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"Gotcha!" Investigative Tools on the Web

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“Gotcha!” Investigative Research on the Web

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March 2010

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Introduction

In *The Art of War*, Sun Tzu advised “Know your enemy and know yourself, and your victory will never stand in doubt.”¹ His enduring popularity as a strategist and the extrapolation of his work well beyond military science attest to his wisdom and deep understanding of human nature. Success in litigation (as on the battlefield) isn’t simply a matter of correctness or a just cause. Success is also a reflection of preparation and research into the facts of the case, into legal precedent, and in some cases, into the life of a person.

The proliferation of investigative tools on the Internet enables anyone to conduct basic background checks with little initial information about the subject. Information on residence, criminal history, and death notices are free and can be searched from authoritative government databases. For less than \$50 a month, one may purchase subscription memberships to access commercial investigative tools online that aggregate financial, criminal, and residential information into one tool.

An equally important part of Sun-Tzu’s proverb is knowing oneself. Virtual gum-shoeing doesn’t make sense in every situation or for every lawyer. Respecting one’s own acumen (or lack thereof) for online searching and recognizing when time and effort is better spent on other necessary parts of the

¹ Sun-Tzu. *The Art of War*, New York : Viking Press, 2002. p. 81.

case is critical. Just because some information is online doesn't mean it is good information or that the lawyer should be the one to mine it.

Public Information and Publicly Available Records

When conducting investigative research online it is important to know what kinds of records are required and who is entitled or authorized to see them. Publicly available records are information not filed with the government, but that are publicly known, such as telephone numbers. Public records are records held by a government agency. The Georgia Code defines public records as "all documents, papers, letters, maps, books, tapes, photographs, computer based or generated information, or similar material prepared and maintained or received in the course of the operation of a public office or agency."² It further reads: "Public records shall also mean such items received or maintained by a private person or entity on behalf of a public office or agency which are not otherwise subject to protection from disclosure."³ These documents can be birth certificates, tax assessments, and adoption papers. Public records are available through Freedom of Information Act (FOIA), and Georgia's Open Records Act (OPA) but not necessarily for free and not to anyone for any reason.

The Georgia Open Records Act (OPA) has provisions for refusal of requests. The provisos include (but are not limited to) those records of sensitive,

² OCGA50-18-70(a).

³ OCGA 50-18-70.

private nature (medical records and insurance records), bank account balances, credit card account information, mother's maiden name, law enforcement investigations, motor vehicle accident reports, hiring and firing records, donated historical records given to historical institutions, archives and libraries, social security numbers, and personal details of government employees. Expect this information to be redacted if in records requested.

Government agencies and departments balance transparency with privacy. The types of public records available for investigative research online vary from state to state and county to county. Florida is very liberal about public records available on the internet. Increasingly Florida public documents are digitized pdfs online. Georgia is heading that way, but vital records and other sensitive items (divorce records, DMV files, etc.) require a specific request and may be limited to only the person named in the records or on the files.

Open Records Requests in Georgia

Some requests may be granted and answered over the phone. Other requests will require written correspondence which must include: clear identification that the letter is making a public records request, citation to Section 50-18-70 of the Georgia Code, clear reference to the specific records requested, a statement addressing the amount in fees

expected to accrue, and clear expectation that any refusal must cite the statutory exemption. The agency has three working days to respond.⁴

Finding People

Straight-forward investigative research, like finding addresses or phone numbers, can be quick, easy, and free if the persons or companies have not taken specific steps to conceal themselves. A basic search engine can provide reverse look up by phone number or address, and offer maps or image of the location (via GoogleMaps). Databases, like Infobel and Anywho.com provide contact information, house size, and immediate neighbors. Reviewing the information on at least two sites is prudent considering how many people have the same name and how often people move around.

Search Engines

<http://www.google.com>, <http://www.yahoo.com>, etc.

A basic search engine query for a person's name might be the first and last search depending on the depth of information required and the Web presence of the person sought. A general Google (or other search engine) search has the advantage of being international in scope and potentially retrieving information about the person's professional, social, and personal life. For example, results might include place of employment with email and business phone number, books published, newspaper articles, internet sites produced by

⁴ OCGA 50-18-70(f).

the person (personal or professional in nature), links to professional organizations to which he/she belongs, social networking sites, photographs, obituaries, etc.

The sheer mass of results for someone with a common name is a major disadvantage for general search engine queries. Unless a little more is known about the person, it is hard to sift through and know what information pertains to THE person sought. Likely, the process will be iterative: one site will provide some distinguishing information that can then be used to revise the query. If the person has a common name, try an advanced search using full names or city names to improve the precision by including additional search terms and excluding others (for example, Suzanne R Graham NOT Rosemary).

A query for a phone number (area code-XXX-XXXX) in a Google or Yahoo search box will launch a search for the people and address associated with that number. The same is true for a street address search. It's easy to opt out and when the feature first became widely known, an email campaign (not by Google) encouraged privacy minded folks to remove themselves from the list. So, even phone numbers listed in telephone directories may be missing from Google search.

