



January 16th, 2015

Nicole Bocra, President
Professional Investigators and Security Association
P.O. Box 3307
Fairfax, Virginia 22038

Dear Nicole:

I am very concerned about the "best practice" aspect of your comments to Del LeMunyon and your recent comment to the PIAVA list serve regarding the proposed Independent Contractor legislation. By forwarding your recommendation to DCJS, you have introduced the potential for addition of language to the bill regarding an independent contractor's liability insurance coverage and/or the necessity for DCJS to establish and monitor the insurance coverage of registrants who perform private investigative services as Independent Contractors. As the proposed legislation does not alter current statutory requirements for licensed private security business entities to maintain liability insurance coverage which meet or exceed established requirements, we see no need for the proposed legislation to address the subordinate issue whether a registrant or independent contractor should also be required to maintain coverage, which, in some instances, may in fact be duplicative. In that regard, we also disagree with your perception that the approach you have suggested is considered a "best practice" throughout the private investigative industry.

As a Professional Association of Private Investigators, we recommend that business entities and individuals engaged in the performance of private investigative services review their respective, liability insurance and/or errors & omissions coverage needs with an insurance professional; **and** that they obtain and maintain sufficient insurance coverage to protect both their business and personal interests given their circumstances. We recognize that the amount of insurance coverage which is appropriate will vary on a case by case basis and may be dependent on a wide range of factors. With the exception of the foregoing position, ***we do not believe that a best practice can be articulated which adequately addresses insurance needs for all parties in all circumstances.*** As a result, we believe decisions about insurance and coverage limits for those performing private investigative services as "independent contractors" should be left up to licensed PI businesses on the one hand, and registrants wishing to be hired as independent contractors on the other.

Todd Troutner
Vice-president/Legislative Committee Chair