

THE VOICE

VOLUME 1, NUMBER 3

W W W . A L A B A M A R E T A I L . O R G

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THE OFFICIAL
PUBLICATION OF THE
ALABAMA RETAIL
ASSOCIATION

*THE VOICE
of Retailing in Alabama*

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ALABAMA RETAIL
ASSOCIATION

THE TWO VICTIMS OF CREDIT CARD FRAUD

When it comes to credit card fraud, there are two fraud victims - the merchant and the person whose identity is stolen. Identity theft victims lose money, time, and often have their credit affected. There is also the emotional toll of having one's identity stolen. While the consumer's liability is usually limited, the merchant's liability is considerably higher. Many retailers also offer credit, adding to their losses. Retailers work diligently to defeat credit card and identity fraud not only to protect their customers, but also to protect themselves.

In today's financial climate, where the issue of personal privacy is of the utmost importance, the issue of credit card fraud is fast becoming the major concern among those who use the convenient piece of plastic as their primary means of shopping. Most merchants maintain practices and procedures designed to ensure the security, integrity and confidentiality of customer information. They restrict and limit access to customer information only to those employees who need it to carry out their

business functions, and educate employees about safeguarding customer information and preventing its unauthorized access, disclosure, or use. When credit card information is transmitted online, most retailers use industry standard security measures called SSL (secure socket layer encryption). They monitor and adopt, as appropriate, new technological improvements that are designed to aid in ensuring the accuracy and security of customer information.

Merchants have designed and implemented fraud-prevention strategies that limit their exposure to fraud. Here are a few of those techniques:

- Analyze historical behaviors to isolate factors, characteristics and behaviors that point to credit card fraud
- Watch for failed credit card purchase attempts that appear suspicious. Check the AVS code (Address Verification Service) for each transaction. This code tells you whether or not the address given matches the address of the actual

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FROM THE PRESIDENT CHARLES MCDONALD



September 11 created great uncertainty in the lives of retailers and their customers. Uncertainty spawns fear and fear creates diminished confidence. Diminished confidence causes customers to question their future, which leads to the loss of sales.

But uncertainty is nothing new to retailers. We have weathered storms much worse than this, and we will awaken to sunshine one day soon. That is what makes retailing great and makes America what it is. Retailing and our fine nation are both resilient by nature, and we must not forget it.

On a brighter note, we are so proud to be featuring in this issue of THE VOICE our Law Enforcement Officer of the Year and our Retailer of the Year winners. All have done superb work in their field and it is our honor to be able to commend them.

As we approach the holidays, there is an excellent article on religion in the workplace. While most of you realize that a refusal to hire an individual because of a person's religion or creed is discriminatory, many do not know that a failure to reason-

ably accommodate an employee's religious obligations can also be unlawful discrimination.

Federal and state laws require employers to accommodate the religious beliefs of employees.

Of special interest to furniture dealers who sell to their customers on credit is an article on Revised Article 9. Revised Article 9 is the first major rewrite of the Secured Transactions Article of the Uniform Commercial Code ("UCC") in 30 years.

We are always interested in knowing what you would like us to research and write about. Please notify us of any topic of interest by e-mailing our Communications Director, Alison Wingate, at awingate@alabamaretail.org, or calling her at 334-263-5757. We will also do our best to answer any questions and address any comments you may have.

Happy Holidays to you and your family!

ALABAMA RETAIL ASSOCIATION RECOGNIZES LAW ENFORCEMENT OFFICER

The Alabama Retail Association is pleased to announce the winner of the "Law Enforcement Officer of the Year," or LEO Award, Postal Inspector Russell Payne of the U. S. Postal Inspection Service, Southeast Division, in Mobile. Inspector Payne was chosen from a group of ten fellow law enforcement officers from across the state.

A superior in his/her department nominated each officer. Inspector Payne received his nomination from Postal Inspector Mike Willis. Inspector Payne, along with Inspection Service Technician Deirdre Castronova, recently concluded a four-year investigation that resulted in 27 federal convictions and restitution orders totaling a quarter

of a million dollars to Alabama retailers.

In the spring of 1997, the Mobile office of the Postal Inspection Service began receiving reports of stolen boxes of checks mailed by banks to consumers. The checks had been stolen, forged, and passed out at merchants throughout the south Alabama area.