Typing in street addresses as phrase (in quotation marks) gives different results depending on the state. Pennsylvania addresses retrieve tax assessor data (square footage, age house built). Georgia top links are to realtor.com which in addition to owner names, provides last selling price (if sold recently),

square footage, appraisal value, maps of neighborhood, and a panoramic full color view from the location courtesy of GoogleMaps. If the first set of results are unsatisfactory, try abbreviating street, road, court (st, rd, ct, respectively).

Argali.com

<http://www.argali.com>

Argali allows researchers to query almost twenty white- and yellow-page indexes (including Google and Anywho) and retrieve a tidy consolidated list of results. For the personal and occasional user, the service is free. Professionals and anyone who intends to conduct more than ten searches per month may register for ArgaliPro for \$29.95 per month. Use of Argali requires downloading special software, so its functionality is tied to one computer (it doesn't travel with a researcher like other Web-based services). Since trying several databases and indexes is prudent, using a meta-search engine, like Argali, can save time and effort.

InfoBel.com

<http://www.infobel.com>

If you need international numbers or addresses, InfoBel has a broad reach of nearly 200 countries. The site is more garish and distracting, but the information is impressive and basic searches are free. Other people-search databases use InfoBel data for listings in foreign countries, so one might as well go directly to InfoBel. InfoBel is a Belgian company with main focus on Europe (its site boasts over 130 million European telephone subscribers in the database), and several European countries have nice expanded search capabilities.

Searches for people in the United States are limited to first name, last name, city, state, but even for US addresses, InfoBel can find people that AT&T's Anywho.com cannot. Neighbor results are more extensive in InfoBel than they are in Intelius.com. InfoBel includes the names of most adults living in the household, not just the name listed in a phone book.

Anywho.com
<http://anywho.com>

Anywho provides addresses and phone numbers for free in a clean display. The site claims that its information is updated weekly, but the data comes from the Intelius database, which is more vague about the currency and sources of its data. Anywho is one of those databases that links to Infobel for several foreign countries, but it still offers an impressive list of international people-searching web sites for consideration. It's a good idea to search both Anywho and Infobel before resorting to a paid search. Although I generally get the same or better results from Infobel, Anywho can find me. Infobel still only has me listed under my maiden name (this June will be our ten year anniversary).

Intelius.com
<http://www.intelius.com>

Intelius.com offers more than just names and addresses, but access to most of its data requires fee. Also, while I've had good success finding long-lost friends and relatives on InfoBel and Anywho, my results with Intelius have been strangely mixed. This difference in results between Intelius and Anywho (that claims its data comes from Intelius) is perplexing. When I search for myself,

Intelius finds me, but lumps my information together with at least one other person with the same name. In the “previous cities list” only one of the four cities listed is correct for me, and in the list of relatives only one of seven is a relative (my father-in-law). My husband and children do not appear. Basic investigative research is relatively inexpensive (\$0.99-\$4.99) to search by phone number, address or name. Intelius remains well respected in published literature; it must be useful in specific situations, but I would advise caution.

Vital Records Online

In cases where records about “vital” events in a person’s life (birth, marriage, divorce, and death) are needed, researchers should start with government offices at the state and a county level that hold these records. Regardless of the jurisdiction and resource needed, only authorized persons may request to see a vital record. The definition of “authorized persons” varies by office and by record, but the Georgia Department of Community Health website offers clear guidance in its Frequently Asked Questions page. For example, only parents or legal guardians, grandparents, adult children, adult siblings, and current spouses may request birth certificates.⁵

NETR Online Directory

<http://publicrecords.netronline.com>

This powerful portal provides links to official county sites for accessing public records in all fifty states, specifically the tax assessors’ offices, tax

⁵ <http://health.state.ga.us/programs/vitalrecords/fqa.asp> (Accessed 2/22/2010).

collectors' offices, and county clerk/recorder. The site's tag line is: real estate information and public records research, and it offers comprehensive links for both. For some states, like Florida, NETR database contains actual pdfs of vital records. Searches are free and most can be done by last name only.

VitalChek

<https://www.vitalchek.com/>

The state of Georgia contracts with VitalChek, a Lexis-Nexis company, to allow interested parties to order certified government-issued vital records online. The service is not free; for example, a birth certificate is \$15 directly from local offices of the Georgia Department of Community Health. VitalChek adds another \$9 "express charge" in addition to shipping fees. Also note that the same departmental definition of "interested parties" applies to this online service and requests should be accompanied by proof of entitlement.

Confirming Deaths

In the event that the person sought is deceased or is thought to be deceased, several free online resources can provide confirmation of death. Enterprising private sites have purchased the official social security index, mounted it online, and provided fairly sophisticated search interfaces. For older records, many genealogical sites offer extensive access to funeral, cemetery, and obituary information that might provide verification and dates of someone's death.

