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# Investigating the Private Investigator

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Michelle Garland, having been admitted to the Carl and Winifred Lee Honors College in 1991, successfully presented the Lee Honors College Thesis on April 5, 1995.

The title of the paper is:

**"Investigating the Private Investigator"**

A handwritten signature in blue ink, appearing to read "Ronald C. Kramer", written over a horizontal line.

Dr. Ronald C. Kramer  
Sociology

A handwritten signature in blue ink, appearing to read "Susan Caringella-MacDonald", written over a horizontal line.

Dr. Susan Caringella-MacDonald  
Sociology

A handwritten signature in blue ink, appearing to read "Carol Frisch", written over a horizontal line.

Ms. Carol Frisch  
Self-Enhancement Services

# Investigating the Private Investigator

Honors thesis  
Missy Garland

Missy Garland  
Honors Project  
April 11, 1995

## Investigating the Private Investigator

### Introduction:

From Sam Spade to Dick Tracy to Magnum PI -what are they really doing? The fastest growing field of service today is private investigations. There are an estimated 65,000 private detectives at work in the United States. This figure is up, almost 65%, from the estimated 40,000 in 1986 (Morais,1985; Culligan,1994). Investigation, as it applies to all realms of inquiry, can be defined as the analysis of factual information to solve problems. It is a process of collecting data and applying logic which requires deductive and inductive reasoning. It is a practice that demands understanding and knowledge of concepts, techniques and skills. The purpose of this project is to examine these techniques, as applied to private investigation. There has been little published research done on the subject of this type of investigation. Little attention has been given to the implications of conducting such research. This project will identify the various methods of investigation employed by private investigators. In addition, the project will focus on some ethical concerns of the profession. The specific questions and the wide range of concerns identified here will hopefully lead to further inquiries of this subject. This is to serve as a starting point in evaluation and critical analysis of private investigators.

The structure of this project will be as follows: First, individuals who hire the services of private investigators will be identified. Second, the ways in which investigators establish operations will be discussed. Third, methods of investigation will be detailed. Fourth, a look at ethical concerns will follow. Finally, a profile of the real private investigator will be presented.

### Methods:

Due to the secretive nature of the private investigation profession acquiring information on the topic has been a challenge. Information for this project has been

obtained from the following sources. 1) A review of relevant literature, including texts, articles from magazines and one lone journal article, 2) Information from publications was supplemented by personal interviews with professional private investigators and investigation licensers. Literature focusing on private investigations is overwhelmingly fiction. Non-fiction texts and magazine articles are few and far between. More difficult than locating these sources of information is being able to decipher the extent to which the information is indeed fact. The majority of PI publications are written by the investigator(s) that the work focuses on. As a result cases and methods highlighted by these works are difficult to generalize about and/or compare for analysis. Also, the authors, who are generally the central characters in these publications, are given a chance to embellish on the truth and sensationalize about the actual events that had taken place. In short, PI/authors take advantage of the opportunity to give themselves an extra fifteen minutes in the lime light.

Personal interviews with these professional proved to be challenging. Attempting to obtain information about the methods of operation and practices engaged in by PIs is similar to attempting to get a magician to reveal the secrets to his tricks. Nobody wanted to talk and everybody wanted to know how I obtained their name and number. The interviews followed a semi-structured format. After identifying myself to the interviewee (which was probably my first mistake) each interview opened with a short list of prepared questions. Due to the fact that these individuals were selective in the information they were willing to share, I simply accepted and allowed them to tell me whatever it was they were willing to offer.

The actual number of investigators, as well as the specific reasons for the boom in this area is almost impossible to obtain. Why? This is attributed to the fact that other than informal affiliations there are no national, state, or local private investigation organizations. This contributes to the difficulty of obtaining information on the topic.

## Results:

Even with the technological boom, introduction of computers, and hi-tech surveillance equipment, relatively little has changed in the principles of private investigation practices. What has shifted in recent years are the reasons for seeking the aid of an investigator. Why do people solicit the services of a private investigator? There are many different reasons.

### Who hires Private Investigators?

Those seeking the aid of a private eye fall into one of three general categories: private individuals, businesses, and lawyers. Here we will examine various fields private investigators are involved in to serve the individuals in each of the categories.