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Pictured left to right: Inspector Payne, Chairman Barstein, and Gear and Tom Cleckler of The Boys and Girls Clubs.

THE TWO VICTIMS OF CREDIT CARD FRAUD

Continued from page 1

cardholder. Although it cannot be used for verification of international purchases and is limited in its protection, AVS does serve to eliminate what would probably best be described as the "amateur fraudster."

- Beware of orders where the "ship to" address varies from the "bill to" address. Treatment of these orders vary, with some merchants refusing to fill any order of this nature and other merchants just taking extra precautions when filling them.
- Being extremely thorough in gathering information regarding the customer and the order. The more data a merchant has available, the easier it is to detect fraudulent orders and/or to recover losses once fraud has taken place. Some of the information that can be important for merchants to collect includes the customer's physical address and telephone number.
- Be on the lookout for "out of pattern"

orders. These are orders that appear to be unnaturally large or otherwise unusual in nature. Credit card thieves often seem to place orders that are significantly different from the average order, probably with the feeling that the consequences would be the same if they were caught stealing a large amount as it would if they steal a small amount. They also tend to want the transaction completed quickly, and may often insist on express delivery even at a high cost.

- Print only the last four digits of the credit card number on receipts. Doing this cuts down on "dumpster diving," a process by which thieves gain personal information by going through another's trash.
- The Alabama Retail Association worked to pass the Consumer Identity Protection Act, drafted by Attorney General Bill Pryor, in the 2001 Regular Session. The Consumer Identity Protection Act defines certain elements of identity theft as crimes so that they can be prosecuted under Alabama law to help protect consumers from this increasing modern-day fraud.

Specifically, the Consumer Identity Protection Act makes it illegal to use already existing identification documents and numbers belonging to someone else, to establish new documents and numbers in someone else's name, or to use any such information to obtain goods and services under the other person's identity. The bill also defines and provides penalties for a more serious crime of trafficking in stolen identities. Convicted criminals would be required to pay restitution to their victims, to include any costs for correcting credit history and rating, any costs of administrative proceedings to deal with debts caused by the theft, any lost wages, and attorneys fees. This is a very useful tool in prosecuting these crimes in Alabama.

Implementing all of these strategies would obviously be time-consuming and expensive, so each merchant must determine which combination of techniques is most effective for a particular business. The most important point, however, is simply to DO IT!

ALABAMA RETAIL ASSOCIATION NAMES "RETAILERS OF THE YEAR"

The Alabama Retail Association recognized eight outstanding retailers from across the state on October 23 with the third "Retailer of the Year" Awards. The presentation was made during the University of Alabama's Annual Retailing Day. The University was a co-sponsor of the awards.

In the category "Annual Sales \$2 Million and Under" the Gold Award went to Yancey Parker of Yancey Parker's in Enterprise. Tim Brown with the Business Council of Alabama nominated Mr. Parker. The Silver Award was presented to Stephen F. Skinner, of Specialty Pharmacy in Cullman. Alan Arnett of Cullman County Chamber of Commerce nominated Mr. Skinner. DiDi Henry, owner of Old Alabama Gift Co., LLC, in Prattville, received the Bronze Award. Ms. Henry was nominated by George P. Walthall, Jr., a local judge and attorney.

In the category "Annual Sales \$2-10 Million" the Gold Award went to Claude Kitchin IV of Incredible Kitchin's in Anniston. Two Kitchin's employees, Wendell McDaniel and Mark Gwin nominated Mr. Kitchin. The Silver Award was presented to Mark O. Gatewood, President and owner of Alabama Outdoors in

Birmingham. Suzy Gatewood of Tuscaloosa Academy nominated Mr. Gatewood. .

In the category "Annual Sales Over \$10 Million" the Gold Award went to Joe Thomas Malugen of Movie Gallery, Inc. in Dothan. David Parsons of David Parsons & Company and Marian Loftin of the Dothan Area Chamber of Commerce nominated Mr. Malugen. The Silver Award was presented to Terry Scott of Factory Connection in Albertville. William H. (Bill) Drinkard of Drinkard Development in Cullman nominated Mr. Scott. The

Bronze Award was received by John M. Lawson of Milner-Rushing Discount Drugs in Florence. Stephen B. Holt of the Shoals Chamber of Commerce nominated Mr. Lawson.

