

THE CPIRC NEWS

VOLUME IV, ISSUE III SEPTEMBER 2004

We at the **C**anadian **P**rivate **I**nvestigators' **R**esource **C**entre would like to take this opportunity to thank all those who have supported us over the past few years. Putting together and maintaining our website which offers free investigative information is very time consuming. Many have supported us by either becoming members, writing articles for our newsletters, sending us links to add to our Resource Centre or by giving us input on how to improve the site. The following is a list of those who have supported us in their own way and we just wanted to say to all of you, THANK YOU!

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Please support the above companies by using their services. You can find their contact information on our online database.



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FORENSIC FAST FACTS

What is Blood Stain Analysis?

It is the study of the shapes, sizes and locations of bloodstains in order to determine the physical events which gave rise to their origin.

Properties of Blood

- On average, blood accounts for 8 % of total body weight.
- Males have 5 to 6 litres of blood.
- Females have 4 to 5 litres of blood.
- A 40 percent blood volume loss, internally and/or externally, is required to produce irreversible shock (death).
- A blood loss of 1.5 litres, internally or externally, is required to cause incapacitation.

Determining Time of Death

- **Temperature-** Upon death, the core temperature remains at approximately 37 degrees Celsius for one to two hours, then drops 1 to 1.5 degrees per hour. However, this depends on many factors such as bacterial infection of the deceased, hypothermia, body mass, fat distribution and ambient temperature.
- **Rigor Mortis-** The body muscles will normally be in a relaxed state for the first three hours after death, stiffening between 3 hours and 36 hours, and then becoming relaxed again.
- **Insects-** After the initial decay, different types of insects are attracted to the dead body. As a general rule insects will lay eggs on a corpse within two days after the corpse is available for insects. Since we know how long it takes to reach the different stages in an insects life, we can calculate the time since the egg was laid. This calculation of the age of the insects can be considered as an estimate of the time of death.

In 1895 Polish professor Eduard Piotrowski undertook the first in-depth analysis of bloodstains in Vienna. He published a paper called "Blutspuren" His methodology consisted in part of using a hammer on live rabbits and recording the blood pattern made on different surfaces.



Free demo-software for the Directional Analysis of bloodspatter.

Using DNA to identify bloodstains? The **BackTrack™** software enables the analyst to locate the sources of the blood by carrying out a Directional Analysis of the bloodstain patterns. BackTrack^(R)/Win, Version 3.05 (3.1 Mb). This program will enable the blood spatter analyst to carry out a sophisticated Directional Analysis for up to 100 bloodstains located on 12 different surfaces at a crime scene. The data that define the virtual strings to be assigned to the blood stains can be entered via the keyboard or read from a file created by BackTrack/Images. An online user's manual is included as a help file. Example data files are provided e.g. see "kitchen.bt1" for a pattern of 40 bloodstains in a kitchen. This was an exercise held during the RCMP Math /Physics training course at the Canadian Police College in Ottawa, in March 1997. See also part 3, chapter 2 in "Scientific and Legal Applications of Bloodstain Pattern Interpretation" edited by Stuart H. James for an example of the use of this program.

To download a free demo version click on the **Directional Analysis of Bloodspatter** link found in the **"Free Investigative Software Downloads"** category in the Resource Centre.

The Use of Evidence During an Interrogation

Types of Evidence

Evidence represents information used to help establish a fact. It may be inculpatory (supporting guilt) or exculpatory (supporting innocence). There are four broad categories of criminal evidence, each with its own strengths and weaknesses.

Circumstantial evidence involves such things as the suspect's opportunity to commit a crime (alibi), his access to commit a crime (special means or knowledge) and motive (financial or psychological). Even if a particular suspect has opportunity, access and motive to commit a crime, in all likelihood, so too do other suspects. Consequently, circumstantial evidence is the weakest proof of a suspect's guilt.

Testimonial evidence involves human inferences or interpretation. For example, an eye witness who relies on memory to pick out a suspect from a line-up is offering testimonial evidence. Other examples include behavior symptom analysis, polygraph, handwriting analysis, medical and psychiatric opinions and information provided by an informant. While testimonial evidence tends to directly link the suspect to a crime, its accuracy can range from chance levels to within the 90th percentile.

