, I challenge you once again to ask for police reports, certified record of conviction. Because someone said it, doesn't mean it is true. We are investigators after all, and they should have the skill set to investigate allegations of pi misconduct.

As you may know, Colorado has not licensed pi's in forty years and over that time pi issues of misconduct have been almost nonexistent. Like many businesses there are contract disputes, misunderstandings, that is why we have small claims

court, the Colorado Consumer Protection Act, and if criminal in nature, we have title 18 found in the Colorado Criminal Code. Do we really need another law in place?

I'm not saying that the few complaints of private investigators are not valid, but come on, is a entire profession going to be held accountable because of a few knuckleheads? Private Investigators need education on many issues, not a licensing law to drive them out of business, and the last thing we need is the scrutiny of those that have no idea of what it is we really do.

3-Those in favor of this bill 'want' to be regulated by the government. For a guy that has been a pi for 25 years and prior to that a criminal and grand jury investigator for the Denver and Jefferson County District Attorney Offices for a little under ten years, it is my opinion this is about (unearned) recognition and (unearned) credibility, many pi's, need a state issued license to feel good about themselves, can inform clients they have been vetted by the state (whatever that means,) and can use in an advertising campaign. I get it, just leave others and me out of it. You gotta wonder how it is, so many of Colorado pi's have been able to make a living without licensing. I understand that, but if all are licensed what difference does it make. (Geez, I sound like Hillary Clinton.)

4-At the moment, none of us have any idea what the requirements for the license are going to be, how can anyone go along with that? Would you, wouldn't you want to probe that issue and the potential cost, would you purchase a new car without first some idea of the cost? Is this any different?

I might be able to support the licensing of Colorado private investigators, but not the way this has been presented .Yes, I did attend several stakeholder meetings on behalf of The Colorado Society of Private Investigators (CSPI) a membership of 35, of which I am founder and President. They were informative and I *had a good time, however on November 23, after a multi hour meeting with CSPI members and nonmembers it was a unanimous NO to licensing or any kind of government regulation.*

Other organizations not invited to these stakeholder meetings included the Retired Peace Officers Association of Colorado a membership of 142 and the

Colorado Independent Investigators Association, a membership of 53. Those groups and CSPI, represent a total of 230 who ALL OPPOSE licensing.

5-I am the founder of the Private Investigators Academy of the Rockies and between 2004 and 2013, there have been 17 academies each spring and fall with an average attendance of 25. Approximately 425, have attended, many, many were PPIAC members that allegedly support this bill. Many would not be where they are today if a licensing bill had been in effect when they entered into the business. Apparently they forgot how they got started, but they have no issue barring others from the same opportunity. If this bill is passed, many will go out of business at the expense of a few-and once again drive the cost of a license up. We may meet again next year.

Tell you what, let's skip all the testimony on Monday and allow me to debate all PPIAC board members, their sponsor, lobbyist and any others that may testify. If I lose I will donate \$1,000.00 to the PPIAC charity of their choice, if they lose they must write a \$40,000.00 check to DORA.

PLEASE VOTE NO ON SB-133

Any questions, please contact me.

*Thanks for your time, Rick Johnson
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