Private individuals have the most diverse interests in hiring an investigator. One group that has contributed to the increase of private investigation services is that of crime victims. Victims are turning to private investigators to help solve crimes that would normally be handled by police. These people generally feel that their cases are being neglected due to the large case loads of police officers, especially in regards to "low priority" cases such as burglaries, fraud and missing persons. Critics worry about the possibility of a two tiered "rent a cop" system, created by the ability to afford PI services, that divides the rich and the poor. For these critics, the issues becomes a concern regarding an individuals equal *right* to services versus an individuals right to *equal* services. (Reibstein, 1994).

Though new interests, such as crime victim cases, are emerging, the work of investigators is still largely about marital matters. Private eyes are hired to follow men and women to learn of any extra-marital affairs. However, what is different than in the past is the extent to which investigators are being solicited to provide background checks on people's lovers! "*Do you know who you are dating?*" asks an ad for Intelsource Investigations, Naperville, Ill. These singles snoopers hire investigators to obtain evidence and information about past marriages, bad credit, AIDS risk and test results on those they are involved with (Leerhsen & Lewis, 1989). It seems that people who do not trust their partners do trust the professional

who will secure the sought after information for a fee.

Another area where private individuals request the help of a professional sleuth is that of missing persons. This category is very large and can be divided into several sub-categories. In addition to private individuals, lawyers also seek the assistance of PIs to locate missing persons, this will be discussed in a later section. In relation to the general public, missing persons usually include those who are missing without realizing they are missing. Distant heirs, long lost acquaintances, and biological parents fall into this category. The truth is, most other people are missing because they want to be. They disappear to escape unpleasant realities such as financial problems and relational problems with family and/or spouses. Circumstances involving kidnapping and homicide, where individuals disappear against their will, do exist, but are rare. Though such cases have generally been left to the police, there has been an increase in the involvement of PIs in such cases (Blythe, Sweet & Landreth, 1993).

Private individuals are not the only ones who seek the aid of a private investigator. The business sector also benefits from investigation expertise. Interest from the business sector is perhaps the number one reason for the growth of private investigations in today's service economy (Morais, 1985). Private investigators are called on to do background checks on potential employees and board members. Businesses that are suffering from problems of internal security secure the assistance of private investigators to set up undercover operations to find the source of such problems. Companies also use private eyes to track down illegally replicated items and paraphernalia to help eliminate and prevent product counterfeiting (Giller, 1986). Insurance companies employ the skills of investigators that specialize in insurance fraud to investigate fire, theft and disability claims of clients (Morais, 1985). Private investigators are becoming the white-collar, or internal corporate, police.

Lawyers, too, engage the services of private investigators. They recognize that it is the facts that make or break a case and often hire private investigators to obtain the facts. PIs are asked to locate witnesses to accidents and crimes. An

emerging area of assistance to lawyers by investigators is tracking down dead-beat parents who refuse to pay court ordered child support. In 1989, the U.S. Census estimated that the total of unpaid support was nearly \$19 billion. In a related area, lawyers contact investigators to assist in divorce work. PIs are used in helping to prove grounds for divorce, providing an accurate list of assets, and helping to determine the extent to which the other spouse is entitled to child support and alimony. Child custody has been an outgrowth of divorce work. A large field in itself, private investigators are hired, through lawyers, to discover new evidence so that a non-custodial parent may petition the court for a new custody hearing (Blythe, Sweet & Landreth, 1993). Independent investigators are also secured by lawyers to interview witnesses in a law suit and may be asked to take the stand and testify about the interview to substantiate or discredit claims (Giller, 1986).

Private investigators are involved in a long list of activities, including insurance and arson investigations, missing persons, and personal protection. As a result, many investigators narrow the range of work they do and specialize in specific areas. Though many are willing to accept a variety of cases (especially if they are part of a small local firm rather than a larger corporation), they tend to do one thing better than any other. They build a reputation on that specialty which then serves as a magnet for clients needing their assistance in their specialty area (Blythe, Sweet & Landreth, 1993).