Forensic evidence describes scientific testing that matches an unknown sample to its source. Examples of forensic evidence include fingerprints, tool marks, DNA, hair and fiber analysis, toxicology reports as well as ballistics. While forensic evidence is extremely accurate, it rarely proves a suspect's guilt. Rather, the evidence may indicate that the suspect was at the crime scene, had sex with the victim or that a bullet was fired from a gun owned by the suspect.

Direct evidence describes evidence that directly links the suspect to a crime. An example is finding property stolen during a burglary in the back seat of the suspect's car that was pulled over two blocks from the home that was burglarized. Other examples include a surveillance video clearly showing the suspect robbing a clerk or an employee caught smoking marijuana in the company washroom. Direct evidence represents the strongest proof of a suspect's guilt, but rarely exists.

The Psychology of Evidence

The suspect who is caught "red-handed" committing a crime (faced with direct evidence) will almost always readily admit their crime. It is important for investigators to understand why suspects who are caught under this circumstance confess. One possibility is that they are caught so soon after the crime that they have not had time to think of ways to excuse away the incriminating evidence. Another possibility is that a suspect experiences the most guilt immediately after committing a crime. Based on more than 50 years of empirical observations, we can state that neither of these explanations are likely. Rather, the primary reason a suspect who is essentially caught committing a crime readily confesses is because he is absolutely convinced that the investigator knows he is guilty. The suspect recognizes that no amount of rationalization or justification can possibly offer a credible excuse for the obvious evidence of his guilt, so he tells the truth. This concept is worth repeating in a different way. A suspect is unlikely to tell the truth during an interview or interrogation unless he is absolutely convinced that the investigator knows he is guilty.

Portraying high confidence in a suspect's guilt starts with the investigator's demeanor and statements. If an investigator casually enters the room and says, "Larry, after talking to you and looking over everything I don't think you're telling the complete truth" the suspect will immediately recognize that the investigator does not have clear evidence (or confidence) of his guilt. It is not human nature for a suspect to increase the investigator's confidence of his guilt by confessing.

Assuming there is no direct evidence linking the suspect to the crime, an investigator must rely on other forms of evidence to persuade the suspect that there is no doubt of his guilt. Of course, circumstantial, testimonial or forensic evidence are never positive proof of a suspect's guilt so the investigator must use whatever evidence is available and present it in such a way as to maximize its persuasive impact. In this regard, investigators must appreciate that interrogation relies extensively on implication and innuendo -- It is not so much the hand you are dealt, but how you play the cards that counts.

The Decision to Introduce Evidence

The first question an investigator must address with respect to presenting evidence to a suspect is whether to present it at all. The danger of presenting evidence is that by doing so often reveals the weakness of the investigator's case and also gives the suspect something tangible to attack. Many of the interrogations we conduct only involve circumstantial and testimonial evidence against the suspect (opportunity, access, motive, propensity, behavior symptom analysis). Under this circumstance we rarely comment on specific evidence during an interrogation. Rather, we start the interrogation with a statement such as, "Jim, I have in this folder the results of our entire investigation and all of the evidence clearly indicates that you did (issue)." From that point on, often there is no further reference to evidence.

If evidence is presented during an interrogation, it should be used only to overcome barriers such as persistent but weak denials or when the suspect is reluctant to accept the alternative question. Under this circumstance the investigator should not tell the suspect, "Bill, here is all of the evidence we have against you." To do so will often fortify the guilty suspect's belief that he can explain away the evidence and escape consequences. Rather, the investigator should select the most incriminating piece of evidence and present it as if it was the tip of the iceberg. For example, "Bill, I'm not going to sit down with you and go over piece by piece all of the evidence we have collected on this case but let me just show you this one piece. Remember earlier you said you left work that night at 6:30. Here is an affidavit from your supervisor who clearly remembers you leaving work that night at 5:15. That means you had plenty of time to do this."