"This was an exciting day for us," said Charles McDonald, President of the Alabama Retail Association. "We have been working on this for some time and it is an honor to be able to recognize such an outstanding group of retailers. They are a credit to this profession and an asset to their communities."



Pictured left to right: Joe Thomas Malugen, Alex Gatewood (for Mark Gatewood), Yancy Parker, Bud Kitchin, Terry Scott, John Lawson, Stephen Skinner and Didi Henry.

RELIGION IN THE WORKPLACE: ACCOMMODATION AND PREVENTION OF HARRASSMENT

by Thomas P. Krukowski,
Krukowski & Costello, S.C.

While most employers recognize that a refusal to hire an individual because of a person's religion or creed is discriminatory, many do not recognize that a failure to reasonably accommodate an employee's religious obligations can also be unlawful discrimination. Federal and state laws require employers to accommodate the religious beliefs of employees.

DEFINITION OF RELIGION

The United States Supreme Court has ruled that religion, or religious belief, can be defined as, "a sincere and meaningful belief which occupies in the life of its possessor a place parallel to that filled by the God of those admittedly qualifying for the exemption...." The EEOC has also recognized that beliefs that are sincere and deeply held, "with the strength of traditional religious views," will constitute "religious beliefs."

If an employer is uncertain as to whether an employee's belief or practice is religious in nature, the employer should generally respond to the belief or practice as if it does

represent the practice of religion. In most instances, a belief or practice that is part of an organized religion, and one which the employee has consistently followed, will be regarded as a religious belief or practice.

Beliefs or practices based upon political or personal preferences do not, generally, meet the criteria of a religious belief or practice. In addition, a belief that is professed only when the employee is assigned an unpleasant task will not be found to constitute a religious belief since the employee is neither sincere nor consistent in that belief.

EMPLOYER ACCOMMODATION

In the retailing setting, requests for accommodation most often occur in employee requests for scheduling or availability to work overtime hours. For example, an employee may request that he not be scheduled to work on Sundays from 8:00 a.m. to 11:00 a.m. because he attends church services during these hours. Assuming that an employee's beliefs or practices are religious in nature, the next issue for an employer is the degree to which it must accommodate the employee's beliefs or practices. The federal and state laws require reasonable accommodation for religious beliefs or practices when it conflicts with the employee's job requirements. However, there is no definition of "reasonable accommodation."

Religious beliefs or practices should be accommodated unless the employer can prove that it would impose an "undue hardship" upon the employer. It has been held that an employer must only bear "de minimis" (minimal) costs in its efforts to reasonably accommodate employee. Requiring an employer to bear more than de minimis costs is an undue hardship. Generally, an employer is considered to suffer an undue hardship if it must do without a productive employee's services without a substitute or if it has to pay additional or extra pay to have another worker perform the employee's job. The most reasonable alternative is for an employer to offer a sufficient, or reasonable, accommodation.

FOR EXAMPLE:

- An employer does not necessarily have to

experience a direct financial cost to suffer undue hardship. When a licensed minister had been absent from his regular job to conduct a funeral on a day he was especially needed at work, his employer had to use supervisory personnel instead. The resulting inefficiency was an undue hardship, a court ruled, even though there was no direct financial cost.

- An Islamic security officer filed a charge with the EEOC alleging that the security firm for which she worked refused to allow her to wear her headscarf or "hijab", which she claimed was consistent with her religious belief. In a settlement agreement with the EEOC, the company agreed to modify its uniform policy to reasonably accommodate the sincerely held religious beliefs of its employees, as long as the accommodation does not impose an undue hardship on the company.
- An employee insisted on wearing an anti-abortion button with a photograph of a fetus because she had promised God to wear it. Co-workers complained, and her employer suggested that she wear it with a coverage over it while at work. She refused and litigation ensued. The court ruled that the employer's suggested accommodation was reasonable, even though the employee disagreed.

The following suggestions should help employers comply with both federal and state statutory requirements, in addition to preventing any claims of religious discrimination.