### Setting up shop

Who are these PIs? Since there are over 65,000 licensed private investigators (Culligan, 1994), it stands to reason that investigators come from all walks of life. What has been the traditional route for entering the PI profession? Former intelligence officers, prosecutors, and law enforcement officers have decided to become their own bosses and have opened their own practices allowing them to establish their specialty, set their own hours, and determine their own fees. Investigators rarely enter the field without some sort of law enforcement background. Edmund Pankau, head of Intertect Inc., the largest detective agency in Texas, started as an IRS agent in Florida. Former CIA agent, Emmanuel

Ackerman, now owns The Ackerman Group, an agency that specializes in hostage negotiations (Blythe, Sweet & Landreth, 1993). Robert Ferrari turned in his position of insurance investigator supervisor at Equifax for a type writer and a phone to start his own PI business. Now Ferrari specializes in insurance fraud and charges \$500 per day per investigator, and carried sales of \$285,000 in 1985 (Morais, 1985).

What does it take to become a private investigator? If you ask a practicing investigator s/he will tell you attitude! An investigator must be curious by nature, reinforced by aggressiveness and persistence (Boja, 1995). John Landreth suggests "It isn't always what the detective does; it's often how or what his pressure in the case causes others to do." A good investigator knows what kind of information to offer up during an interview that will serve as a catalyst for future interaction with the subject. In other words, investigators need to be calculating, resourceful and persistent (Blythe, Sweet & Landreth, 1993).

Aside from having a personality for the profession, investigators are subject to various requirements. Each state has different requirements for obtaining a PI license and allows varying degrees of latitude for a license holder. Every state has its own requirements. In order to obtain a private investigator's license, most states require an age minimum, residency, background checks, previous experience and insurance coverage, among other conditions. Michigan does not require that every investigator carry a license. An investigator with a valid license may hire unlicensed investigators, often referred to as PERCs (Permanent Employment Registration Card holders), licensed apprentices who conduct investigation operations under a license holders supervision and liability (Shulman, 1994). This type of supervisory licensing contributes to the difficulty in obtaining accurate statistics regarding the numbers of individuals in private investigations (Ware, 1995). Some states, such as Florida, have a very specific investigator's license. Florida has nine different classes of licensure, each class gives the license holder the authority to engage in different types of activity. For example, each license specifies the types of cases an

investigator may take part in (i.e. serving papers, back ground checks, insurance investigations, criminal/personal investigations), the type of liability insurance an investigator must carry, and whether or not an investigator may possess a firearm while working on a case (Cohen &Cohen, 1990).

Now that we have an individual with the right attitude armed with a license to snoop, how does s/he go about running a business? In answering this question we must be aware that investigators run different types of practices ranging from one person operations, to small agencies, to large scale corporations. In addition, regardless of the size of the practice, each agency will tend to gravitate toward various specialty areas: missing persons, insurance, collections, claims, divorce, child custody, etc... Once the office is set up and the specialty is established, general operations, that is, techniques of acquiring clientele and carrying out services, tend to be very similar.

After assembling a staff and declaring a specialty, how does a PI establish a clientele? Most investigators do not advertise. Some of the best investigators get business strictly by referral. "The trouble with advertising is that if you're listed in the Yellow Pages you'll get loonies calling you at all hours of the night," warns John Boja, of Lansing Michigan. The only place you will find John Boja listed, as well as a large number of other successful investigators, is in their area phone books under their home address without any indication of their profession (Boja, 1995). Potential clients come from recommendations of past clients, attorneys and police officers. Private investigators who have established a specialty and developed a reputation for success in that area are often the ones most successful in maintaining a steady flow of business (Giller, 1986).

For many investigators, their clientele are most often recommended by local police. Police recommend private eyes when a person goes to them with a problem outside their jurisdiction, for example a domestic problem, or when a victim believes his case is being neglected and demands a way to get results. More and more

agencies, from the most intimate one person operation to the large corporation, are engaging in a growing number of criminal investigations on behalf of their clients (crime victims).

Whatever the specific reasons for securing PI services, the essential nature of investigation is often secretive. Most clients want confidentially. Depending on the nature of the case, clients do not want others to know that they have hired a private investigator and will often shy away from agencies in the public eye, including high profile detectives and highly visible agencies (Randisi, 1990). Effective advertising comes in the form of word of mouth.

### Investigation Methods

Now that an investigator has established a clientele how does s/he carry out his/her duties? - What methods are used, and why? Real life investigators are not cloak and dagger characters. The media often portrays PIs as broad shouldered, physically agile, trench coat clad sleuths armed with the latest sleek and shiny handgun, who are able to gently elicit information from willing subjects, and physically shake out information from unwilling respondents. In fact, real life private investigators are business men and women in three piece suits whose most valuable weapon is their computer (Morais, 1985). Private investigators, like police, are involved in surveillance, locating records, interviewing and obtaining physical evidence.