Using Weak Evidence to Imply Further Evidence

From the outset of an interrogation, the guilty suspect is asking himself the question, "Does the investigator really know that I did this?", e.g., "Is there really evidence of my guilt." One way to imply the existence of strong evidence against a suspect is for the investigator to attack the evidence that does exist. Consider a homicide where it is known that the suspect acknowledged being with the victim shortly before her death and recently breaking off that relationship. Under this circumstance it may be very persuasive to tell the suspect the following:

"Mike, I've talked to a lot of people who have done the same thing that you did. I know you're sitting in that chair and asking yourself, 'What proof do they have?' We talked earlier about the fact that you saw her the day this happened and have no alibi. You know what. There are probably 100,000 people in this city who have no alibi at the time she died. You told me about your breakup with her. During our investigation we identified a number of people who were upset with her and also had a motive to do this. The evidence we have has nothing to do with your opportunity or motive. I wish I could lay everything we have out on the table so you could see where I am coming from but at this stage of the investigation I can't do that. The only reason I'm talking to you is to find out the circumstances that led up to your decision to do this... [continue with theme]."

Using Evidence to Attack the Suspect's Credibility

Consider a hit and run case where there is circumstantial evidence indicating that the suspect's vehicle (which matched the description of the vehicle involved in the accident) had front end repair work done the day after the accident. During the interview the investigator could show the suspect the work order from the body shop and ask for an explanation. The deceptive suspect is likely to offer an explanation such as saying that his car was damaged in a parking lot the day of the hit and run so he took it in for repairs. The innocent suspect, of course could tell the same story.

An axiom of interviewing is to never reveal evidence to a suspect until first giving the suspect a chance to volunteer the information.

In the case of the hit and run, the investigator should first ask whether the suspect's car had sustained any recent front end damage and whether the vehicle had any recent repairs. An innocent suspect will truthfully acknowledge this information. On the other hand, the deceptive suspect, who has not been told about the work order, may lie and deny having any repair done to his vehicle. During an interview the investigator should allow the suspect to tell this lie and accept it. Later, during the interrogation, if the investigator needs to introduce evidence the work order can be brought up and used to attack the suspect's credibility. The dialogue may be as follows:

"Tom, I wouldn't be talking to you this way unless I knew for sure that you did this. A lot of the questions I asked you earlier I already knew the answer to. For example, you said that your car had no front end damage and had not been repaired. Look at this work order dated the day after the accident. I'm sure you recognize it. The biggest problem you've got right now is your credibility. At some point there may be a concern that this wasn't an accident at all and that maybe you purposely aimed your car at that man because maybe you thought he was having an affair with your wife. Or maybe someone might claim that you were paid money to hit that man. Now, I don't think either of those things happened but if you don't start telling the truth no one is going to believe anything you say!"

Establishing the Credibility of Testimonial Evidence

When the primary evidence against a suspect is testimonial, the investigator may need to bolster the strength of that evidence in the suspect's mind. This is best accomplished through the use of statements that appeal to the suspect's logic and common sense. For example, if a victim or witness identified the suspect as the perpetrator of the crime the investigator may comment that the victim or witness has no motive to lie. In the case where the witness or victim knows the suspect personally, the investigator may state that this is clearly not a case of mistaken identity. Similarly, the details of an informant's statements could be revealed to bolster that evidence.

For legal reasons an investigator must be cautious about overstating the accuracy of detection of deception procedures such as the polygraph technique, CVSA or behavior symptom analysis. Some courts have ruled that, for example, attempting to convince a suspect that the CVSA was infallible constitutes a deceptive statement that shocks the conscience of the court or community. Rather, the investigator should rely on logical arguments in supporting the strength of testimonial evidence as the following dialogue illustrates:

I: "Linda, I'm sure that over the last 25 years you've had friends or relatives lie to you and you could usually tell when they were lying right?"

S: "Yeah."

I: "Would you agree that when you were younger it was harder to tell when people lied to you than when you got older and had more life experiences?"

S: "Sure."

I: "Well, I've had specific training in evaluating behavior symptoms. That's what I do in my job. I interview people and evaluate their behavior. And I've been doing this for almost 15 years. I wouldn't be talking to you this way if I wasn't convinced that you did this."