1. An employer's duty to reasonably accommodate an employee's religious observances is not triggered until the employee provides some notice of his/her special religious practices. However, some courts have found that employers who know of an employee's religious beliefs at the time of hiring have sufficient notice to require a duty to accommodate.

CAUTION: An employer that questions prospective employees about availability for overtime and weekends should also inform the applicant that it has a duty of reasonable accommodation. Failure to do so could be discriminatory because it may deter individuals with particular religious



MEMBER SPOTLIGHT

MONTGOMERY RETAILER WINS NATIONAL AWARD

The Children's Shop, with two locations in Montgomery, was recently named Children's Multi-door Retailer of the Year by AmericasMart-Atlanta. Over 1,000 AmericasMart Apparel distinguished showroom owners, exhibitors and sales representatives voted on the outstanding specialty retailer based on performance in merchandising, profitability and customer service during the past year.

Started just seven years ago with products in one room of a shared store on Mulberry Street near historic Old Cloverdale, The Children's Shop has grown to two locations totaling over 5,000 square feet. This includes the 3,800 square foot flagship store in east Montgomery, which accounts for 70% of the business. They now occupy the entire store they first started on Mulberry Street, which remains a strong business line for them due to the low overhead cost. In the first year of business, the two-employee store had sales of \$100,000. This year, the now twenty-employee store expects sales of \$1.5 million!

The Children's Shop carries items from pajamas, to smocked items, to toys. There is a line of hand-painted furniture and other specialty items.

Customer service is the cornerstone of this fine retailer. Repeat customers are often greeted by name. Their product line is of such high quality and so diverse, that many customers from out of town often phone in orders.

As you can see from the name, children are the focus of this fun store! About once

a month there is a theme party for the children. Moms can bring their children for a "pint-sized night on the town."

Pat McDonald, owner of The Children's Shop, credits her staff for their growth. The two people she originally hired seven years ago are still working with her, and she sees very little employee turnover. She has done this by hiring two very capable store managers, Margaret Fox and Shannon Griffin, that oversee a staff of twenty whose main mission is to give customers a relaxing and pleasant visit. There is a bonus system for employees in place for each month sales expectations are beaten. This keeps the staff motivated.

They also have an inventory control system in place to monitor the items sold so they can target popular products at each store and keep them well stocked. This assists them on their buying trips as well.

This family-oriented group has figured out the formula for success! You may visit The Children's Shop on-line at www.thechildrenshoponline.com.



The Children's Shop



The Children's Shop Staff – (left to right) Bonnie Hicks, Jessica Smith, Margaret Fox, Pat McDonald, Michelle Hicks and Heather Torode.



Awards Banquet – (left to right) Kerrie Brewer, Michelle Hicks, Caroline Taylor, Pat McDonald, Susan Cowart, Shannon Griffin and Margaret Fox.



CONGRATULATIONS!!

The following people were chosen to receive savings bonds from those that sent in their updated information.

\$200 Perry Williams, Southware Innovations, Inc., Auburn

\$100 Russell L. Davis, Sears, Roebuck & Co., Hoffman Estates, Illinois

\$100 Charles Preist, Alabama Head Injury Foundation, Inc., Birmingham

\$50 Cameron Moore, The Dixie Company, Inc., Mobile

\$50 Earl Bean, Southeastern Business Machines, Inc., Huntsville

\$50 Ronny Darby, Darby's Red and White, Monroeville

\$50 Jim Wilson, Colonial Insurance Agency, Inc., Montgomery

You can update your information by calling the Association at (334) 263-5757 or 1-800-239-5423, or by sending an e-mail to ggolden@alabamaretail.org.

WHAT REVISED ARTICLE 9 MEANS TO THE HOME FURNISHINGS RETAILER

by Maurice L. Shevin

Furniture dealers, who sell to their customers on time, should take special notice of recent changes in the Uniform Commercial Code. Some 30 states have adopted the wholesale revision of Article 9 of the Uniform Commercial Code as proposed by the National Conference of Commissioners on Uniform State Laws. Revised Article 9 is the first major rewrite of the Secured Transactions Article of the Uniform Commercial Code ("UCC") in 30 years. Most of the states that have enacted Revised Article 9 have set an effective date of July 1, 2001. Accordingly, the new law



may well be effective in your state.

