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The information seeking behavior and skills of the private investigator are typical of many other information professionals, but the high risk information (HRI) they deal with, and the particular skills needed to work with and find this particular type of information, especially in regards to today's information privacy concerns, make this group an ideal subject for study. For this study, four private investigative agencies were observed and/or interviewed in North Carolina and Georgia. The purpose of this research is twofold: 1) to discover what information seeking strategies are used by private investigators, and 2) to understand which barriers affect their search process. Results indicate that private investigators rely heavily on fee-based databases to save time during an investigation and save the client money. They must also be excellent communicators, as a large portion of their time is spent on the phone and conducting investigative interviews. Results also show that unlike with other information professional groups, deception plays a larger role in the work of the private investigator.

Headings:

       Searching Behavior

       Information Needs

       Private Investigators

       Detectives

THE INFORMATION SEEKING BEHAVIOR OF PRIVATE INVESTIGATORS: A
STUDY OF INVESTIGATORS IN NORTH CAROLINA AND GEORGIA

by
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Detective:

"One whose occupation it is to discover matters artfully concealed."[1]

"One employed or engaged in…getting information that is not readily or publicly accessible."[2]

1. **Introduction**

We now live in an era where information is the driving force behind most other activities. Information is a key factor in the world's economic markets, and those who make seeking information their business are amongst the fastest growing employment sectors. The private investigator, or private detective, is one such information professional. It is the business of the private investigator to find and verify facts by following a series of clues, which will, hopefully, result in satisfying the information need of a client. Although their primary job description is to find information that is typically difficult for the average person to find, this is not always the case. They use many of the same tools the average person uses, including free resources found on the Internet. With the advent of the Web and multitudinous types of information available in seconds with the click of a button, one may wonder why, then, do we need private investigators? What makes these individuals any different from other information professionals, or even from the average Joe surfing the Web? Why pay someone to find information on an individual when much of this information may be found through a free, publicly available database? The answers can only be found by studying the role of the private investigator, the information they seek, and the skills they have that make what they do a valuable commodity to so many.

The information seeking skills of the private investigator are typical of many other information professionals, but the high risk information (HRI) they deal with, and

the particular skills needed to work with and find this particular type of information,

continues to expand the field, making the employment of such individuals, according to

the most recent figures from the U.S. Department of Labor's Bureau of Labor Statistics,

one of the fastest growing occupations "through 2012." This growing need for private

investigators "will result from fear of crime, increased litigation, and the need to protect

confidential information and property of all kinds," as well as an increased worldwide

need "for investigators to control internal and external financial losses, and to monitor

competitors and prevent industrial spying" and to work closely with attorneys on criminal

and civil cases (BLS 2004-05 Edition, http://www.bls.gov/oco/print/ocos157.htm). There

is, to put it simply, too much information to sift through and too little time, which are

important factors contributing to the growth of the P.I. field, not to mention the

investigators' skills and experience in finding and evaluating this information.

Although the information seeking skills of the private investigator make these

individuals a valuable asset in a world of information overload, very few studies have

been conducted on how this group of information professionals is able to navigate so

easily and quickly through a potential landmine of high risk information. The need to

know what skills private investigators have that make them so successful at finding

certain types of information, and the barriers they face during the course of their

information-seeking process, is what is driving this research, as well as the lack of

satisfactory literature on the subject.

The potential for information professionals in various disciplines to learn from the

skills employed by private investigators is enormous. Other information-based

businesses, such as libraries, information broker firms, and competitive intelligence

companies, may not deal in the same types of information as the private investigator, but the skills employed to find that information could contribute vast amounts of knowledge across fields, and vice versa. Information is information; it is the purpose and intent of those seeking the information that determines whether it is high risk or not. This study will show that the private investigator employs many of the same skills as other information professionals, such as librarians, but the nature of the information the P.I. seeks, the environment they often inhabit, and their reputation has made them a sub-cultural group on the fringes of the information world; an industry that is trying hard to fight a historical and media-based image. In reality, the private investigator is an information professional, even if some investigators prefer terms such as "fact-finder" or detective. These are basically the same things; all are concerned with information and how to find it. As one private investigator stated, "Information, …our service is that report we provide full of information." While the world of the private investigator is cloaked in a certain amount of mystique and still maintains a somewhat seedy image, due significantly to the history of the field and with a large helping hand from today's media, they are, in essence, like any other informational group whose main goal is to find certain facts for a client, and they can significantly contribute to the field of information in general.

1.1 Brief Historical Role of the Private Investigator

Although the role of the private investigator first began to take shape in the United States in the early 1800s, it began to truly develop around the time the first public police forces began to take shape in the mid-1800s when capitalist-driven industrialization began to explode. The private police belonged to a new, vast system in the U.S. that included "… professional municipal police departments, huge penitentiaries, asylums for the poor and insane and a vastly expanded criminal code and court system" (Weiss 1992, 988). During this period, the private investigator's main role was to protect private property and to track down criminals, two duties the public police were unable to perform as they were concerned mostly with patrolling the streets as a means to deter crime; the public police were the "*visible* presence in the city" (Friedman 1994, 11). The private detective was also seen as a way to keep the police and the government from gaining too much control and turning this country into a police state, which was a great fear of many during this period who recently emigrated from countries with just such a form of government.

The private investigator's earliest role in the U.S., in the early 1800s, was that of "thief taker," which has even earlier origins in England. Some of these individuals were a part of the public police and were willing to find and return private property for a price. They had connections to the underbelly of society and had the ability to get anything, anywhere. Few, if any, questions were asked by the client and the "thief taker" was well compensated for his work. Corruption within the public police forces, as well as in the private sector, well into the latter half of the last century, gave the private investigator a somewhat seedy reputation and image, some of which still remains well into the 21st

Century. There were other aspects of and individuals within the industry, though, that managed to help shape the role of the private detective into something other than that not far above the criminal elements with which they interacted.

It was also during this period that the issue of identity became a concern to those in the criminal justice system. Due to the increased mobility to and within the United States during the 19th Century, particularly the latter half, and the rapid growth of cities within this country, it became easy for people to assume new identities. Many people simply did this upon arrival within the country as a way to make a clean start, while others did this with criminal intent in mind. Class lines were becoming increasingly blurred, which made it much easier for individuals to assume a different social identity, for whatever reason. As a result of the changing face of American society during this period, it "…was a golden age for crimes that depended on lies of identity" (Friedman 1994, 10). Crimes such as fraud, swindles, counterfeiting, games of confidence, and bigamy were common. The ability of the private detective to move freely amongst the public made them the perfect force with which to help combat these types of criminal acts.

Another attribute that was beneficial to the growth of the private investigator's role within the criminal justice system was their ability to cross State and International lines, which the public police were unable to do. This allowed the private investigator to carry out one of their highest-profile duties after the American Civil War, which was to chase and catch criminals across the American frontier, an activity that many in the industry were quick to capitalize on. This endeavor was popularized in the press mainly as a result of the activities of the Pinkerton Agency, whose daring pursuits became

somewhat fictionalized and legendary as they pursued such criminals as Butch Cassidy and his Wild Bunch, the Younger-James Gang, and other train and bank robbers, safe crackers, and "so-called Victorian 'gentlemen' criminals" across the country. In all actuality, chasing such criminals "comprised but an insignificant percentage of their business" (Weiss 1992, 990). Private investigators such as Allan Pinkerton realized that their pursuit of such criminals made them something of a heroic figure in the eyes of the public, something their other roles later on did not. These early pursuits of the Pinkerton agency went a long way towards changing and establishing "the image of the American private eye as efficient and unstoppable" (Nown 1991, 37).

The next roles of the investigator began to dramatically take shape in the 1870s and continued on into the 1930s. During this stage, property protection, industrial/labor espionage and strike-breaking were the main activities of many private investigators, especially the larger agencies such as Pinkerton's. Many of the same covert techniques initially introduced by Pinkerton during this period and others used previously on the frontier to catch criminals, such as posing as someone else and infiltrating your way into a situation to catch the criminal (Gill & Hart 1996, 277), were now used in the rapidly growing cities to where people were flocking for industrial jobs. There was a lot of money to be had for the private investigator in the industrial services (labor espionage, strikebreakers [substitute workers], security guards, and strike missionaries [agents who urged violence or issued propaganda against the strike]) they offered. These activities led to many bloody confrontations (100 between 1916 and 1921 [Morn 1982, 185]), but still the government would not pass legislation to restrict "private police agencies," and

instead "left it up to the States." State legislation, though, did little as "they were ambiguous, very restricted and riddled with loopholes" (Weis 1992, 1002).