RESOURCE CENTRE ROUNDUP



NEW STATE-OF-THE-ART SECURITY FEATURES ON CANADIAN BANK NOTES



The Bank of Canada unveiled the new \$100 note on January 28th, 2004. It went into circulation on March 17th, 2004. It is the third in the new series of bank notes called Canadian Journey. This new series features themes that celebrate Canada's history, culture, and achievements.

The new notes are distinguished by state-of-the-art security features, world-class designs, and a first-of-its-kind tactile feature to help the blind and vision-impaired identify the different denominations

The Bank of Canada plans to issue new \$50 and \$20 notes this fall. The Bank also plans to issue an upgraded \$10 bank note in 2005.

To view the new \$100 note along with its state-of-the-art security features click on the [Bank of Canada - Counterfeit detection](#) link found in the **“Military/Law Enforcement/Forensic Science”** category in the Resource Centre.

The National Institute of Justice is the research, development, and evaluation agency of the U.S. Department of Justice and is dedicated to researching crime control and justice issues. The NIJ provides objective, independent, evidence-based knowledge and tools to meet the challenges of crime and justice.

We have just added several links of National Institute of Justice publications on our website which are all FREE to download. You may find these publications in the **“Free Investigative Software & Publication Downloads”** category in the Resource Centre. Here’s a sample of the types of publications you may find:

- A Guide for Forensic Science Laboratories, Educational Institutions, and Students.
- Crime Scene Investigation: A Reference for Law Enforcement Training.
- Forensic Examination of Digital Evidence: A Guide for Law Enforcement.
- Eyewitness Evidence: A Trainer's Manual for Law Enforcement.
- Death Investigation: A Guide for the Scene Investigator.
- A Guide for Explosion and Bombing Scene Investigation.
- Fire and Arson Scene Evidence: A Guide for Public Safety Personnel.

Looking for detailed information on prescription pharmaceuticals, common illnesses, or herbal and dietary supplements? This site contains documented, authoritative and detailed information on over 3000 prescription pharmaceuticals. While this information is mainly presented for doctors, investigators will find it valuable as well. These listings cover general pharmacology, indications, warnings, dosage and adverse effects information for each pharmaceutical monograph.

Click on the [Information on Prescription Pharmaceuticals](#) link in the **“Medical Records/Medical Info./Hospital Info.”** category in the Resource Centre.

Remember this rule: *A guilty suspect may be persuaded to tell the truth if he is convinced that the investigator is absolutely convinced of his guilt.* In some cases the suspect's guilt is, in fact, almost certain because of actual evidence collected against the suspect. Under this circumstance, most suspects readily confess. Unfortunately, many interrogations are conducted when there is very limited direct evidence supporting the suspect's guilt. In other words, the primary reason the interrogation is conducted is in an effort to either develop sufficient evidence to prove the suspect's guilt or develop information that will exonerate the suspect.

When the decision to interrogate a suspect is based essentially on circumstantial or testimonial evidence, it may be necessary to introduce evidence that does not actually exist. Before doing so, an investigator should be aware of the legality of this tactic. The landmark decision addressing the issue of engaging in deception during an interrogation is *Frazier v. Cupp*, 1969 U.S. The Court ruled that deception by an investigator is generally permissible provided that it does not shock the conscience of the community or court.

In addition to the legal constraints of misrepresenting evidence, an investigator must also consider the psychological risks of making false statements to a suspect during an interrogation. An investigator will only succeed in persuading a suspect to tell the truth if the suspect trusts what the investigator is saying. Furthermore, during an interrogation a suspect has a heightened level of suspicion and will pick up on the slightest misstatement by the investigator and use the error to fortify his resistance to tell the truth. Because of this consideration, our staff rarely lies about having evidence against a suspect during an interrogation.

Consequently, an investigator should consider misrepresenting evidence to a suspect during an interrogation only as a last resort when other persuasive efforts have been ineffective (and the investigator is still convinced that the suspect is guilty). There are, however, tactics to introduce fictitious evidence during an interrogation that do not involve deception at all. We recommend that these be tried before an out-right misrepresentation of the evidence.