Article 9 applies to commercial and consumer credit transactions. Furniture dealers who finance their own sales secured by home furnishings, by means of closed-end or open-end finance contracts and with or without issuing a private label credit card, should be interested in the new law. Nothing in Revised Article 9 alters such creditors' responsibility to comply with the Federal Consumer Credit Protection Laws – Truth-in-Lending, Equal Credit Opportunity, Fair Credit Reporting, Fair Credit Billing, Fair Debt Collection Practices, and the like. And, of course, other federal laws, such as the Magnuson-Moss Warranty Act and the Gramm-Leach-Bliley Financial Modernization Act of 1999, give furniture dealers more to be concerned with. But, state laws, including Revised Article 9, are still the backbone of the consumer credit contract.

The revisions to Article 9 are far too

numerous and complex to be dealt with in a single article. Therefore, we will attempt to summarize only the more significant new consumer provisions which affect the operations of credit retailers.

1. FILING.

Financing statements under Revised Article 9 will now be filed centrally in each state – generally, in the Secretary of State's office. A purchase money security interest in consumer goods continues to enjoy "automatic" perfection under Revised Article 9. However, the drafters refused to address the "transformation rule" in a consumer transaction, although Revised Article 9 specifically rejects the transformation rule in commercial transactions. The transformation rule transforms a purchase money security interest into a non-purchase money security interest. Consumer advocates carried the day before the drafters in connection with the transformation rule involving consumer goods. Thus, closed-end credit retailers will continue to "slug it out" with the bankruptcy trustee over add-on or refinanced contracts. That is, some jurisdictions consider the automatic perfection of the original purchase money collateral to be transformed when the original closed-end contract is refinanced; while other jurisdictions do not. It remains critically important for you to know whether your jurisdiction has adopted or rejected the transformation rule.

2. DISPOSITION OF COLLATERAL AFTER DEFAULT.

Revised Article 9 continues the concept of the secured party's right to take possession after default without judicial process as long as the secured party does so without a breach of the peace. It is the disposition of collateral after default that creates some new rules. Commercially reasonable disposition is still the rule, and the sale may still be by public or private proceedings. The secured party may purchase the collateral at a public sale, and even at a private sale if the collateral is of a kind that is customarily sold in a recognized market or is the subject of widely distributed standard price quotations. This is the same rule that we are accustomed to dealing with under Former Article

9. Interestingly, unless the secured party disclaims or modifies warranties relating to title, possession and quiet enjoyment, these warranties by operation of law will be made by the secured party to the purchaser at a disposition sale. This concept is brand new. However, these warranties are subject to being disclaimed by the secured party.

3. NOTIFICATION BEFORE DISPOSITION OF COLLATERAL.

Another major change in Revised Article 9 has to do with the notification obligations that are placed upon the secured party after default, but before repossession of collateral. In fact, Revised Article 9 uses the term "disposition" rather than "repossession" throughout the Article. In addition to notifying the debtor, a notice must be given to any secondary obligor, such as a guarantor. The content of the form of the notification in a consumer transaction is much the same as it was under Former Article 9. However, in addition to the notice language required under Former Article 9, the following information should also be included: a statement of the debtor's rights to an accounting; a description of the debtor's liability for deficiency, if any; a telephone number to determine redemption information; and a telephone number and mailing address for additional information.

4. CALCULATION OF SURPLUS OR DEFICIENCY IN A CONSUMER TRANSACTION.

There is an entirely new concept that applies in a consumer transaction – the creditor must now explain how the calculation of surplus or deficiency is to be made, and there is an obligation of a secured party to provide this information no later than the time that it accounts for and pays the surplus, or first attempts to collect the deficiency from the customer. A secured party who does not attempt to collect a deficiency in writing or account for and pay a surplus has no obligation to send an explanation of the calculation. The debtor or obligor need not wait until the secured party commences written collection efforts in order to receive an explanation of how a deficiency or surplus was calculated. The law obligates the

ALABAMA RETAIL COMP HAS ANOTHER RECORD YEAR.....

For the 10th consecutive year the trustees of Alabama Retail Comp have elected to distribute a retrospective return. The 2002 retro-return of \$2,406,968 is a 4.7% increase over the 2001 return. The 2002 retro-return is the largest in Alabama Retail Comp's 18-year history.