The industrial-services role of the private investigator diminished some as industrial violence went down when union membership dropped in the 1920s. During the Great Depression, the government was deeply concerned with wide-spread social unrest and began to look into the role the private police had in violating the rights of the citizens in their industrial services activities. Franklin D. Roosevelt passed the *National Labor Relations Act* in 1933 and a subcommittee on Civil Liberties was established in order to look into the practices of private investigators (Morn 1982, 185-186). During the next decade, "the nation's five largest detective agencies were selected for thorough investigation. The Pinkerton National Detective Agency, William Burns International Detective Agency, the National Corporation Service, the Railway Audit and Inspection Company, and the Corporations Auxiliary Company were subpoenaed (Morn 1982, 186). Although this subcommittee was initially concerned with these agencies' strike breaking activities, they quickly began to look at their industrial espionage duties as well, as these played a large part in investigative businesses. Private investigation agencies would put agents into the unions and the companies as leaders, and into the factories as workers; anywhere that they would then be able to spy on the employees. Morn (1982, 187) gives a glimpse at how good and prolific, in this case the Pinkerton Agency, was at this role:

> By 1935 Pinkerton's had twenty-seven offices and grossed over $2 million annually. There were 300 clients for whom Pinkerton's did industrial work, the largest in the 1930s being General Motors. Between 1933 and 1935 the agency had 1,228 operatives, or 'ops' as they were known in the business, in practically every union in the country. Five were in the United Mine Workers, nine in the United Rubber Workers, and seventeen in the United Textile Workers. Fifty-two members of the United Auto Workers were Pinkerton spies who reported on unionization in General Motors. Most were Pinkerton employees, but numerous spies

were union members 'roped' or connived into giving information. One spy was even the national vice president of one union. At least one hundred Pinkerton operatives held positions of importance in various unions.

As a result of these investigations into the industry and as labor unions and big businesses moved towards a more harmonious communication, another role shift began for the private investigator.

Strike breaking no longer an option for revenue, private detective agencies either began to focus on industrial espionage and other forms of investigation or went out of business. Corporate investigation and security work remains the core source of income for most large agencies today. These agencies investigate everything from inventory losses, falsification of records, and reference checks to supervisory incompetence and absenteeism. Individual private investigators, on the other hand, work on a wider range of cases, everything from domestics, missing people, and stolen property to fraud, workman's compensation, forgery, and murder. Throughout the years, as a result of experience, legislation, and changing times, private investigators have had to adapt and develop guidelines with which to work under. With the exception of those few states not requiring a license, most private investigators today are licensed by a state and belong to a national or state governing body. Many within the field are the ones pushing for legislation that would require all private investigators be licensed by the federal government as a means to "…grant them the recognition they feel they deserve and afford their clients a system of accountability *becoming of* a fully-fledged and legitimate profession" (Gill & Hart 1996, 279). Whatever future legislation brings, the industry remains one of the fastest growing job markets and has expanded into various realms of information services, from traditional investigations to information brokering and

competitive intelligence, creating a need for understanding about how information is

sought, from where, and how it is eventually used.

2. **Literature Review**

Although there is an abundance of literature available on the information seeking

behavior of various groups, almost no literature exits on groups whose information

seeking behavior involves information with a higher risk factor, such as private

investigators. The private investigator is often unwilling to become the focus of research,

as the information found by them has the potential threat of being able to cause great

harm to the person under investigation, as well as to the client. Concerns about

confidentiality have made this particular group difficult to access. As a result, the review

of literature for this paper was expanded to encompass information seeking behavior in

general, as well as literature related directly to private investigating, but from different

perspectives.

2.1 **Information Seeking Behavior (ISB)**

The literature on information seeking behavior has been, and remains, a hot topic

for research within various disciplines, but has been limited for review in this research to

the field of library and information science, which is where many of the key articles are

to be found. Many researchers in this field have developed various models based on the

ISB and information needs studies of various groups. These studies and the development

of such models have contributed significantly to "developments in information literacy,

and skills training, electronic resources, virtual libraries, and traditional resources"

(Foster 2003).

T.D. Wilson's (1997) problem-solving model is based on the concept that you

have to get to an individual's information need before you can reach an understanding of

their ISB. His model includes the context wherein an information need is to be found, the

barriers between that need and the ISB, and the ISB itself. In this case, the information need is "a subjective experience" and can only be revealed through the behavior of the information seeking process. Wilson's model indicates that the person in need will encounter three types of barriers during the process, including personal, social, and environmental, while other researchers have reported "intervening variables," including personal characteristics, demographic, social, environmental, economic, and source characteristics (556-7). The private investigator faces some of these same barriers, which will be talked about later in the paper.

Whereas Wilson's model is based on the idea that a need "occurs only in the mind of the person in need," (552), Krikelas' (1983) model reflects the idea that a person's need is a result of that individual realizing their knowledge base is not sufficient enough to solve an information problem (7). Krikelas' model goes beyond Wilson's singular need to include both deferred and immediate needs, both of which are created by either an event or environment, which, in turn, is based on either the acceptance, storage, or dissemination of prior information. If the need is deferred the information is put into memory, but an immediate need leads to source selection, either external or internal. If the source is external, it comes from either direct observation or from memory. Internal sources come from direct interpersonal contact or recorded literature.

Allen Foster (2003) brings a new perspective to ISB research with his nonlinear model created as a result of research conducted on interdisciplinary activities. Foster's model is based around three "core processes:" opening (breadth exploration, eclecticism, networking, keyword searching, browsing, monitoring, chaining, serendipity), orientation (problem definition, picture building, reviewing, identifying keywords, identifying the

form of existing research), and consolidation (knowing enough, refining, sifting, incorporation, verifying, finishing) (232). Surrounding this core are three levels of "contextual interaction:" the cognitive approach (observed modes of thinking), an internal context (the "experience and prior knowledge" of the observed), and an external context (all external experiences and influences affecting the observed). The aim of this study and model is to show that the process of information seeking changes as the environment surrounding the information seeker changes. It is not a straightforward process, rather a dynamic, free-flowing one.

Leckie, Pettigrew, and Sylvain's (1996) model is based on their study of the ISB of three professional groups: engineers, lawyers, and health care professionals. Their model is based on the supposition that these professionals must assume varying roles throughout the course of carrying out their tasks. Each of the tasks they are expected to perform in the course of their duties brings about varying information needs, which, in turn, are affected by numerous variables, all of which are in constant interaction. Additionally, the model's various parts may occur "simultaneously, thus representing the true complexity of a professional's work life" (180). Leckie, Pettigrew, and Sylvain's research reveals many startling similarities to that of private investigators, especially regarding the factors that may affect the process. These factors include accessibility, availability, cost, prior success and familiarity, and verifiability (of special concern to the health care professionals and lawyers in the study, and to private investigators).

Finally, Mary E. Brown (1991) points out the need for a general model of information-seeking behavior which can be applied to both the average seeker and the specialist. Brown's model is based on a compilation of attributes taken from other

models to form the conditions of ISB (exposure and evaluation), the context

(environment, role, self, and barriers), the process (recognition of need and move towards

satisfying that need, realization of a gap, source/feedback preference, searching

behaviors, search strategies), and the interactions between the dimensions of the model.

Information-seeking then flows dynamically throughout this model, "moving at various

speeds," rather than systematically and mechanically. The author states that a general

model can be used as "an instrument around which organizational effectiveness could be

considered" and that effectiveness can by "gauged by the process" rather than by

documents or the role within the process (13).

2.2 **Private Investigator and Related Studies**

Generally, most of the literature on private investigation and investigators is

historical in nature. Lance Hayden (2003) has pointed out the need for further research

regarding private investigators and others involved with high risk information (HRI).

Hayden defines high risk information as information that may possibly cause harm within

the context of certain external factors, which he terms "informational risk factors" (IRFs).