The Implication of Evidence

Often an investigator will know, based on the crime scene analysis or the victim's account, what the guilty person must have done during the commission of a crime. For example, going into an interrogation the investigator may know that a gun used in a homicide was thrown into a nearby garbage can or that a diamond ring stolen during a burglary was pawned for \$250 at Larry's Pawn Shop by a person somewhat matching the description of the suspect. Armed with this inside information the investigator may state during the interrogation, "We know that after you did this you threw the gun into a garbage can on Madison Street" or, "We know that you pawned a diamond ring taken from that home and got \$250 bucks for it from Larry's Pawn Shop". When guilty suspects hear these statements, it has been our experience that they almost always accept them as fact rather than ask the obvious follow-up question "How do you know that?" A suspect who is innocent of the crime, of course, would not ask about how their guilt was revealed, but rather would adamantly deny engaging in the activity.

A second technique to imply the existence of evidence that does not really exist is to bring it up "inadvertently" during an interrogation. Consider the case of a suspect being interrogated on the issue of accepting illegal kickbacks. The investigator may make a statement similar to the following, "We know when it happened, how it happened and where it happened. Before you came in here I was sitting down with the other investigator reviewing the tape — well, forget about the tape, but we were talking about this thing and wondering how long you've been doing this." When an investigator tells a suspect to forget about a piece of evidence that apparently should not have been mentioned, it adds tremendous credibility to the actual existence of the evidence.

Evidence Will Exist in the Future

It can be an effective interrogation technique to discuss incriminating evidence as existing at some future point in time. As an example, the investigator may state, "We both know that they're going to find your DNA on the victim!" Under this circumstance, the suspect cannot challenge the investigator's statement by demanding to see the crime lab report because it does not yet exist. On the other hand, the investigator must select evidence that the guilty suspect knows could exist. When interrogating a career burglar, for example, it may actually be counterproductive to state, "We both know that they'll find your fingerprints inside that apartment!" since it is likely the suspect wore gloves during the burglary. In this regard, evidence that is generally safe to talk about as existing in the future include:

1. The accomplice will eventually tell the truth
2. A witness will be able to place the suspect at or near the crime scene
3. Transfer evidence (clothing, hair follicles, carpet fibers) will link the suspect to the crime

The Use of the Bait Question to Select Evidence

To select possible fictitious evidence to use during an interrogation, the investigator can "test" the evidence through the use of a bait question asked during the interview. A bait question suggests the possibility of evidence existing that would implicate the suspect in the crime. Examples of bait questions include, "If we were to check your phone records, would we find any calls made to (victim)?" or, "If we were to review the surveillance video at the store, would it show you there at the time this credit card was used?" If a suspect's response to the bait question is an emphatic and immediate denial, that piece of evidence should not be used as fictitious evidence during the interrogation. In the case of the phone records, the suspect may have called the victim from a pay phone or in the case involving the use of a stolen credit card, the suspect may have sold the card to someone else. In both cases, even though the suspects are guilty of the crime, they are not concerned about the suggested piece of evidence implicating them.

On the other hand, if the suspect's response to the bait question during an interview is a weak or qualified denial accompanied with nonverbal indications of deception, the suspect is obviously concerned that the evidence could exist. Under this circumstance it would be appropriate, during the interrogation, to tell the suspect something like, "When we check your phone records you know that we will find out that you called (victim)!" or, "Once we review the surveillance video we both know its going to show you inside the store when that credit card was used!"

Cautions

An investigator should exercise caution when introducing fictitious evidence during interrogations of the following classes of suspects:

1. Youthful suspects
2. Suspects of lower intelligence
3. Suspects who claim that they cannot remember committing the crime because of some condition such as drug or alcohol consumption, epilepsy, head trauma, repression, etc.

Statistics demonstrate that the first two suspect classes represent a disproportionate number of false confessions. Some youthful suspects, or suspects of lower intelligence may place greater weight in the investigator's statements than in their own knowledge of their innocence. In other words, if an investigator lies about finding the suspect's fingerprints on a knife used in a stabbing, the suspect's immature logic may argue that the investigator must be correct and the suspect's inability to remember the stabbing is the result of being young or having a low intelligence. Contributing to this is the suspect's willingness to please the investigator by acknowledging the crime and the failure to appreciate the full consequences of such an admission.