Police and PIs both engage in information gathering for the purpose of proving or disproving some event or action. However, they work within different limits and means for obtaining their goals. There are different policies and regulations that govern each in his/her profession. For instance, the U.S. Constitution establishes parameters that law enforcement officers must abide by, however, private investigators do not. This is because the Constitution is designed to protect individuals from government action, not to protect individuals from other individuals. For example, because private investigators are private citizens, not agents of the state, they are not subject to the exclusionary rule. Private

investigators may provide evidence from a warrantless search, or otherwise illegally obtained evidence to a prosecutor for use at trial. As long as the prosecutor, or any other state agent, was in no way involved in the request or acquisition of the evidence, and it can be proven to have some probative value, it is admissible. This, however, does not protect a PI from having to face civil or criminal charges as a result of his/her actions. In short, the penalty falls on the actor (PI) not the object (evidence) (Edmonds, 1995). Not surprising then, these investigators can solve some tough cases that due process policies prevent police from solving.

Chief of criminal investigation in Dallas, Malin Price says, "most officers view [PIs] with suspicion...cops aren't suppose to divulge information to PIs in an on-going investigation, and PIs don't want to tell police confidential information. You can't always get them to cooperate (Reibstein, 1994)." However, the hostility between these professionals has decreased in recent years. A growing number of private investigators come from law enforcement backgrounds. As a matter of fact, many smaller agencies employ the help of retired and off-duty officers to assist in their investigations. Individuals with law enforcement backgrounds are better trained in the area of investigations and bring some level of investigatory expertise and know-how with them to the field (Cohen &Cohen. 1990).

In addition to differences in limits of procedure between police and PIs there are many ethical concerns regarding methods of surveillance, acquiring records, conducting interviews and obtaining physical evidence employed by private investigators. In the following sections methods of investigations will be defined and described. Following the overview of techniques, ethical concerns will be discussed.

### Surveillance

Private investigators spend most of their time doing legwork. Rich Martin of Viper Security says he spends approximately 85% of his time "out on the streets" (Martin, 1995). The majority of the casework is surveillance; observing persons, places and objects. Preparation and procedure of surveillance are the elements of success. There are four basic types of surveillance: stationary, moving, covert and obvious. Each type falls into one of two categories: unobtrusive or reactive.

Stationary and moving surveillance are the two most common methods of unobtrusive surveillance. This refers to methods of studying individuals and gathering information without the knowledge of the subject. In short, this is a non-interactive surveillance measure.

Stationary surveillance allows the investigator to observe a person, place or object from a fixed position. Individuals are unaware of being watched, allowing the investigator to record the subject's naturally occurring behavior with no discernible effects of being observed. In order to remain inconspicuous investigators make use of cameras, binoculars and listening devices and "dress to blend" props (Senzel, 1984).

Moving surveillance is simply following a subject. This not as easy as portrayed by television detective shows. As a result, investigators need to be resourceful. A surveillance team is often necessary to be able to coordinate positions, keep the subject in sight and reduce chances of being identified. However when an investigator finds him/herself doing a solo surveillance he/she really becomes creative. John Landreth prefers to spray paint the bumper of a car that he is following in daylight with a bright color. He has even painted the top of a car and used a helicopter to follow it. At night, he uses an ice pick to break a small hole in the tail light, careful not to break the bulb, and follows the white beam of light projected from his subjects car among the sea of red lights (Blythe, Sweet & Landreth, 1993). Again, this is a non-interactive method that allows the observer to collect information on a subject as events are occurring.

Reactive surveillance refers to methods of observation where investigators interact with their subjects. This interaction is used to either gain further insight into a case or to provide a watchful presence over those being investigated. Covert surveillance, consisting of pretext and undercover operations, and obvious surveillance are the two most common forms of reactive surveillance practices (Shulman, 1994).

