



THE Connection

Official Newsletter of the Georgia Association of Professional Private Investigators, Inc.

UPCOMING MEETINGS

The Next
GAPPI Atlanta
Upcoming Meeting

March 12, 2013

General Membership
Meeting

Networking and lunch
from
11:30 a.m.—12:00 noon
Meeting from
12:00 noon—1p.m.

The cost is \$15.00 for
GAPPI members

\$20 for non-members
(includes lunch and
beverage)

\$10 for meeting only -
no lunch

Students and potential
members are always
welcome.

“We look forward to
seeing you all there!”

Information Context is Crucial to Investigation Value

A successful attorney wouldn't go to trial without corroborating evidence to defend their party in the matter, and wouldn't build a case on just hearsay. It is equally critical to avoid utilizing investigative research that doesn't include appropriate context information.

Most anything which happens in life has meanings which differ depending on the context in which it occurs. Likewise, context is vital to any case. Investigative results must be qualified.

Background investigations cannot be conducted by simply running a name through a database, searching court records and then putting the findings into a report. There are many different factors which must be considered and addressed to create a background investigation of value. That value is created in the context of the research.

Name Context

Many people have name variations or a.k.a.s which they use. Examples of this include women who have both a maiden name and a married name, and people of nationalities that traditionally use both the mother's and father's last names (ex: Jose Herberto Lopez Gonzales; with Lopez Gonzales being the last names). Therefore, an investigation should include all of the name variations a person uses in order for the research to be considered complete and accurate. It is the job of the investigator to identify any name variations a subject has used. Should not all name variations be researched it must be spelled out in the report that the results only include the name variations that were actually searched. The report should include a statement such as “the research was conducted using the name Rebecca Johnson however the name Becky Johnson was not searched.” That gives the attorney context for the results identified.

Location Context

A proper investigation should begin by developing an address history for the person being investigated. This provides a list of the various jurisdictions in which a person has resided and thus sets the stage for where records should be searched. The locations that were searched should be notated in the investigative report, as this is imperative to establish the meaning of the results.

Many investigative companies or online pay-per-search indexes will claim that they search records filed for a person in a specific state or nationwide. They may, for example, entreat you to “search criminal records in California.” Those search results would likely include a simple “no records found” or “one record found” statement. Such a search would not actually cover all of California, but rather a smattering of localities within the state. Therefore, it would be unknown if the specific counties, districts, and courts that were actually searched included the jurisdictions relevant to the actual investigation.

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Time/Scope Context

Just as location context is crucial, the time frame that is searched, or scope of the research, is also vital to any investigation. To claim that a certain number of records were found means nothing unless the date ranges searched are listed. Were no records found for the subject since the year in which he/she turned 18 years old, or, were no records found to have been filed in the past ten years for that person? Also, how current are the results? It would be important to know if the results were current as of this year or as of this month. That's information that you and your client must know.

As with background investigations, asset searches also require the context of scope to be accurate and complete. The investigator should notate if both current and historic records were searched. Historic property records, for example, would likely provide sale transactions and refinance information, which can be just as valuable as currently owned property assets. It is therefore important to understand if both current and historic records are included in the investigative report.

Context information can make or break a case. As a client, it is not too much to expect for an investigative report to outline the specific contexts which create the value in the information developed. Information without applicable context is just entertainment. As an investigator, it is your responsibility to provide the details which add the value to your product. Providing research parameters and context in your investigative report is not only simple due diligence but also your responsibility to the client. Ignoring context can not only hinder an investigation but can leave both the investigator and client liable for missed information.

This article was written by private investigator Kelly Cory and was originally published on www.pinow.com

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A Private Investigator's Tips For Breaking Bad News to Clients

A harsh reality for private investigators is that things do not always go as planned. For example, in the real world, surveillance is affected by the weather, traffic patterns and the vagaries of human nature. There are no guarantees. Sadly, television, movies and literature have done much to convince the public that private investigators are super heroes. PIs in film and in between the pages of books never lose subjects on surveillance. They break and enter buildings, hack computer networks and throw uncooperative witnesses through plate glass windows like they are immune to the law.