In the instance of a suspect who claims to have no recollections at the time of the crime, it is almost impossible, based on demeanor or investigation, to determine if the reported amnesia is factual or merely a ruse to avoid accepting responsibility for committing the crime. Under this circumstance, for legal and ethical reasons, it is recommended that the investigator consider the reported amnesia as legitimate until proven otherwise. In light of this, the amnesic suspect's mind must be considered a blank slate at the time the crime was committed. If the investigator lies about having evidence which implicates the suspect in the crime, he is writing false information on that slate which may lead an innocent suspect to conclude that he must be guilty of the offence.

Recommendations

1. Never reveal evidence during an interview until first giving the suspect an opportunity to volunteer the information.
2. Generally start the interrogation with a statement indicating high confidence in the suspect's guilt, but do not refer to specific evidence.
3. Do not bring out evidence too early during an interrogation. Generally wait for an impasse when the interrogation seems to be stalling before mentioning specific evidence.
4. When actual evidence is introduced imply that the evidence presented it is only a small part of everything that has been collected.
5. While lying to a suspect about possessing incriminating evidence is generally legally permissible, psychologically it is a risky tactic and should be considered only when other efforts to persuade a guilty person to tell the truth have failed.
6. Consider implying the existence of evidence by stating something like, "We know that you..." or by "inadvertently" introducing evidence and then retracting the statement.
7. Consider a statement that refers to the evidence existing in the future.
8. Exercise caution when introducing fictitious evidence during the interrogation of youthful suspects, suspects with low intelligence or suspects who claim to have a memory failure at the time of the crime.

For further information on the use of evidence during an interrogation, consider attending our advanced course on interviewing and interrogation.

This article was prepared by John E. Reid and Associates, Inc. as their Monthly Web Tip and was reprinted on our web site with their permission. For additional Monthly Web Tips, go to www.reid.com and click on "Helpful Info".

THE CANADIAN GENEALOGY CENTRE

The Canadian Genealogy Centre is a single window providing electronic access to the genealogical resources of Canada. It offers genealogical content, services, advice, research tools and opportunities to work online on joint projects, all in both official languages. The website contains several database searches. Each database includes a comprehensive online help page, which contains helpful information about the records, the database and how to consult the actual records. Searches include Census, Immigration, Land, military, Naturalization, and several other records.

Click on the [Canadian Genealogy Centre](#) link found in the “**Genealogy Research/Birth & Death Records/Adoptee Registry/Canadian Government Archives**” category in the Resource Centre.

IS COMPETITIVE INTELLIGENCE ESPIONAGE?

CI has been defined as the analytical process that transforms disaggregated competitor data into relevant, accurate and usable knowledge about competitor’s positions, performance, capabilities and intentions.

CI has become a growth industry and is 100% legal. CI is so important not only to a business advancement in the marketplace but its very survival depends on it. Companies have made CI part of everyday business and consider it just as important as marketing and research & development.

CI practitioners mostly work within a code of ethics drawn up by the Society of Competitive Intelligence Professionals (SCIP). To read their strict code of ethics click on the [Society of Competitive Intelligence Professionals](#) link found in the “**Association**” category in the Resource Centre.

SPYWARE VERSUS VIRUSES

People often confuse spyware for viruses and viruses for spyware. Both can be malicious, but, in general, spyware attempts to feed you ads, while viruses try to damage your data.

To remove spyware from your computer use software like Ad-aware or Spybot. Both Ad-aware and Spybot offer a free version which can be downloaded from our site. Click on the software name link found in the “**Free Investigative Software & Publication Downloads**” category in the Resource Centre.

Viruses can only be removed by using anti-virus software. The two most common makers of anti-virus software are Symantec’s Norton Antivirus and McAfee VirusScan. Unfortunately, neither Symantec or McAfee offer free downloadable versions but do offer free online scans from their websites.



Canadian Private Investigators'
Resource Centre

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