Covert surveillance is a rare form of surveillance for general practice private investigators. This type of surveillance includes the use of pretexts and undercover

operations. Pretexts range from posing as a door-to-door sales representative to "get a look inside," to developing an elaborate undercover ruse to observe the activities of a given business. To be successful it requires the ability to role play and high levels of knowledge of the environment in order to don a phony identity and display the mannerisms and jargon of the subject group. Agencies do exist that specialize in specific areas that may require some level of inside surveillance. Usually, these are agencies that specialize in uncovering internal security problems for other companies. However, that is not to say that investigators are not capable of "misrepresenting" themselves to nurses to obtain confidential medical information (Leerhsen & Lewis, 1989), or posing as a photographer to serve child custody papers. These strategies are useful so that investigators may directly observe behaviors to be used as evidence.

Obvious surveillance seems to contradict the nature of the profession. As mentioned earlier, a good investigator is aware that his/her actions inevitably causes reactions. One way to pressure subjects is to make them aware they are being watched. Such pressure often causes subjects to panic and slip. This can lead to the discovery of additional leads and/or to obtaining new evidence (Shulman, 1994).

Surveillance is important so that investigators may become familiar with their subjects and the environment in which they operate. In observing a place an investigator has an opportunity to discover what is really going on inside. Also, if a subject is known to frequent a particular establishment, an investigator may then have an opportunity to question an acquaintance at that location.

Surveilling objects is usually a strategy for identifying culprits. For example, a client may fear his once abused property is still in danger and wishes to not only put an end to it, but to punish the offenders. The most effective means of obtaining information is to "study the mouse, not the maze." That is, surveilling a person will produce information and evidence to an investigator that records and interviews may not disclose.

### Obtaining Records

A starting point of investigations often is obtaining records about a subject.

Currently we exist in an era of information dominated by the computer. Computers can access a wealth of information. The trick is knowing what information needs to be obtained and where it can be found and how to access it. A good investigator will have the ability and expertise to get information that most others do not have access to. PIs who have access to computers will often subscribe to public record databases. Such databases provide a wide range of information on subjects. For example, one such database offers information regarding warranties of major purchases (keep in mind access to this information is dependant on whether or not individual manufacturers make this information available to database services). Through this database an investigator can discover the type of item that was purchased, where and when it was purchased, the address of the individual at the time of the purchases, and information regarding service to the item while under warranty. In his book, *You, Too, Can Find Anybody*, Joseph Culligan (1994) identifies 1) sources of information at local, state and federal levels that can be accessed and 2) what information they provide.

Each level, mentioned above, can provide unique information. At the local level the Board of Education can provide a general character file of an individual, the first forwarding address after leaving the school system, photos (from annuals), and college records. The Voting Registry is able to provide name, address, social security number, place of birth, occupation, length of residency and previous residence. Other information focusing on financial status can be obtained from the City Clerk, Tax Assessor, Circuit Courts, and the public library. From the State, through the Department of Motor Vehicles the license plate number of a subjects car can be obtained as well as information about accidents or violations the subject has been involved in. Also the Bureau of Prisons, State Supreme Court, and Welfare Agency can provide information concerning an individual current status. Finally, at the federal level, Social Security has information regarding employment records available only to the subject, parents or relatives (an obstacle that rarely fazes an experienced or well connected private investigator). The post office and the Department of Veterans Affairs have current address and telephone numbers. The

FBI and IRS both have records and databases available to assist in searches.

Obtaining records is usually an unobtrusive investigation measure. Records can be obtained without the subject being aware that s/he is being investigated. The majority of record repositories contain public information available to anyone, generally, for a small fee. In obtaining privileged information investigators often employ pretext practices, that is, posing as a family member or insurance agent to acquire medical records. There are tremendous amounts of information on people and organizations available to the public as well as investigators. In locating individuals, Susan Giller says "after a caller gives me some basic information and agrees to my fees, I ask in the least offensive way possible if he or she has tried the phone book yet, and ask them to check while I am still on the line. Sometimes, he or she will return in a few moments and say with embarrassment that my services are no longer needed" (Giller, 1986). A good investigator will have resources available that others do not have, including immediate access to secured databases that house information concerning financial status, current warranties on major purchases, parent profiles, etc. Depending on the type of information a client is seeking, cases can be closed in the matter of one phone call.

Obtaining records is not always as simple as accessing the correct database. Depending on what the client wants to pay for, investigators engage in practices that may be considered quite outside the norm, and this raises ethical concerns about PI practices.