Organized as a nonprofit trust, all excess funds are returned to participants through a retrospective rating. Based on the plan, our participants receive credits that offset the costs of their workers' compensation coverage.

"Our brokers have consistently done a tremendous job of placing safety conscious members in Alabama Retail Comp," said Rick Brown, Fund Administrator of



ARC RETROSPECTIVE RETURN HISTORY

2002	\$2,406,968
2001	\$2,300,000
2000	\$2,239,519
1999	\$1,990,941
1998	\$1,882,094
1997	\$1,490,778

Alabama Retail Comp. "On the flip side our members have done an equally good job of maintaining a safe work environment."

The retrospective return will be given to participants as credits on their 2002 renewals. The years eligible for the retro-return are 2000, 1999, 1998, 1996, 1995, 1994, 1993 and 1992. Participants are eligible for the retro-return for each of the mentioned years in which they participated and had less than a 70% loss ratio.

"A very selective underwriting process, aggressive claims management and efficient contribution administration have been the

key to keeping your workers' compensation costs down," Brown said. "We feel our biggest asset to our members and our brokers is our service. We strive to provide unequalled service at all levels of our business."

The following will ensure our continued success:

- Early reporting of claims. Please report all claims ASAP to Alabama Retail Comp's claims department. The claims department can be reached @ 1-888-327-1915.
- Establish a safe working environment.
- Provide alternative duty jobs for injured employee.

ALABAMA RETAIL ASSOCIATION RECOGNIZES LAW ENFORCEMENT OFFICER

(Continued on page 2)

More than 5,000 stolen and forged checks totaling over half a million dollars were reviewed during the investigation. The 27 suspects involved were identified as being responsible for the theft and forgery of approximately 2,100 checks for a total of more than a \$250,000. This was the largest and most successful forgery case ever in the history of the Mobile office of the Postal Inspection Service.

The LEO Award was presented at the ARA Board of Directors meeting on September 12, 2001 at the Summit Club in Birmingham. Inspector Payne received a crystal trophy, and a roster plaque to go to his department to hang for the year. In addition, a \$1,000 donation was made to the Boys and Girls Clubs of Alabama in honor of Inspector Payne.



Pictured left to right: Chairman Barstein, Inspector Payne, Technician Castronova and Inspector Willis.

WELCOME NEW MEMBERS

@ Home Medical, Inc. Montgomery
Alten Drugs, Inc. Killen
Andrew's Barbecue Birmingham
Animal Medical Clinic, P.C. Huntsville
Arabian Family Restaurant Arab
Ashland General Agency, Inc. Mobile
Auburn-Opelika Elks Club #1834. Auburn
Auto Xtras, Inc. Mobile
B' Jays, LLC. Demopolis
B. Barganier Interior Accents Montgomery
B. Kenneth Hibbett, Jr., DMD, PC. Florence
Babston Blueprint & Supply. Montgomery
Banks Industries, Inc. Huntsville
Bates Enterprises, Inc. Childersburg
Beitel Company Decatur
Birmingham Trophy Shop, Inc. Birmingham
Bruce's Service Center Headland
Business Communications
Distributors, Inc. Mobile
Buttercream Dreams Bakery &
Supplies, Inc. Mobile
Cannon's Country Cooking. Sylacauga
Carr, Riggs & Ingram, LLP. Enterprise
Cedar Street Garden & Gifts Trussville
Champion Cleaners Daphne
Channel 32 Montgomery, LLC Montgomery
Choicez Family Restaurant Huntsville
Christies the Florist & Nursery, Inc. Foley
CJ's Family Restaurant. Maplesville
Clay-Greene, Inc. Alabaster
Coleman Cleaners & Laundry, Inc. Florence
Colony Office Products, Inc. Demopolis
Cottondale Tobacco Outlet &
Satisfaction Sales. Cottondale
Countryside Veterinary Clinic, Inc. Opelika
County Fair Gifts and Collectibles, Inc. Hoover
Dalal's Homewood
Deerfoot Baptist Church. Trussville
Depalma's Italian Café of Tuscaloosa Tuscaloosa
Designform, Inc. Birmingham
Douglas Medical Center, P.C. Horton
Dr. Mike Cowley, DDS Tusculmbia
Duke's Shell Service Center. Greenville
Dykes Veterinary Clinic Foley
Eastern Shore Dental, P.C. Daphne
Eastern Shore Import Parts, Inc. Daphne
Ellis V Restaurant Demopolis
Enterprise Texaco, LLC Enterprise
Ethan Allen. Dothan
Express Wash, Inc. Pelham
F & J Properties, LLC. Alabaster
Fantastic Sam's. Mobile
Fingers & Wings, Inc. Hamilton
First Presbyterian Church of Auburn. Auburn
Florence Clinic, LLC Florence
Floyd, Floyd, & Floyd. Gadsden