Because of this, clients in the real world often expect the same results. They don't understand how private investigators can lose someone on a moving surveillance when it never happened to Magnum, P.I., and he was driving a bright red Ferrari! They don't understand why investigators can't get a witness to cooperate and give a statement. Witnesses always talked to Charlie's Angels.

When private investigators are not able to achieve the kind of results the client expects or the results they have obtained are likely to be upsetting to a client, they may find themselves having to break bad news to them. The following 8 tips will help:

1. Let Me Make One Thing Perfectly Clear! Every PI's saying should be: under promise and over deliver. All private investigators should know that clients think they are paying for what they perceive as the outcome of an investigation, but no PI can guarantee an outcome. In reality, they are paying for a private investigator's time, advice and effort. Private investigators need to tell clients specifically what they can and cannot do for them at the very beginning of a job, and get it in writing. This will prevent misunderstandings at the end, especially if there is nothing good to report. My client retainer agreement, for example, will state the tasks I am to perform in specific detail. Sometimes the investigation does not go as planned. When that happens investigators may find clients saying "this is what I wanted you to do" or "that's not what I asked you to do." That's when client should be referred to the retainer agreement. Make all of this clear at the beginning and it will be easier for them to accept bad news at the end.

2. I am Not a Surveillance Psychic. If we knew exactly when a subject left their home we wouldn't sit outside freezing our behinds off in our surveillance vehicle for 8 hours. Clients often get angry with surveillance results because they do not understand the degree of difficulty involved. Explain the realities of surveillance BEFORE an investigation even begins. Investigators sometimes lose people on surveillance. The weather and traffic patterns are factors in surveillance's success and failure. Subjects often change their plans at the last minute. Investigators sometimes get burned. When a PI is hired to conduct surveillance, an honest and open conversation with the client is warranted. Be sure to have this conversation before the investigation begins. Explain to the client and prepare them for the possible outcome of the surveillance. Waiting until the end of an investigation to talk about how difficult surveillance is will only sound like an excuse and make the client angry.

3. Selling an Intangible. Most private investigators sell a service. Other than a written report (and sometimes video, photographs and other documents) we sell an intangible. We don't sell sofas that clients can sit on and enjoy long after the job is done. We don't sell works of art they can caress and display in their home. In many cases all they have for their money is a final report and a few photographs. This can be made even more difficult when the investigation results are not in the client's favor. Investigators can overcome this by remembering that they are part priest and part therapist. The simple act of listening to clients and giving them outstanding customer service throughout an investigation will make selling an intangible easier. Especially if bad news is given in the end.

4. If a Tree Falls in the Woods Will a PI Get it on Video? Sometimes nothing happens. In other words, sometimes a client's so-called alcoholic, child-abusing, money-spending, free-wheeling, cohabitating, reckless-driving,

prostituting, drug-using ex-wife is really a sweet, overworked mother of two who doesn't get along with the client. Clients often decide the facts of a case long before an investigation begins. They hire a private investigator simply to confirm their suspicions. Unfortunately, when an investigation proves otherwise it can be difficult to tell them they were wrong. No one likes to be wrong. The best way to handle this is to be thorough and methodical. Leave no stone unturned in both the investigation and the final report. Move every conversation with the client away from opinion and supposition and point it towards facts and findings. Deflect any anger they may have toward the facts you have gathered. Give the client nowhere to go; no other avenues to explore. They may still be angry when the news is broken to them but they will find it hard to argue with the facts of the case.

5. "Well Surprise, Surprise, Surprise!". The actor Jim Neighbors (as Private Pyle) used to utter, "well surprise, surprise, surprise" at least every other episode on *Gomer Pyle, USMC*, a television show I watched as a kid. In the PI business clients do not like surprises, especially if they're bad ones. A private investigator's final report should never, ever contain information that will surprise the client. In fact, a final report should really be more of a formality. The client should already know the outcome of the case before they even read the report. Any bad news must be communicated to the client beforehand.