These IRFs may be due to misinformation, or be social, cultural, political, legal or even

technical in nature. Some types of information that may be associated with IRFs are

intelligence, pornography, and illegally acquired information, such as financial data about

an individual. He suggests that further research of these types of information seekers will

reveal "unconsidered skills and techniques," and could be beneficial to users who are

victimized by particular crimes by helping them find the information they may need but

are hesitant to search for due to legal consequences or the sensitive nature of the

information being sought.

Two British researchers, Gill and Hart (1997), have conducted extensive research concerning private investigators. They have pointed out that most of the research in the subject area focuses on private policing rather than private investigation, which has more value for historians. Their study on private investigation as a business reveals that the investigator wears many hats, from the undercover agent that moves in the shadows to the small business owner concerned with bookkeeping, taxes, marketing, etc., and staying afloat in a highly competitive field. According to Gill and Hart's survey, the majority of private investigators are sole individuals, with the next percentage being agencies with two partners, and in the minority are the national companies. This study covers all aspects of the private investigation business: business size and status, networks (formal and informal) within the industry, service charges and turnover, planning and longevity, recruitment methods, vetting, and qualifications and experience. The results of this study suggest that the private investigator will not survive with investigative skills alone; he/she must also have business skills. Gill and Hart also note that "…the structure of the typical private investigation agency has changed very little since the last century" (140).

In another of Gill and Hart's studies (1996), they point out that the private investigator has long been ignored as a research-worthy subject. They also place the work done by the P.I. into a more reality-based perspective rather than the one typically portrayed by the media. The work of the private investigator is broken down into its main components: work done on behalf of the legal profession, of insurance companies, of private companies, and of private individuals. The first three provide most of the work for the industry, while work done on behalf of individuals, such as divorce cases, has shown significant declines in recent years, due in large part to the often unsavory nature

of the work. While the legal profession is concerned mostly with an investigator's

reputation, as the information sought by the P.I. must be above board in order to be

presented in a court of law, insurance companies often do not care how and by what

means an investigator gets the information. Insurance companies often do not inform

their policyholders that they are being investigated, and the companies often try to

distance themselves from the actual investigation and the methods the private

investigators use. Most of the information gathered by the P.I. in these instances is

sought through covert surveillance means and can often involve the use of trickery.

Private companies are the largest users of private investigators, comprising nearly three

quarters of investigative agencies' work, according to the authors. One of the main

reasons private companies turn to private investigators rather than the public police is

"the need to keep them [the events] secret and retain full control. This prevents the

leakage of non-related information which may prove embarrassing" (310). The authors

conclude that the private investigative industry will continue to maintain a negative

image unless standards are enacted that will regulate it, especially as concerns about

access to "confidential and personal information" increase (313).

Shulman (2000) has done one of the most interesting studies concerning the actual

work of private investigators. Using a combination of observation and interviewing,

Shulman studied the role deception plays in the methodology of private investigators. As

a result of observing and interviewing twenty subjects, the study suggests "private

detectives employ three types of accounts to justify work-related deceptions" (265): the

means justify the ends, legal and technical justification, and neutrality justification. The

study also reveals that there are divergent views amongst private investigators regarding

deception. Some private investigators believe the nature of the work and the criminal suspects they deal with justify the use of deception. Others do not see deception as an issue in their work; they "perceive work as either legal or illegal" (276).[3] Shulman points out two benefits to the use of justified deception in private investigative work: it gives the investigator the advantage and helps deflect the harm caused by deception.

3. **Methodology**

The purpose of this research is twofold: 1) to discover what information seeking strategies are used by private investigators, and 2) to understand which barriers affect their search process.   Private investigators are highly successful at gathering information that is not always easy to obtain and studying their ISB could contribute significant information to the study of information seeking behavior. Due to the nature of private investigators' work, I determined that a combination of observation and interviewing would yield the most significant findings. Keeping in mind that the field of private investigation attracts a wide variety of subjects, some that are not always ethically minded individuals, I determined that I would only contact those investigators that are state licensed and are members of a national organization within the industry, which is the case for most states.

Although a survey could have yielded higher participant numbers, I wanted this study to be qualitative in nature. With this in mind, I began the task of finding willing participants. Many investigators are reluctant to discuss the nature of their work in any detail, which made finding subjects willing to take part in this study somewhat difficult. This resulted in the study being relatively small, but with implications for a future study on a much greater scale. I also based my choice of participants on Gill and Hart's (1997) categorization of private investigative businesses. Their categories are: 1) the "'home-based' private investigator," (typically one individual with no additional staff); 2) the "'high-street' agency," (also typically one individual, but one who works primarily with the legal profession and may employ one or two administrative staff); 3) the "'regional' agency," (may have more offices within one region, or even across the country, typically

has in-house and/or structured training and programs, and they run their business in a more formalized manner); and 4) the "'prestige' companies," (typically these companies have national and/or international offices and provide services almost exclusively for the corporate world and their investigators typically have more specialized backgrounds).

Using the North Carolina phone book, the North Carolina State directory of private investigators, and web site contact information to contact investigators by phone, I found four participants, one for each of Gill and Hart's categories. I spent between one and two days with the participants in order to interview the investigators and/or observe first hand the techniques employed in their information gathering process and to gain their perceptions of their search processes and the industry in an information professional context. Although the data collected through this process is clearly not representative of the entire industry, it provides a glimpse into the industry as it typically is, rather than as portrayed by the media and those few individuals who are unconcerned with fostering a positive reputation and image for the industry.

4. Interview/Observation Results

Private investigation is a complex line of work that draws people from a wide variety of backgrounds, with varying professional and educational experiences. Most agencies in this country are self-employed individuals with perhaps one or two other administrative staff members. The participants in this study provide a small sample of the types and sizes of agencies available. Four agencies were chosen based on Gill & Hart's investigative agency type and size categorization. Table 1 shows the break down of each participating agency by case name, geographic and agency location wherein the interview and/or observation took place, employee numbers, Gill & Hart category, and the investigations typically carried out by said agency. Each case study participant will be referred to from here on in as A, B, C, and D.

Table 1. Break down of participating agencies.

Subject Identification	Geographic Locale	Number of Investigators	Gill & Hart Categorization	Main Types of Investigations
Case A	North Carolina	1	Home-based	All types[4]
Case B	North Carolina	1	High-street	Legal[5]
Case C	North Carolina	19	Regional	All types
Case D	Georgia	125,00 (Internationally)	Prestige	Corporate[6]

The majority of the data collected for this study came from the interview portion, due to the fact that the most of the investigators did not like to be observed first hand. Those who did agree to let me observe limited the information I was exposed to. The interview questions are broken down by category for organizational purposes as follows: time spent searching, subject and source familiarity, access and use of sources, barriers met and guidelines used, skills needed by investigators, the role deception plays in the process, training, and the role technology plays. These categories were devised in order to help

determine which ISB model best fits the behavior of private investigators, which will be examined in the discussion section of this paper.

4.1 **Time Spent Searching**

All subjects agreed that case type and case load were the key factors affecting the amount of time spent searching for information. The two individual agency participants (A & B) stated that approximately 80% of their time is spent in the actual search process, whereas the larger companies spend approximately 50% of their time. This is due in large part to the fact that the larger companies have more staff members and the work is spread throughout the company. For example, participant C has one staff member in the main office that does 8 hours of online searching a day, while other investigators do field work and/or administrative duties. Participant D has four employees in the Southeast office (all of whom are licensed investigators): one to do field work within the immediate and outlying areas, one to do online searching and administrative work, one to act as receptionist and to conduct pre-employment background checks, and one manager. Agency D also has a worldwide network of investigators to search for information. If the office in Georgia needs information in another state or overseas, the agency has other investigators within the company to conduct searches in a particular area rather than having to go out themselves to find the information they need. In addition to North Carolina, participant C also has investigators in two other Southeastern states, South Carolina and Georgia. Individuals in these two companies (C & D) do not need to spend as much time in the search process, because of the wider network of investigators they have. It falls on the single investigators in agencies A & B to do all of the searching

(online, legwork, and interviewing), not to mention report writing, and administrative and managerial tasks.

The interview questions for this section were broken down even further in order to determine how much time was spent with online sources versus other sources. Aside from participant C, who stated that one employee in the office spent 8 hours per day conducting online searches, it was difficult for the investigators to come up with approximate figures due to the nature of the work and the individual requirements of each case.