"The worst dirt on people...can often be found in their garbage. We go by at night, take the garbage and replace it with similar bags....In about 70% of the cases [we] find phone bills with calls to suspicious numbers, credit card statements listing strange hotels, or matchbooks from disreputable places."

(Leerhsen & Lewis, 1989)

Taking advantage of records and document resources is valuable for reconstructing situations, and identifying behaviors and practices of subjects. Yet, many investigators hold that the best way to get information is simply to ask for it.

### Interviewing

Methods of interviewing vary according to the type of information an

investigator wants to obtain, and to what extent an investigator is willing to make the subject aware that s/he is part of an investigation. Similar to surveillance methods, interviews may be obvious, where the investigator discloses his identity and the purpose of the interview to the subject. However, interviews may resemble covert surveillance, incorporating pretext interviewing practices, a technique often used in obtaining records, where investigators take part in role playing and misrepresentation. Pretext interviewing and contrived situations are two extremes of the same practice. Pretext interviewing serves to obtain information that subjects may not freely offer if the subject was aware that s/he was interacting with a private investigator. Contrived situations serve to exact specific behavior. There are occasions when investigators provide a catalyst for reaction. That is, they go beyond mere pretext and set up a ruse, or contrived situation, to elicit behaviors of interest. For instance, an investigator may set up an enticing investment scheme that requires a large amount of money and present it to an individual who claims he is unable to make child support payments, because of a lack of income, to see if he will make the investment, thus discrediting himself. Another such ruse may involve providing some incentive, such as a cash prize for the furthest drive at a local golf course, to a woman who has claimed to be immobile due to a work related accident, to see if she will miraculously recover.

This brings up another difference in the practices of police officers and private investigators. To the police entrapment can only be of one sort -illegal. For private investigators entrapment (ruses/contrived situations) comes in two forms -ones that work and ones that don't!

Like surveillance, interviews, especially contrived interviews, require preparation and proper procedure to be effective and valuable. In the interview process an investigator must be able to direct the path of the conversation, while at the same time creating an atmosphere that allows interviewees to feel comfortable in offering up information. This is done by creating a rapport with the subject, allowing for some small talk and always asking open ended questions followed by clarifying questions. Though an interviewer wants concrete and specific facts it is

not necessary to demand "the facts ma'am, just the facts." A major difference between PI interviews and police interviews is that the former tends to be inquisitive while the latter is often more accusatory (Randisi, 1990). By being able to read an interviewee, a skill that comes with experience, investigators can determine whether a more formal or informal interview approach will exact desired information.

### Physical evidence

Physical evidence includes a wide range of material. It pertains to photographs, video tapes and audio tapes produced during surveillance. Evidence also includes paper records and documents, as well as finger prints and objects at the site of action. Knowing what to collect and how to collect it is a skill perfected by private investigators.

Private investigators must be just as careful as the police in collecting and handling evidence. They must treat every piece as if it is going to be used in court if it is to be of any value to their client. However, as mentioned above, in most areas they are not as restricted as the police in how they acquire evidence because they are not agents of the state. Yet, they do need to respect the jurisdiction of the police. Private investigators are never to knowingly search a crime scene before the police. Once PIs have obtained access to a secured area they must look for the unusual and keep their observations well documented and evidence well tracked (Cohen & Cohen, 1990). Sometimes the smallest detail can be the greatest piece of evidence.

A major difference between police or other state agents and private investigators regarding physical evidence is its use. Many individuals, especially private individuals, that hire private investigators do not take their cases to court, but resolve their matters privately. Therefore, relevance of evidence becomes very subjective, establishing the evidence as an element of fact is not all together necessary. That is, as long as the subject believes the information or evidence obtained is real or damaging these items have served their purpose. Yet, police and prosecutors must establish probative value of evidence and assure, to some standard of reasonableness, that the items are factual and relevant.

### Ethical concerns

Ethical concerns surrounding practices of private investigators can be raised on two levels. First, there is a general question of ethics in the methods and practices of investigations. These concerns focus on issues of deceit, as investigators engage in pretext practices, and rights to privacy in acquiring records, documents, and evidence about, or against, a subject. Second, ethical issues surface regarding investigator-client interactions as clients are placed in vulnerable positions in relation to the investigator.