6. Don't Kill The Messenger. I suspect this cliché came into vogue because too many people did just that; they killed the messenger. Any unsatisfactory progress or bad news on a case should be communicated in person or at least by telephone to the client immediately. Never leave bad news for a client in a voicemail, email or text. If an investigator has alarming news and can't get a hold of the client, they should simply leave a message stating that they have an important update and need to speak with the client right away.

7. If Dad Says "NO" Then Go Ask Mom. As most children learn early on, one parent is usually more pliable than the other. If a client consists of a family, business partnership or more than one person, try to engage and deal with the most reasonable and likable person. If an investigator can build rapport with this individual it will be that much easier to relay bad news to them in the end. As author and speaker Stephen R. Covey stated in *The 7 Habits of Highly Effective People*, "Seek first to understand, then to be understood." Building rapport is worthy of an article on its own. Simply put, building rapport will go a long way in ensuring that the client will accept bad news without too many negative side effects.

8. Press Here to Refresh Your Investigation. Finally, and I can't stress this enough, give the client regular updates on the progress of the case. Whether an investigator does so by phone, text or email, they just need to make sure they do it. There's nothing a client hates more than paying a retainer and assigning a case and then, "POOF!" the investigator they have hired disappears. This is further complicated if a PI reappears two weeks later with nothing but bad news for the client. Even bad news is easier for a client to swallow when they have received regular updates and begin to understand the ups and downs of the investigation.

I should also state that there will be a few select clients that will be angry no matter what happens. I had a case involving a physician who was in a custody battle with his ex-wife over their son. He swore his ex-wife was using drugs, associating with low-life's and endangering their child. After a long, extensive investigation two facts became clear: the ex-wife was a good mother and everything the client had said about her was simply his opinion and not supported by the facts. I went through all 8 steps listed above and he was still absolutely livid over how the investigation turned out. The reality is that sometimes everything that can be done is not enough for some people. However, if a private investigator follows these 8 steps, it will serve to lessen the blow of any potential bad news that must be broken to clients.

This article was written by private investigator Scott B. Fulmer and was originally published on www.pinow.com.

Goals and Possible Issues Affecting GAPPI in 2013:

Access to tag and titles information in GRATIS at DOR:

Work with Senator Barry Loudermilk, Rep Alan Powell, Department of Revenue leadership, and Legislature to give licensed Georgia private investigators access to motor vehicle records held at DOR. Continue to work with Senator Loudermilk and DOR to give licensed Georgia private investigators access to motor vehicles held at DOR through DOR rule change without legislation if possible as well. DOR indicated during the 2012 legislative session and throughout 2012, that they would do their best to make this happen before the 2013 Legislative Session convened due to the Attorney General's recommendation. Looking for anyone with contacts on the House Motor Vehicle Committee and the House Public Safety Committee.

Process Server:

During this Session HB-941 (the original legislation creating the Certified Process Server position) will be reviewed to see if the law will "Sundown" in 2015. This will be closely monitored.

Prohibition of using GPS devices without the vehicle owner or driver's permission:

We have fought this off for two years now. This is most likely coming back up again with the media and political attention given to the issue due to last year's Supreme Court ruling. Came up last year and year before. Will probably do so again. This will also be closely monitored.

Hard identification cards for licensed private investigators:

Work with Secretary of State and his office to possibly allow licensed private investigators to get a special exemption to be able to carry hard identification cards like other professions regulated by the Secretary of State's Office.



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Highlights of the 9th Annual GAPPI Southeast Investigators Conference



Bart Mitcham speaking on Executive Protection Basics & Liability for the Agency



Class Attendees at the 9th Annual GAPPI Southeast Investigators Conference



Jane Holmes speaking on Utilizing Real Estate Documents in Your Investigations.



Tripp Mitchell speaking on Reputation Management.



Outgoing Vice President, Michael Barker and President, Pam Griggs.



Pam Griggs presenting Willis Craig the GAPPI Hall of Fame Award.



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Don't forget to mark your calendar for the 2013 Spring Training Event. This will be a two day event scheduled for April 26-27 at the Wyndham Atlanta Galleria.

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