A & B both stated that they spent more time online to locate missing people, but cases criminal in nature required more time spent in the investigative interviewing stage. Participant B works almost exclusively for clients in the legal field, which often requires more time spent at the courthouse conducting background research and more time interviewing people or conducting surveillance. Participant A, who conducts more domestic type cases than the others interviewed, spends more time conducting interviews and doing legwork.

Three of the four participants seldom spent time using print sources to help them in the search process. Participant D was the only one using a sourcebook in print form on a regular basis. Both the *Sourcebook to Public Record Information* and the *Guide to Background Investigations* are used by the investigators within this company throughout the search process. The latter, in particular, is used on a daily basis by them as it also includes information on universities, community colleges, schools, etc., as well as the public record information found in the former. These investigators call this guide the "Private Investigator's Bible" and their copy is very worn and tattered. They would not

consider getting rid of this, especially since many online sources are now starting to charge for some of this same information. This is cheaper in the end for the amount of usage it receives (approximately $200) and is updated annually.

4.2 **Subject and Source Familiarity**

All of the participants in the study concluded that there is one main area wherein private investigators must be well-versed, and that is with the legal system and the terminology used therein. Participant B stated that he "needs a very strong grasp of the legal language in order to communicate effectively with his clients," as well as familiarity with tax information, GIS language[7], and court and law enforcement procedures. Although case B's clients consist mainly of legal representatives, the other investigators voiced similar thoughts on source familiarity. Case A also expressed the need to be familiar with the legal language, statutes, and inner workings of the court system, as private investigators deal fairly extensively with it. Participants C & D both indicated that they must have a much broader scope of source familiarity as their client-base was vast. Along with a strong knowledge of legal terminology and the court system, these latter two participants stressed a need for familiarity with business terminology in order to read and understand information found in credit and financial records. This is especially true of case D, who works exclusively for various corporations. The investigators with this agency must be able to find and understand business sources/reports in order to recognize the information they are seeking and know what to do with it when they find it. Participant D went on to state that a sound comprehension of government documents was important, especially with particular Acts, such as the *Fair Credit Reporting Act*, which they "try to abide by to a *T*."

The size of the agency and the amount of sources, particularly online sources, they have access to also determines the depth of knowledge the investigators must have. With an agency the size of case D, and to a lesser extent case C, the investigators are much more specialized in particular areas. Whereas participant A expressed much less confidence in using online sources and seemed to prefer doing legwork for his cases and B expressed feeling agitated and sometimes frustrated at his inability to find some information using online sources, both C & D were very confident in their online searching abilities and used these sources extensively. This knowledge base goes beyond a familiarity with how a particular database works, which both C & D indicated was of secondary importance. The level of familiarity with what a particular database offers and at what price, how to find it quickly, and what to do with it is of far higher importance than simply knowing how to navigate the database. As one investigator with agency D put it,

> They're [the databases] pretty self-explanatory, but … it's knowing how to find the right information, because, you know, you can punch in a name, or what have you, but if you don't know what you're looking for you may not find the right person.

The investigators in agency D also stressed the need to be familiar with what information was legally obtainable and what was not. All of the investigators, in fact, expressed, repeatedly, the same notion. Even though the industry has a reputation for often getting information by illegal means, an image exasperated by a few high profile cases as well as the media, this does not appear to be the case for the average investigative agency. Through this study and related research there appears to be a strong concern on the part of investigators with the methods used to obtain information and the

need for further regulations within the industry. There are many web sites available that will offer various types of information, but not all of those sites have obtained this information legally. If the investigator uses this information it can jeopardize a case, especially if the information found by the investigator is to be presented in court (which will be discussed further in the "Role of Deception" section). Referring back to the *Fair Credit Reporting Act*, D states,

> We are bound by the *Fair Credit Reporting Act* in a lot of things. A lot of people think it is just for credit and it's not, it's for criminal records, any record you obtain through a third party."

Some clients want to know all of the information available, but the obligation falls on the investigator to determine the legality of the information and what they can and cannot reveal to the client.

Participant D discussed the databases in depth and the steps taken to ensure everything is done by legal means. Agency D will only use reputable databases and only access particular types of information if they have a signed release from the person being investigated. Although not legally required for information such as names, social security numbers, addresses, criminal records, etc., the agency must have a signed release for such things as credit report information. One of the investigators in agency D explains,

> When we go into these databases, it's called a permitted use, and we have to pick a permitted use every time we go into the database. We have to tell it we're going on because of a fraud investigation, or , you know, some sort of conception. You have to tell the database why you're doing it. You have to have a reason, and then you have to tell it why you need it, what kind of company you are. I have to tell it I'm a private investigative company. So, I can't, you know, just go to this information, because I want to know where Rod Stewart lives. Even though I could find it, I have to have a reason to justify why I'm there.

These agencies must submit both their investigative and business licenses when initially registering with the database companies. The information accessible through these databases has the potential of being high-risk information in certain hands, and so the investigators must be very careful about who is asking them to access it and the purpose for accessing it. This level and type of familiarity, reading and understanding the client, let alone the subject under investigation, comes with experience and is not easily nor quickly taught.

4.3 Source Access and Use

4.3.1 Fee-Based Online/Electronic Access and Use

Access to a variety of sources is a key determinate to a private investigator's success. Although the larger agencies typically have access to a much broader range of online sources, single investigator agencies will use other means to get the work done. Participants C & D both have access to a wider range of online sources[8], which means they are able to find more of what they need in a shorter period of time. These agencies have access to fee-based databases[9] wherein they are able to go to a single source for criminal checks, profiles, and credit reports (if they have a signed release). These database companies go out and retrieve the information from public records, credit bureaus, courts, etc. and charge the investigative agencies for one-stop access. Smaller agencies and individuals such as A & B typically cannot afford access to a variety of these databases and, hence, must spend more time online finding information via free resources, which are often not as reliable, or by other means such as going directly to the source (e.g. the courthouse). Participant A, in particular, stated that he spent most of his

time "doing legwork," and the amount of sources he has access to is broad but consists largely of other people.

Five different factors were identified as affecting the access and use of online sources: accuracy, cost, reputation/reliability, verifiability, time. Responses varied with some of the factors and which had higher importance, although accuracy of information came out as most important overall, with cost the second highest consideration. The investigators would start out with the cheaper sources and gradually go up the price ladder until they found what they needed. This is not to say that the cheapest sources always have the most accurate information, which participant A points out, and accuracy is first and foremost the most important criteria. Case C states,

> There are certain sources you find out there that say you can do a criminal check on someone in Georgia [or any state], but just pull up that a subject has been in prison. That's [the information] not accurate. They get all that stuff out of the newspaper or from the criminal. If I want to get an actual criminal search I'm going to have to pay a vendor down in that state to do it. You just search until you get the cheapest source that gives you the best information.

If a lower priced source offers the same information as the higher priced ones, and is accurate and reliable, then the investigators will use the cheaper source. Even though access fees are factored into the amount the client will pay, participant C was the only one to mention bartering with vendors for lower access prices. The other investigators will use the cheapest source that offers the most accurate information, but C will talk with the vendors of the more expensive sources to get a lower price based on usage.

Reputation, reliability of the information providers, and verifiability of the information provided also play a strong part in which sources the investigators will use. Participant C was the only one interviewed who regularly and routinely shops around for

new sources.[10] D prefers to use just a handful of sources; ones they know are accurate and reliable and that they are familiar with. B also uses many of the same sources, wherein familiarity with the source factors in heavily. The information found in these sources must also be verifiable, which was an important factor for B and D. For B, this is due in large part to the nature of his work. The majority of the information he is seeking must be ready for submission to the courts, which means he must be able to verify to the highest degree the information he finds. Verifiability for D simply acted as a means to rate the accuracy of the information in the database, although, they also had to be able to back up what they found online for many cases with a hard copy of the information.

Time was also a factor for the investigators, particularly with D whose work with corporations and their need for information yesterday, means the investigators in this agency need very quick access to accurate information. Participant B was the only one to mention the type of case as a factor in source access and use. For this investigator, the access factor is "85-90% case driven." He has the ability to access a wide variety of sources, either directly or through other investigators, but what he accesses is largely determined by the case and the initial interview with the client. He needs to be able to quote a price to the client and then tries working within those boundaries. Access and use for this investigator are not based as heavily on the time factor as with C & D.