Foley Imaging Center Foley
Forestry Supply, LLC Andalusia
Frames & Creations Hueytown
Frank Newton Office Supply Co., Inc. Dothan
Galley's Greenville
Gaskins Enterprises, Inc. Florence
Gatlin Lumber Co., Inc. Foley
Gayle's Amoco. Selma
Gedson Documenter Center, Inc. Birmingham
General Cybernetics Corp. Northport
Gentry's Tire & Service, Inc. Pell City
Gillenwaters & Lowe Alexander City
GMD Assembly Huntsville
Gordan Jones & Company, P.C. Andalusia
Greenville Foot Care Greenville
Gulf Publishing Co., Inc. Foley
Guntersville Animal Hospital, P.C. Guntersville
Hall's Motor Sports Mobile
Hamiltons, LLC Auburn
Heart of the Home Fort Deposit
Heartcare, P.C. Cullman
High Cotton Gallery Greenville
High Five Local Grill. Birmingham
Highland Coffee Shop, Inc. Birmingham
Hope's Cheesecake Gulf Shores
House of Pizza Guntersville
Hugh's Pharmacy, Inc. Gadsden
Huntsville Symphony Orchestra Huntsville
Integrated Pharmaceutical Solutions, Inc. Loxley
Izzy's Bagel Café Madison
J. Shannon Mitchell Attorney at Law. Boaz
J.R.'s Lawnmower Shop. Opp
James L. Maples, DMD. Florence
Jenkins Auto Repair Tuscaloosa
Jones Veterinary Hospital. Andalusia
Karen Fancher, MD, LLC Guntersville
La Reunion Coffee & Tea Co., LLC
. Birmingham
Lakeview Oyster House, Inc. Birmingham
Lamar's Donuts & Quizno's Subs Oxford
Lambert's Tire and Auto Robertsdale
Lightfoot & Lightfoot Surgery, P.C. Mobile
Litho Plate & Negative, Inc. Birmingham
Madison One Day Auto Spa Madison
Majors Laundry & Cleaners Greenville
Martha Rutledge Catering, Inc. Mobile
McGugin's Exxon Mobile
MH3 Printing & Ad Specialties, LLC Mobile
Microwave Roasters, Inc. Selma
Middle Bay Marine, Inc. Mobile
Mikos/Kampakis Insurance
Services, Inc. Birmingham
Miyako Japanese Restaurant Huntsville
Montgomery Antique Galleries, Inc.
. Montgomery
Morris & McAnnally, LLC Deatsville

Mr. Sandman Montgomery
Napa Auto Parts Selma
Naris. Huntsville
Neal's Wheels Muscle Shoals
Neighborhood Sports Grille, Inc. Birmingham
North Alabama Poultry, Inc. Boaz
Ob-Gyn Associates of
Montgomery, P.C. Montgomery
Off Campus Bookstore Jacksonville
On Tap Sports Café. Hoover
One Hour Cleaners Talladega
Orthopedics & Sports Medicine, LLC Sylacauga
P/W of Somerville Somerville
Pelican Pointe Restaurant, Inc. Fairhope
Preferred Title Agency, Inc. Pinson
Presley Fluker Funeral Directors, Inc. Brewton
Price Drug Co. Eufaula
Priester Pecan Co., Inc. Fort Deposit
Pro Resources. Mobile
Protection Products, Inc. Homewood
Quick Tire Sales, Inc. Cullman
Raceway Tires, Inc. Montgomery
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Shoals Chamber of Commerce, Inc. Florence
Snead Express Lube, LLC Snead
Sneaky Pete's Hot Dogs Bessemer
Sneaky Pete's of Huffman Birmingham
South Baldwin Surgical Specialists, P.C. Foley
Southern Bride, Inc. Birmingham
Subway #6717. Troy
Sylvan Learning Center. Tuscaloosa
Taylor Road Academy. Montgomery
The Crystal Corner, Inc. Boaz
The Metro Grill Birmingham
The Print Shop Oxford
The Sound Barrier-Radio Shack Hartselle
Tiger Town Embroidery Screen Printing Auburn
TMS Engineering, Inc. Mobile
Tobacco Express Birmingham
Twinkle Toes, LLC Tuscaloosa
Tyler Pizza, Inc. Mobile
Ultra Clean Dry Cleaners Opelika
University Club of Huntsville, LLC Huntsville
Valley Automotive. Muscle Shoals
Vintage Greenville
Wall Triana Animal Hospital, Inc. Madison
Wayfaring Manufacturing Co., Inc. Albertville
Wharfhouse Grill. Mobile
Wilhagans of Tuscaloosa, LLC Tuscaloosa
Your Transmission Man, Inc. Decatur