Ethical questions can be raised about some of the practices of private investigators. One area of concern is pretext practices. Private investigators often take advantage of a subjects ignorance. They misrepresent themselves and/or mislead subjects during interaction to obtain information for their clients. In doing this investigators may take part in other questionable activities such as rummaging through trash, or eavesdropping to gain information. David Shulman, in his article from the Journal of Contemporary Ethnology, suggests that the main point of controversy lies in determining what investigation methods are justified at various times of an investigation. He recognizes that the issue becomes confounded as the methods become intertwined with elements of public space, privacy, and informed consent (1994).

Should a private investigator lie, or “set-up” his/her subjects in performing his/her duties? There is always secrecy in investigation. Misinforming subjects is not illegal. Also, there are laws, such as the Freedom of Information Act, that provide individuals access to information about anybody on a wide range of subjects, as mentioned earlier. Most subjects are unaware that strangers can legally secure their trash, once it has been discarded (curbed), without their permission. Complete openness by an investigator risks contrived responses and behaviors of subjects. This would inevitably hinder the progress of an investigation. As a result investigators would not efficiently nor effectively acquire substantial or pertinent information. In order to gain the information they have been hired to obtain investigators often actively pursue deception (Shulman, 1994).

Are PIs required to be completely open with their clients? Unfortunately there are some rotten apples in the bushel that prey on their clients and take advantage of subjects they are pursuing. Unscrupulous investigators may engage in practices that prey on clients for all they can get. For example, an investigator may create a case and bring it to a client, i.e. "you could be a distant relative of...." Often, dishonest PIs stall information, that is, they conveniently uncover enough evidence to prolong investigations and secure another paycheck (Blythe, Sweet, & Landreth, 1993). Another way in which a PI may victimize his/her client is by disclosing to the subject that s/he is being investigated and offer to sell the information s/he has obtained about the subject to the subject, for a ripe price. This unscrupulous investigator may even offer to work for the subject to obtain damaging information about the original client and play the subject and client against one another, all the while profitting from the interaction. These types of allegations are difficult to prove, yet because PIs are private citizens they are subject to civil suits. Such suits are generally the only recourse available to victimized clients. Keep in mind PIs are professionals in their trade, and often know so much (information that could be used as blackmail) about their clients and their subjects that these individuals shy away from raising allegations of misconduct against private investigators (Shulman, 1994).

Private investigators are caught between the public and the law. These investigators are private citizens who are not empowered with legal rights or privileges. They must act in accordance with Federal, State and local laws, statutes and ordinances. Legal barriers, however, serve only as a nuisance to most "good" PIs. A "good" PI is a professional that is able to secure whatever information is being demanded by a client, not necessarily one who stays within all confines of the law (Randisi, 1990).

### The real PI

On television and in the movies we never see Dick Tracy and Thomas Magnum ask any irrelevant or apparently useless questions while interviewing a

subject. And when they come across a crime scene (even after it has been combed through by the police) they seem to always find that one clue that wraps up the entire case. If by chance they let that clue slip through their fingers, Perry Mason will get the culprit to make a full confession in the courtroom. In reality a courtroom confession is not likely to happen, but sometimes a good investigator can serve as a catalyst in illiciting a confession during an interview.

What are investigators really like? Most investigators are above board in dealing with their clients. Most investigators do not spend their days solving high profile murders or locating kidnapping victims, though these areas are growing. Most clients hire investigators to spy on their cheating spouses, check backgrounds or activities of employees, check phony insurance claims or locate individuals to resolve financial disputes. A growing number of these professionals have a law enforcement background, and more and more women are being drawn to this industry as it "requires more brains than brawn" (Morais, 1985). The number of private eyes in the country is growing, and the industry will continue to grow as individuals/victims continue to turn to private investigators with criminal cases rather than depending solely on the police. This raises one of many questions regarding private investigation operations: Should everyone be entitled to the same quality of investigative services (especially in criminal investigations) or is the fact that everyone has an equal right to secure the services enough?

There are many other issues surrounding private investigations that deserve attention and examination. For instance, what are the implications of investigators being labeled ethical or unethical? How should success of an investigator be gaged, by ethical and legal standards practiced during investigation, by the satisfaction of clients, or by monetary returns (profit) an investigator receives? In the realm of private investigation is there a subculture that provides motivation for engaging in various ethical or unethical practices? Such questions begin to uncover possible theories of operation and motivation of private investigators. Due to the growth of this field questions like these need to be examined in future research projects.

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