4.3.2 **Free Online Resources**

All of the investigators take advantage of the numerous free resources available online, with state published sex offender sites the most heavily cited. Participant A regularly uses *MapQuest* and MSN's yellow and white pages, and the others use other sites for address/reverse address and phone number/reverse number lookups. D will also

use college web sites to verify contact information, as well as for education verification purposes, wherein you can send a request electronically for verification. Although some schools will allow you to call up with a name and social security number to verify a person's education, Participant D indicates more and more of this information is becoming fee-based. The registrar office will send the education information to a database company such as *Credentials* and the investigator will have to pay a small fee just to verify a person's education.

Federal and court records were also cited by most of the investigators as good free online resources. They will go as far as they can with the free resources in order to find accurate information before moving to the fee-based sources. Participant D adds the stipulation that these free resources must come from an authoritative source, such as the government or the courts. Aside from phone number and address lookups, commercial sites are not normally used. This goes back to the accuracy and verifiability of the information. With federal, state, and court records online, the investigator will be able to turn to the hardcopy to verify the information. This is not usually possible with commercial site information.

Listservs are another free resource and are used heavily by participant B. He registers with several private investigative listservs and uses them as a source for information that he may be having a hard time finding or on a case he is having difficulty with. He will post a question about a case and typically receives a quick response. There is almost always another investigator out there that has had a similar case and B can see what they did to solve it.

4.3.3 **Other People as Sources**

A successful investigation does not simply mean having access to high-priced databases, or even other online sources. Although a good portion of the information an investigator needs can now be found online, they must still rely on other sources for many things. All of the participants agreed that other people were one of the most important sources they use in the search process, with other private investigators ranking as the number one source. Participant B stated that "75-80%" of his time is spent using other people, mainly other investigators, lawyers, and law enforcement officials. Participant A heavily uses other investigators to find information in other states, and D regularly uses law enforcement officials, court clerks, and other people in the course of performing personal references for background and pre-employment checks. D will also use other people for information verification purposes, but only for public record information and will only talk to an official of a particular public office.

Field investigations typically rely more heavily on the use of people as information sources. With field work, investigators will use friends, neighbors, ex-boyfriends/girlfriends, ex-employers, anyone that will lead them to the next clue and give them a better picture of the suspect they are dealing with. Participant D explains,

> We can use individuals all day long with a field investigation. If we're trying to develop information on somebody we're doing surveillance on, we're talking field work versus databases, we could use neighbors. It's amazing what kind of information you'll get from neighbors gossiping.

The investigators must also take into consideration when talking to other people for information gathering purposes where they are. In smaller towns, everyone is more likely to know everyone else, which means there is a much higher risk of the

investigator's cover being blown. Also, in these smaller towns, many of the court records

are not available online and the investigator will have to contact the clerks to find the

information. This is not to say the clerks will provide the information over the phone, nor

will they actually search for it, but they will act as a point of reference when the

investigator physically goes to the office to do the search.

Aside from other investigators, law enforcement officers and regular citizens used

in the course of the search, a few of the investigators will also use other information

professionals, in particular participant D, who comes into more frequent contact with

information professionals in the course of their work within the corporate world. This

agency offers services covering intellectual property investigation and utilizes the skills

of librarians for these cases. For a recent trademark infringement case, agency D's client

wanted to prove that they had rights to a mark that another company had recently started

to use. The investigators utilized the help of a librarian for a search of old newspapers,

advertisements, and telephone books, looking for usage of that particular trademark.

4.3.4 **Search Steps**

One of the first steps the investigators mentioned taking for almost all cases was

to build a profile of the subject under investigation. Two of the investigators (A & B)

were reluctant to talk about the process due to confidentiality concerns and merely stated

that the steps taken were different for each case. Participants C & D were more

forthcoming and talked extensively about the steps for a simple background check,

walking me through the process. D stated that the first thing they do is get a signed

release from the subject. This release will allow the investigators to retrieve credit

records and such. The investigators would then run the subject's name and a city and

state through one of the fee-based databases, *Choice Point* for example, for a comprehensive report.[11] This report may contain (depending on how much information the investigator needs and pays for): the subjects social security number and where and when it was issued, aliases, current address and phone number, date of birth, a summary of all the addresses where the subject has lived, the names and addresses of other individuals associated with the subject at each address[12], bankruptcies, UCC filings, corporate affiliations, driver's license[13], possible properties owned, vehicle registrations, merchant vessels, FAA certifications, FAA aircrafts, possible criminal convictions, sexual offenses, accidents, professional licenses, voter registration, hunting/fishing permits, concealed weapons permits, possible relatives, and neighbors from each place the subject has lived. Included for each address and occupant (current and former) is current Census information such as a neighborhood profile (average age, median household income, median home value, average years of education) and information on the property.[14] Another investigator at agency D states that "90% of the information they need [for a background check] can be found on these databases."

The second step in the process is determined by the case type. According to participant D, if it is a criminal case they will need to access State records online if available[15] or send a researcher to physically search records at the courthouse. In these instances, this agency will send an outside court researcher to the courts to get the information they need. Agencies with a single investigator will have to spend time and money doing this on their own. One of the things the investigators are looking for during a criminal check is multi-state convictions, which tells them they may have to search beyond a single name. They are also careful during this stage not to alert a subject that

someone is looking for them. D cites the example of Kentucky: If an investigator looks up a subject's personal information in that State (through State records), the State will notify the subject that someone is looking up their information.

Participant C indicates their next step would be to locate the associated individuals listed on the profile report and begin talking to them in an attempt to find out more information. It is at this stage that the investigative interview becomes crucial. Through the process of talking with people who knew the subject in some capacity, the investigator is able to expand the profile. The investigator will verify such things as graduation dates, past jobs, personal relationships, etc. Participant C says they will check something as simple as a school picture in a yearbook to see if it was really the subject who went to that particular school and is not an individual attempting to impersonate someone else, which, C states, "happens a lot. People steal people's identities regularly." A lot of this process is done via the telephone. One investigator at agency D, who works primarily in the office conducting pre-employment reference and background checks, says "about 80% of my time is spent on the phone and about 20% online." This time on the phone often leads to further information online.

4.3.5 **Access and Use Conclusion**

Overall, the investigators interviewed found the sources available to them adequate for what they needed to do. The only participant that expressed displeasure with the availability of sources was A, who stated he would like to have more access to those sources available to law enforcement, such as National Crime Records information which officers can access from their vehicles. Participant C indicated the sources were adequate, but he was always looking for new ones. Faster and cheaper sources and better

technology is necessary to the business, otherwise "your competition will get ahead of you."

All of the subjects, with the exception of participant B, did not often find it necessary to go outside their realm of expertise. B stated that he often had to and used the listservs extensively to talk with other investigators. He also used "source specialists within a specific area" if a particular case was beyond his means to solve. Overall, the investigators were very confident in their abilities to find any type of information, no matter what source they needed to access. This is due in no small part to the vast network of contacts each investigator maintains. For subject D, who has offices worldwide, this means a simple phone call to another office, one that may have access to a source that their office does not. With one phone call, they are often able to get the information they need quickly at no extra cost. The other agencies may not be able to access expensive databases this way, but they are able to get the information through investigators and other sources in the same manner. They also use this network of contacts to identify new or useful sources, much in the same way other information professionals do. If an investigator is unfamiliar with a source, 9 times out of 10 another investigator within their network has used it before and can recommend it or not.

4.4 **Barriers and Guidelines**

When discussing the issue of barriers the investigators may encounter in their search process, the issue of legality came up repeatedly. All four participants emphatically stated they would not use any sources where the information was not obtained legally, nor would they obtain information that was not verifiable. Participant C did clarify that "if it's on the web, [he] doesn't think it's illegal if [he] can type a letter in

and get to it." All, though, are very cautious about what they get through third-party

vendors, which, they indicate, comes from experience and having a sound familiarity

with the sources you use.

The investigators were asked about other barriers they face in their search

process, and the answers varied. Participant B stated that "bureaucratic and

administrative barriers" were the ones he faced most often in his work for those in the

legal system. He feels the court system is "typically good and it is easier to obtain

information" from them, but the government requires too many forms to access the

information. Participant D felt the differences in State legislation regarding the access of

information was his agency's biggest barrier. Some states are "more constricting than

others." D gave an example:

> In North Carolina, we subscribe to a database, a State database, that
> if we're working a case in North Carolina and we need some license
> plate information or to find out what kind of vehicles this person has
> registered to him, we call that database and give them the
> information. They will provide the information on whether the
> vehicle's registered to an individual and on the particular person who
> it is registered to, but in Georgia you can't do that at all.

