

## Austin Area Chapter Association of Certified Fraud Examiners

### President's Corner

#### Tracy Bohmer, CFE, CPA

We had an outstanding meeting last month! 49 members attended our first meeting of the new fiscal year. The presentation was fun and informative.

We did have some issues getting the food served on time for a few members and have taken steps to reduce the risk of this happening again. We were unaware there are some items on the menu that are not cooked until arrival and ordering. We will be avoiding these menu items in the future. We apologize for the delay in food service and any inconvenience this may have caused. The Chapter will comp the next meeting for those that were inconvenienced by this food service.

The Board has begun planning our fall seminar. We are still working on the details, but have it planned for Wednesday, December 10<sup>th</sup>. If you have suggestions for topics or speakers, please let any Board member know.

It is also time to begin thinking about scholarships again, so inform Glyn Rogers or any Board member if you know of a candidate.

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### Chapter Meeting Schedule

**Time:** 12:00 to 12:50 p.m.  
Lunch served promptly at 11:45 a.m.

**Location:** Nuevo Leon Restaurant  
1501 East, 6<sup>th</sup> Street

**Cost:** Luncheon Only:  
\$11.00 – Chapter Member  
\$13.00 – Non-Chapter Member

#### **This Month's Meeting**

Date: October 6, 2008

Dan Hargrove  
Attorney with Hargrove & Rea, P.C.  
San Antonio, Texas

Topic: Civil Fraud Against the Department of Defense

**register on line: [www.austinacfe.com](http://www.austinacfe.com)  
or**

**call 512-923-8656**

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If any of our members have attention-grabbing information or articles to share, let us know so we can add them to the newsletter.

## What You Missed

**By Mike Garner, CFE, CIA**

If you were not able to attend the September 8, 2008 chapter meeting, you missed a presentation on "Evidence Collection as it Relates to Fraud and Other Crimes" by Sgt. William McMyne from Bastrop County Sheriff's Office. His presentation focused on how evidence collection is changing as the way crimes committed are changing. As computer crime activities become more prominent the collection process must change to securing digitalized data and information.

The main purpose of evidence collection is to retrieve the evidence "as-is" and without damaging the evidence. Successful prosecution of white-collar crime (i.e., internal fraud) depends heavily on following strict rules of evidence collection to protect the rights of all parties involved. It is important to ensure effective procedures for the collection, preservation, and transmittal of evidence for examination, analysis, and presentation at the time of prosecution. The investigator must know the legal ramifications of evidence and how to maintain the chain of custody over documents.

Sgt. McMyne discussed identity theft, check cashing scams, and credit card and debit card abuses. When these types of crimes are committed you must walk backwards and keep the evidence collected as pristine as possible. In a lot of cases you are only seeing a small part of the fraud being committed. Therefore you collect your evidence and report it up so that it can be gathered at a higher level to form a bigger case.

He discussed the difficulty in gathering enough evidence to put a solid case together. The banks no longer return checks and the best you can get is a certified copy. When developing a case you want the real documents are as close as possible.

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AUSTIN AREA CHAPTER OF  
THE ASSOCIATION OF CERTIFIED FRAUD EXAMINERS  
PO Box 13462, AUSTIN, TEXAS 78711

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FISCAL YEAR 2009

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*What You Missed, continued from page 2*

You need everything in hardcopy. Criminals that he sees try to deal in small amounts that will not be missed or not worth prosecution.

He discussed in detail the problems with prosecution. When your credit card is defrauded you will not lose money because the bank will cover the cost, the bank will not lose money because they will turn it over to their insurance company, and the insurance company identifies this as a cost of doing business. Therefore, it is difficult to prosecute these types of crimes.

He briefly discussed fraud cases in the Bastrop real estate market. Builders would get the cost of the lot upfront and then not pay for the lot but go ahead and build the house and get paid for that. The homeowner will then own the home but not own the lot. They prepared the case for the DA and then eventually the builder paid for the lot.

He mentioned that seven out of ten telemarketers are calling from prison. The best thing to do with telemarketers is to screen the calls or just hang-up as soon as you identify it as a telemarketer call. Sgt. McMyne closed by answering a number of questions and then requesting that everyone turn on their pagers and cell phones.

## Speaker's Biography

### **Dan Hargrove**

#### **Attorney with Hargrove & Rea, P.C. San Antonio, Texas**

Dan L. Hargrove is a trial attorney who represents businesses and individuals in civil and criminal litigation, including claims against the government, whistleblower actions, and general litigation. Mr. Hargrove has extensive experience with labor and employment issues, the False Claims Act (whistleblower and qui tam litigation), and the Federal Tort Claims Act. In addition, he has prosecuted individuals for homicide, rape, involuntary manslaughter, child sex abuse, and complex fraud cases.

Before joining Hargrove & Rea, P.C., Mr. Hargrove practiced in the San Antonio office of Jenkins & Gilchrist, P.C. and served for five years on active duty with the US Army JAG Corps (10th Mountain Division [Light Infantry] and the 82d Airborne Division). He continues to serve in the reserves.

#### **EDUCATION**

The University of the Virginia School of Law and Army JAG School, LL.M. 2003

St. Mary's University School of Law, J.D. 1994

Texas A&M University, B.S. 1991

# The Spotlight's On You!

A special feature focusing on members of the Austin Area Chapter of ACFEs

**Angela Archie** has been a member of the  
ACFE

for the past **12** years.

But maybe you didn't know...



**Job Description:**

I am a Manager in the Consulting Department at Lockart, Atchley & Associates, LLP. I primarily work on litigation support engagements, forensic accounting projects and business valuation.

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**What I'm working on now:**

Sorry, confidential.

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**Best part of my job:**

The best part of my job is working with the people in our firm. I have learned more from these people than in any other previous position.

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**Ambition and/or Goals:**

I hope to continue to expend my skills and own my own firm.

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**Years of State service:**

Not applicable.

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**My first job:**

Was working in an ice cream shop.

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**Hobbies:**

Arts and crafts, reading, spending time with friends, and volunteering.

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**Favorite Movie:**

Hard to choose, but just about any romantic comedy. I like to laugh.

**Last book I Read:**

Total Leadership

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**Favorite foods:**

Italian

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**Favorite Restaurants:**

Too many excellent restaurants but I love a good steak

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**My pet(s):**

Casey, a Cavalier King Charles Spaniel

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**It's a good day when:**

Everyday is a great day when you are with your family and doing what you love.

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**Pet Peeves:**

None that I can think of right now.

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**What I would do with a surprise afternoon off:**

get a good book and find a pretty park to read it in or go to see a funny movie

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**I'm most proud of:**

My children, Adam 16 and Rebecca 10.