PUBLIC AWARENESS CAMPAIGN LAUNCHED

Attorney General Bill Pryor, the Alabama Bankers Association, and the Alabama Retail Association have launched a public awareness campaign to educate consumers and prevent identity theft. The Attorney General's Office drafted the Consumer Identity Protection Act and worked with these associations and other business and consumer groups to gain the bill's passage by the Alabama Legislature in April of 2001.

"The first and most important element of consumer protection is to arm consumers with the information they need to keep from becoming victims of fraud," Pryor said. "I want to thank the Alabama Bankers Association and the Alabama Retail Association for volunteering to conduct this project to educate their customers and associates. In addition to teaching consumers about how to protect themselves and how to get help if they are victims of identity theft, we want to educate potential criminals. Anyone who is tempted to steal someone's good name and identity should know that Alabama now has a tough law that we will use to punish them. Identity theft can be a felony, punishable by up to 10 years imprisonment."

The Alabama Bankers Association has distributed posters, statement stuffers, and other materials for its members to provide to their customers and to fight identity theft. "The crime of identity theft is

increasing in this electronic age at an alarming rate, said Dan Bailey, executive vice president of the Alabama Bankers Association. "The banking industry is most concerned about identity theft and played an active role in the passage of legislation in Alabama to provide the Attorney General with appropriate authority to combat the problem. Our industry fully supports and appreciates the leadership role that Attorney General Pryor has taken on this issue."

The Alabama Retail Association also was active in winning passage of the state's identity theft law and is distributing information to retailers and their customers through articles, posters and other materials. "Retailers work diligently to defeat credit card and identity fraud not only to protect their customers, but also to protect themselves," said Charles McDonald, president of the Alabama Retail Association. "While the consumer's liability is usually limited to no more than \$50, the merchant's liability is considerably higher. It is also often harmful to the precious merchant/customer relationship. The Alabama Retail Association realizes this and wants to do as much as possible to educate the public and our members on what they can do to prevent identity theft. We also want to teach people what steps to take if their identity is stolen. Finally, we want to bring to justice those that prey on the innocent,

which is now easier due to the passage of the Consumer Identity Protection Act."

The Attorney General thanked the legislators who worked to enact the law, noting particularly Senate President Pro Tem Lowell Barron of Fyffe and Rep. Mike Hubbard of Auburn, who sponsored the bill; and co-sponsors Sen. Jabo Waggoner of Vestavia Hills and Rep. Neal Morrison of Cullman.

The Consumer Identity Protection Act defines certain elements of identity theft as crimes so that they can be prosecuted under Alabama law to help protect consumers from this increasing modern-day fraud. "This brings Alabama's law up-to-date to deal with criminals who are all too adept at using the Internet and other modern technology to defraud our citizens," Pryor said. "Previously, our law simply did not recognize or anticipate how easily someone could steal personal information and assume another identity, incurring debt in the victims' names completely unbeknownst to them. Under our old laws, it had been only the actual theft of goods and services, rather than the act of taking someone's identity to use their credit, that was illegal. With this new law, we will move quickly to put criminals in jail as soon as they steal someone's identity, stopping them before they wreak havoc on their victims' finances."



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