This agency feels individual State restrictions also limit them when it comes to accessing

criminal records. For example, D stated that some states [they mention Georgia] will

allow you to access the State's criminal records online on a statewide basis. Other states

have set it up so that only law enforcement officers can access these databases.

Participant C, on the other hand, indicated that accessing financial information

has become the biggest barrier his investigators face. He stated that "it's getting harder to

find out financial information." More and more databases can no longer provide this

information, as they are not able to obtain it. This is a problem for investigators who are

asked by a client to investigate prospective business partners. Without financial information, a client will not be able to find out such things as bankruptcies, hidden accounts, or that a potential partner may not have insufficient funds to bring to the venture.

Participant A was the bluntest with this question. He felt the biggest barrier for him was "those records considered confidential." He stated he would like to be able to tap telephones and get unlisted numbers and driver's license histories, but he can't. There are investigators out there that will do these things, and several have made headlines as a result, but, for the most part, the typical investigator appears to be very concerned with their image and reputation. They are in business, after all, and must be able to defend their methods, not only to the client, but often in a court of law. Overall, it was unanimous amongst the investigators that more records should be made publicly available. This would significantly reduce the largest barrier investigators face.

When asked about the use of guidelines in their work, two of the participants (A & B) did not use any formalized ones; again the size of the agency appears to play a part in this. Participants C & D, the two larger agencies, have set guidelines their investigators must follow throughout the course of an investigation. C's operations manual is carried in the car of every investigator and includes a check list each investigator has "to do before they start a case." This checklist is used to ensure equipment is in working order as well as guidelines covering "what they have to do while working a case so they don't get into trouble with anybody." Agency D has a similar manual.

4.5 **Skills**

4.5.1 **Communication Skills & the Investigative Interview**

This section was developed in order to determine which skills the participants thought were most necessary for the industry and which skills would make their search processes better. One of the most important skills mentioned by all participants was the ability to communicate with a wide range of people. The investigator must be able to move between worlds and move unobtrusively within a particular environment. Participant B put it the most succinctly when he said he has to talk in a manner most befitting the audience he is trying to extract information from. When talking with someone from the general public, he needs "to be able to communicate in a manner free of jargon," but with lawyers or other professionals, he must be able to speak in their language "in order to communicate effectively."

A good portion of a P.I.'s work involves interviewing, and a good investigator has the ability to draw information out of those he/she is interviewing.   How much time is spent in the interview process depends largely upon the type of case. The interview is used more in criminal cases such as theft, fraud, forgery, murder, etc. Participant A, who does more domestic cases, uses the interview for approximately 95% of his cases. B uses an interview for every case, but only at the beginning as a means to establish pricing for a case, which is of a different caliber than the full-fledged investigative interview. All participants did agree that the investigative interview was vital to a case, as it is often the only means to extract information about a situation, and all made sure follow-up opportunities were available.

During the interview, the investigator is typically trying to establish the who, what, where, why, and when, or as participant D laughingly puts it, "Confession! A signed statement saying I'm the guilty party." The interview is typically a low-key affair meant to put the person at ease. The investigator watches physiological reactions and begins to build a profile that will eventually point to a suspect. Participant D said this might eventually lead to an interrogation or polygraph, depending on what needs to be done and how severe the case is.

4.5.2 **Other Skills**

While computer skills are absolutely necessary in today's technologically advanced market, these alone do not make a good investigator. All of the participants indicated that although top-notch searching skills will come with experience, it is the passion for the search that makes a successful investigator. As participant B put it, it is a matter of leaving no stone unturned; even if you think you have solved a case, there may be one or two witnesses you did not talk to that may have information which may take the case in an entirely different direction. B said it is the ability and willingness "to follow every lead to eliminate details, rather than not bothering with minor clues or leads." A common trait amongst private investigators seems to be a bulldog-like determination to find all the information they can about a situation. It is this tenacity and skill that clients want, and what makes them so successful.

Two of the participants also mentioned that an investigator should have skills pertaining to current laws and statutes. Participant B talked most about this, as his work must be acceptable in court. He says he has to have the skill to determine "what is acceptable as a final product and what is not. Some things are legal, but look 'tricky' in a

court of law. What may seem acceptable may be judged differently in the court and deemed inadmissible." D also stated that knowledge about and skill with the various laws is very important for the investigator to have and one more of them should have. This participant mentioned that "there are companies that will give you financial information on an individual or cell phone records," but did not elaborate further. He indicated, though, that this was due more to unethical behavior rather than a lack of knowledge about the laws.

4.6 **Role of Deception**

The role deception plays in investigative work is a fascinating topic and excellently covered in David Shulman's article. As a result of Shulman's article, the participants in this study were asked a short series of questions about deception. All four participants agreed that deception in some form was a necessary part of some cases. Each agency, though, diverged somewhat on how they felt about deception and the role it played in their own investigations.

Participant A was the most close-mouthed on the subject and simply stated, "you have to be cautious and not reveal too much so you don't hinder the investigation. It's necessary to the job." B was very adamant that, although deception was necessary for some cases, such as surveillance and workmen's compensation, and "for others it is handy," it does not play a part in his investigative process. He explains:

> He works for lawyers that depend on the information he finds to be admissible in court before a judge, which is not always a factor with investigators who have the general public or corporations as clients. A judge is going to want to know where the information came from and how it was obtained.

Participant B goes on to explain that he will "omit some information in the seeking process, but never lie outright." He feels that deception can undermine the investigation and his reputation as an investigator depends heavily on being "straight-up." Participant C was more forthcoming about the use of deception. He states:

> I can ask you as an investigator anything I want to and tell you any kind of lie I want to get you to tell me the truth. Deception is used a lot by investigators to get information they need. If it's a crook, it doesn't bother me. If it's an honest person, I wouldn't want to do it.

Participant D answered the most in-depth on this question. D believes it is absolutely necessary to get the job done and doesn't "feel too bad about it" [laughs]; "it's [deception] part of my job to get the information." But, as D also points out, they don't "misrepresent" themselves or "entrap or set people up."

4.6.1 **Methods/Forms of Deception**

Deception can take many forms, with some investigators merely omitting information and others using more comprehensive methods. Although participant B says deception does not play a part in his process, he does practice one of the oldest forms of deception: dressing a particular way in order to blend in and remain "unobtrusive and inconspicuous." This method, as well as driving inconspicuous vehicles, is used by every investigator in the industry. It is a way to retain their anonymity, as well as a means of self-protection. Participant C explains that his investigators do not use their home addresses on their vehicle registrations. This is done so a suspect cannot run the investigators license, get their address and come to their home. C states, "You should just use anything you can to protect yourself, because those people can come after you."

Participant D's use of deceptive methods is much more complex, and they have the money for more advanced technological means. Aside from what this agency's individual investigators practice for self-protection, they also have access to fully-equipped surveillance vans. These vans have the outward appearance of a plumber's truck or some other work vehicle, but inside is state-of-the-art surveillance equipment. This agency also uses what they call a "back line." This is used for the times when the agency needs a suspect to make contact with them, but still need to retain the company's anonymity. Participant D explains its usage:

> Basically, it's a normal telephone line, but if someone has caller ID it doesn't display our name like our other lines, even though all of those lines are blocked. We had this line installed in the event that we wanted to make contact or have people call in without divulging our name. We use a bogus company name, something we invented, and when they call in they'll get a recording with that name. If we have to call out and the person has caller ID, it will show the bogus name. It's particularly useful in undercovers when we're having to generate a resume for experience for an agent that doesn't have that experience. We'll actually devise a resume that will get this guy hired, and then if they call back to verify employment they will call this number and I'll pick it up to verify.

This line is used extensively by agency D, as they often need to put an investigator undercover in a company with typically only one or two people within the company knowing about it. This is due to the fact that they work exclusively with corporations and might need to investigate such things as internal theft. They will also use the line as a way to verify that a suspect is at home. They will call the suspect and say they are, for example, a delivery service company.[16] When the suspect calls back, the investigator knows he/she is home and can then go over. This saves the investigator countless hours, as they do not have to sit and wait outside the home.

4.7 **Training**

Of the four participants I interviewed, three have law enforcement backgrounds, which is quite common throughout the industry. The fourth's investigators, agency D, have a variety of backgrounds, including the military, but none in law enforcement.[17] The industry attracts individuals who enjoy challenging work that is never the same. It is not a field that pays particularly well, but this is of secondary importance to most investigators. As participant C put it, "It's about the career and what they want to be doing. It's seeing a different face everyday, a different location everyday, doing a different thing everyday." Because the industry does attract people from a wide range of backgrounds, training is often a key issue. Even individuals with law enforcement backgrounds have to be trained, which is often more difficult than training someone without a strong knowledge of criminal justice, as the training law enforcement officers receive is deeply embedded and civil investigation is very different. Participant B stated that he often has to remind himself that he cannot do something the way he did it as a police officer; he, and others like him, have to retrain themselves to think like private investigators working in the civil sector.

Most states now require more time spent in training for investigators, but there are no federal regulations setting standards for the industry. Most of the investigators agree that training is much better than it used to be, but that federal standards should be established in order to legitimize the industry. C stated that training is "500% better now than it was ten years ago and fifteen and twenty years ago." Many states have developed much more stringent guidelines for training and licensing of private investigators, but there are still a few states that do not even require a private investigator's license.

Although there are private investigation schools and courses available, most private investigators receive their initial training on-the-job. Most states require that an investigator have a certain amount of hours training with another investigative company before receiving a license. A person's background, though, is taken into consideration for this training period. For instance, someone with a law enforcement background will reach the required hours much sooner than an individual who previously worked in an office. North Carolina and Georgia, the locales in this study, are good examples of the differences in licensing requirements. Participants C & D, North Carolina and Georgia respectively, explained about the initial training requirements in their states. Whereas North Carolina requires 40 hours of initial on-the-job training[18] before a person can get a license, Georgia requires an individual to attend an 84 hour State-sponsored class and that they work with an established company for two years before going out on their own.[19]

As for continuing education (with the participants in this study), the size of the agency appears to play a significant role in the amount of continual training an investigator receives. While A & B only trained to the extent they needed to for license renewal purposes, the investigators at the C & D agencies, were required to undergo monthly training, which is typically provided within the agency. Investigators in agency D are required by the State of Georgia to take so many hours of continual training in order to keep their licenses. D stated, for instance, that "in the State of Georgia we have to qualify for the concealed weapon permit every two years," as well as take 16 hours of ethics training.   D also requires continuous training in such areas as cargo theft and logistics. This company, due to its large size, also has its own training academy, wherein its investigators can take various certification courses.

4.8 **Technology and the Investigative Process**

It was unanimous amongst the participants that technology has made their work easier, although the level to which it has been made easier varied. Once again, the size of the agency seems to play a significant part in this area. Participant A, an individual investigator who works on a lot of domestics and other lower-paying cases, said it has only made it "somewhat easier. It's an advantage, but you have to be able to have access to it for it to be of any use." Participant B feels technology has made more information available and "it is now more cost efficient to search, especially if you need out-of-state information." He also says it has eliminated a lot of the "small, irritating requests" by clients; the "free stuff is now easily obtainable online by the general public."

Participants C & D also thought technology has made the search easier, quicker, and more cost efficient. D explains:

> Back when we first started, to get any information on a criminal, you actually had to send a person to the courthouse to research that, which takes time, mileage, money. It cost the client much more to get the same information we can get from the new technology.

It has also made the communication process amongst investigators and their offices much easier, as C pointed out. If an investigator in the company is looking for someone and a tip comes into the office, the office can immediately phone the investigator. Before cell phones, this opportunity would most likely have been missed. Many cases can now be solved in a shorter time frame because of technology.

The investigators were also asked about any disadvantages technology had on their search process. The only factor that was a disadvantage, which was mentioned by all the investigators, was that you had to rely on the accuracy of the person keying the information into the databases. This is the main reason the investigators are committed to

verifying all of the information they gather. One participant, B, has found inaccuracies and goes as far as to add a "disclaimer to the information he finds on [the] databases." Participant D will retrieve hard copies of records at the courthouse for major cases, particularly for ones involving litigation and/or criminal records. Participant C sees no disadvantages of technology to the industry. He sees technology as more of a disadvantage to those he investigates, as he can "find so much about you in such a quick length of time."

5. **Discussion**

In his book, *Information Seeking in Electronic Environments*, Gary Marchionini writes:

> Expert information seekers possess substantial knowledge related to the factors of information seeking, have developed distinct patterns of searching, and use a variety of strategies, tactics, and moves (70).

This perfectly describes the private investigator. The average private detective has what Marchionini characterizes as general cognitive facilities, domain and system expertise, and, without question, information-seeking expertise. The investigator's information-seeking patterns develop with their experience in the field and are affected by the investigator's prior cases and his continual interactions with other people. The P.I. learns to read others, which helps determine the strategies and tactics he will use throughout the course of an investigation. The investigator will use strategies based on past cases, but also develops tactics for each case based on several factors, including the nature of the case and the information that is revealed as he discovers a new clue or source.

Based on Marchionini's (1995) information-seeking process, the private investigator's search process is quite clear. The steps in this process include: recognizing/accepting a problem, defining the problem, selecting a source, formulating a query, executing a query, examining results, extracting information, reflecting/stopping.

For the private investigator, recognizing/accepting an information problem is almost always externally motivated. During this stage, the client approaches the investigator with an information need and the investigator evaluates its merits. Before accepting or declining, the investigator attempts to define and understand the problem, which he does with an initial investigative interview. At this point, the investigator is

looking to see if this is the type of case the agency handles, what the client is really trying to do, the cost factor of finding the information, possible search strategies, and possible outcomes of revealing the information to the client.

If an investigator accepts a case, then she already has a preconceived notion of where to turn to first in the process. For instance, for a background check the investigator first selects a database that will give her an initial profile of the suspect. Typically, a larger agency will have access to several databases, but the investigator's expertise with the various systems will determine which one is selected. They generally know exactly what information each one offers and at what price, which are key determinates of selection. The formulation of queries for input into these databases is relatively simple, consisting of a suspect's name, a city, and a state. Once a search is executed, the investigator will have to carefully examine the results in order to determine whether she has retrieved the correct person's information. For example, she may enter the name David Smith into the system and retrieve 10 for that city and state: David R., David S., and so on. At this point, the investigator examines the data she has and, by process of elimination,[20] selects the correct person. She then extracts the information she needs from the databases and builds a report.

The search process is not yet done. At this point, the investigator reflects on the information he has before deciding his next strategy. Although he typically already knows what the next step in the process will be due to experience gained from previous cases of the same nature, the investigator will often have to go back to the problem definition stage before selecting his next source.

A large part of an investigator's search process is of this linear fashion, particularly the electronic searching. The same guidelines and many of the same strategies are used, but the nature of field investigations, the barriers discussed earlier in the paper and the shifting variables inherent in human-interaction, can bring more of a dynamic element, as discussed by Foster (2003), to the investigator's search process. Many cases require a repeat of search strategies, mainly the electronic searching, but as the investigator's environment changes and the people he comes into contact with change, he must adapt to the situation and use shifting tactics, similar to the information-seeking activities conducted by other information specialists.

6.0 **Conclusion**

The goal of this study was to bring a new focus onto a field within the area of information-seeking behavior studies. Private investigation clearly incorporates many of the same search behavior properties as other disciplines, and yet, it has been largely ignored. It is also clear, from the interviews with this study's participants, that private investigators provide an invaluable service. Although anyone can go online and find information, an investigator's knowledge, skills, networks, and resource access enable them to not only find the information, but find the correct information, know what to do with the information and what to pass on to the client, quickly, cost effectively, and legally. Most people, especially companies, do not have the domain and legal expertise, nor the time to spend on this search process, which does not appear to be changing as the growth of the investigative/information industry is showing.

Other information professionals, and other people in general, can learn a lot from the investigative process, and vice versa. All those involved with information face many of the same barriers, particularly access barriers, and need many of the same skills (e.g. communication, technological, and searching). As the investigative and information industries continue to grow and expand, there is more and more call for standardizing legislation, which makes further studies of these areas important and necessary.

When asked what the future held for the industry, the investigators participating in this study, all saw it growing exponentially. It is a highly competitive industry and investigators are continually developing their skills to remain competitive. The skills learned and used by the private investigator are the same as and/or similar to those used in a wide variety of fields, including, but not limited to, computer and medical forensics,

competitive intelligence, information brokering, security (national and personal), library science, journalism, legal and law enforcement work. The purpose of the search may be different, but the process is not.

6.1 **Future Research**

Future research into the investigative industry may prove to be more beneficial to the information industry than may have previously been thought. Within the industry there are many aspects suitable for study, not only the investigator. During the course of this study, I was introduced to fee-based databases that provide an enormous amount of personal information on anyone you wanted to find. Research into these database providers and their methods for obtaining the information they provide is an exciting prospect and could have an explosive impact on all information industries.

NOTES

[1] Oxford English Dictionary. 2nd ed. v.VI. Oxford: Clarendon P, 1989.

[2] Webster's 3rd New International Dictionary. Ed. Philip Babcock Gove. Springfield, MA: G & C Merriam Co., 1966.

[3] Both perspectives were revealed by the participants in this study.

[4] These types of investigators may focus on a few types of investigations, such as employment checks, criminal cases, and/or insurance fraud, but do not limit themselves and take on any and all types of investigations, including murder, forgery, fraud, workmen's compensation, adoption, locates, rapes, etc.; "anything that anyone wants done," as one investigator said.

[5] These investigators work strictly with and through lawyers.

[6] This agency does surveillance, investigative interviewing, intellectual property, merger/acquisition due diligence, computer forensics, vulnerability assessments/consulting, workplace violence, executive protection, pre-employment screening, and internal undercover operations, but strictly for and within the corporate world.

[7] Although this investigator uses the term GIS, he means it in the context of general information systems, not geographical information systems.

[8] Case B also stated he had access to a wide range of online sources, but the nature of his work typically required more time to be spent at the courthouse and interviewing people.

[9] *Choice Point* an example of a company that offers these databases and is widely used in the field.

[10] It must be stipulated here that participant C is a manager in the agency, therefore, his duties include these types of activities, as well as advertising for the company. Although a licensed investigator, others within the company do the actual investigating, this is not the case with the other study participants.

[11] These reports also include a disclaimer stating that it may contain errors as it is taken from "public records and commercially available data sources" and is subject to the inevitable errors inherent in data entry.

[12] For example, if the subject had a roommate at that address, the roommate's address summary would appear, or if the subject had a co-signer on a loan, the co-signer's address summary would appear. Also, if the subject is renting, the property owner's information will also appear. Previous owner information will also appear.

[13] Not all states will allow an individual's drivers license number to be accessed; California, for instance, will not allow access.

[14] Type of structure on property, total value, land value, improvement value, land size, year built, sale date, sale price, name of seller, legal description of property.

[15] Georgia, for example, has a criminal check database (GCIC).

[16] They will not use a real name, such as UPS, but make a name up. They might use part of that name, "like GPS, but [they] don't misrepresent [themselves] as a true company."

[17] This refers only to this particular branch of the company. The company as a whole does have many investigators with law enforcement backgrounds, as well as military and government investigative ones, etc.

[18] Includes office, field work, and surveillance training.

[19] Crimetime.com provides information on individual state requirements, as well as links to each State's private investigative association.

[20] This is done by looking at photos that may be in the database, the middle initial may be wrong, she may have a partial social, etc. There are several clues the investigator is skilled in recognizing that help eliminate possibilities.

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Appendix A: Consent Form

THE UNIVERSITY OF NORTH CAROLINA
AT
CHAPEL HILL

School of Information and Library Science   The University of North Carolina at Chapel Hill
Phone# (919) 962-8068   CB# 3360, 212 Manning Hall
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Student Research Project

The Information Seeking Behaviors and Methods of Private Investigators

Principal Investigator: Patricia E. Schefcick, (919) 923-2015

Faculty Advisor: Claudia Gollop, (919) 962-8362

The purpose of this research study is to determine what methods are used by the private investigator in the information seeking process, and what factors affect the process. The plan of this study is to conduct a case study through the observation of 1-4 subjects within the private investigating field. If you agree to participate, you will 1) allow the principal investigator to observe you in the course of your information seeking process, and/or 2) be interviewed concerning the methods you use in the course of your duties and your perceptions of the resources available and the skill sets needed throughout the process. The plan is to observe you throughout the course of 1-2 workdays at your place of employment, wherever that may be. The interview portion of the research process is planned for the end of that period and is estimated to take 1 ½ to 2 hours and will be tape recorded.

There are no risks to these procedures. Your participation in this study is entirely voluntary. You may discontinue participating at any time. You also have the right to skip over any question you do not choose to answer, for any reason, and may request that the tape recorder be turned off at any time during the interview process. All information that might enable others to personally identify individual subjects will be kept confidential during the study and will be destroyed when the study is complete. All information gathered during this process will remain locked in a secure box at the home of the principal investigator. The identity of each subject will remain anonymous. Agency names will not be used without prior written consent.

Participating in this study may be beneficial to both private investigators and other information professionals, as the skill sets from a wide variety of professionals can be adapted and refined in order to provide better services. Those subjects agreeing to take part in this study may gain a greater awareness of the skills sets used by other information professionals, which may, in turn, help them in the course of their work.

If you have any questions at all about the study or your rights as a research participant, you may contact the principal investigator or Dr. Claudia Gollop, the faculty advisor on the project, at:

Principal Investigator: Patricia E. Schefcick
209 Conner Dr. #15
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Faculty Advisor: Claudia Gollop
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email: gollop@ils.unc.edu

The Academic Affairs Institutional Review Board (AA-IRB) at the University of North Carolina at Chapel Hill has approved this study. If you have any questions about your rights as a research participant in this study, please contact the AA-IRB at 919-962-7761 or at aa-irb@unc.edu.

Subject Signature_____ agrees to participate in this study.

Date Signed: _____.

Appendix B: Interview Questions

What is the size of your company?

What types of investigations do you primarily focus on?

Time Searching

Approximately how much time do you spend per week in the information gathering process?

How much time is spent using online resources? With other sources?

Subject and Source Familiarity

How familiar with subject specific terminology do you have to be?

What types of sources do you need a sizeable knowledge of?

Access and Use

Do you have access to a broad range of resources?

What factors typically determine which resources you will use? (cost, access, etc.)

Do you take advantage of publicly free resources (i.e. free online or government sources)? If so, what kinds and how often?

What types of electronic resources do you use most often?

What other types of resources do you use? How often?

How often do you use other people as sources for information?

Do you use other information professionals (such as librarians or information managers, or even other investigators) during your information search?

Do you have resources that you turn to first in the information seeking process?

What steps do you typically take to find information? Could you tell me about a case and any problems you encountered?

Do you find the resources available to you adequate?

How often do you have to go outside your realm of expertise to find information?

How do you identify new or useful information sources?

Barriers and Guidelines

Are there places you will not go to for information?

How often do you know information should be there, but you are unable to find it?

What are some of the constraints and/or barriers you face when seeking information?

Do you have established guidelines you follow throughout the process? What are they?

Skills

Which information seeking skills do you believe and find are most valuable?

Are there skills you think more private investigators should have?

Do you believe your information seeking skills are adequate to get the job done?

Are there skills that you believe would enhance the search process?

Investigative Interview

How often do you use the investigative interview?

How significant would you say the interview is to your search process?

What are the types of information you are looking for during the interview process?

Do you use follow-up interviews? If so, how often?

Employees and Training

What are the typical backgrounds of your employees (school majors, college degrees?, law enforcement, etc.)?

What is your perception of the quality of training the average private investigator receives?

What is your perception of the amount of time the average private investigator spends in training?

Overall, how would you perceive your process for finding information?

Technology

How has technology changed your information seeking behavior?

Do you find that electronic resources make your search easier?

What are some of the disadvantages to electronic searching?

Role of Deception

What role do you believe deception plays in the information gathering process?

How do you feel this process? Do you believe it is necessary to get the job done?

What do you feel are the legal and ethical implications of deception?

What skills for self-protection and anonymity do you believe are important in the field?

Private Investigator as Information Professional

Do you see yourself as an information professional?

Do you feel your skills can contribute to the information field in general? If so, what can they contribute?

How do you see the field of private investigation, and the information field in general, evolving in the next century?