Social Security Death Index

<http://ssdi.rootsweb.ancestry.com>

Although accessed through a third-party via Rootsweb, the Social Security Death Index can be searched for free. The index contains date of death information on people who have died between 1962 and the previous year (with a few older records). Rootsweb provides a variety of search parameters and social security number is not a required field as it has been in other social security indexes. The form of name contained in the index is the legal name at time of death. The Soundex functionality expands a search to include "homonym" names automatically, so unexpected results might appear.

Searches for four American citizens, known to have died within the past twenty years, yielded results for three of them. So, even in this authoritative and respected resource, a lack of record is not necessarily an indication that the person is still alive.

National Obituary Archive

<http://www.arrangeonline.com>

Unlike the Social Security Index, the National Obituary Archive (NOA) is very current. Funeral directors all across the United States update the archive continually throughout the day by, making it the place to go if it is likely the person passed away recently or was known to be living the year before. The free archive contains more than 55 million records, and the site boasts that it

“assembled the largest collection of obituaries and death records in the world.”⁶

NOA went live in 2001, so don't expect to find earlier obituaries, and since it relies on funeral directors to contribute, the coverage is spotty. Searches for the same four people used to test Rootsweb were completely unsuccessful.

Georgia Deaths, 1919-1998

http://search.ancestry.com/search/db.aspx?dbid=5426&cj=1&o_xid=0000584978&o_lid=0000584978

Ancestry.com is well-known among genealogists, but has only limited usefulness for doing very current investigative research. One free Georgia-specific resource that might be of use is the Georgia Deaths database. The site boasts of over 2.7 million death records and the beginning date coincides with the first year that Georgia compiled this information at the state-level. This resource is not growing more current. As the title clearly states, the last year entered is 1998. No one who died after 1998 is included. However, if one needs particulars about a death certificate issued a decade or more ago, the results show the name of the deceased, date of death, the race of the deceased, the gender of the deceased, the county of death, the death certificate number, the date the certificate was filed, and the deceased's age at time of death.

Finding Assets

Banking accounts and investment portfolios are private information and therefore are appropriately unavailable online to all but the financial institutions

⁶ <http://www.arrangeonline.com/Company/companyInfo.asp> (Accessed 2/22/2010).

involved, account holders, and advisors. Incomplete glimpses of assets are available for real estate holdings, corporate ventures, and state employees' salaries.

Real Estate Assets

Even after the collapse of real estate markets across the United States, the family home remains the average person's biggest monetary asset. Online resources do not offer debt or mortgage information, but many sites reveal purchase price for homes and home value as assessed by the county tax office (not a fair market value assessed by a real estate agent).

Portico

<http://indorgs.virginia.edu/portico/>

Portico provides a wide range of links to online information, but the best feature for investigative research is the pathfinder to county tax assessors' offices all across the country. In this area, Portico vies with NETR in comprehensiveness. Portico's authoritative and clearly identified sources make it preferable to other sites that build records from several unspecified sources.

Specific Georgia County Tax Assessors' Offices

<http://www.qpublic.net/ga/oconee/search1.html> (for example)

Several of the services listed in the "Finding People" section will provide household earnings and tax assessments for real estate, but in Georgia, going directly to the county tax assessor's Web site is a prudent stop for home owner data. The tax offices offer free searches and provide clear indications of date of

sale, price of sale, square footage, site improvements, tax value, and all persons financially responsible for the residence.

Georgia Superior Court Clerks' Cooperative Authority (GSCCCA)

<http://www.gsccca.org/search/>

The real estate index contains property transactions from all counties since January 1, 1999, including the name of the seller and buyer, location of the property, any liens on the property, and the book and page where the actual deed is filed in the county. Historical records 1993-1998 are being added currently with an expectation that additional years will be added in the near future.⁷ The lien index is the most recent, started in 2004. It contains real estate and personal property information, including liens.

Business Assets

If the person's general line of profession is known, a quick search for licensing and business registration may help in the calculation of assets and in pin-pointing a place of residence.

EDGAR

<http://www.sec.gov/edgar/searchedgar/companysearch.html>

If the search needs to be national in scope, try EDGAR, the U.S. Securities and Exchange Commission's database. All company filings required by the SEC since 1996 should appear in EDGAR (limited filings for 1994 and 1995 appear as well). However,

⁷ <http://www.gsccca.org/search/RealEstate/deedindex.asp> (Accessed 2/22/2010).

full text searching of the filings is only available for filings added since 2006, which is potentially a shortcoming if all that is known are personal names of firm general officers. The SEC maintains a helpful guide to assist researchers who wish to use EGDAR.⁸

Georgia Secretary of State Website

<http://corp.sos.state.ga.us/corp/soskb/csearch.asp>

The Georgia Secretary of State's Office website provides a means to track down businesses owned or managed by a person that registered with the corporations division during the previous five years. The site permits searches by business name and corporate officers. The results show the date of registration and names and addresses of the registering agents, presidents, CEOs, CFOs, secretaries, etc. To find older businesses, call the Secretary of State's Office. The office also provides information on corporate tax standing by phone or mail for free.

Georgia Superior Court Clerks' Cooperative Authority (GSCCCA)

<http://www.gsccca.org/search/>

When the county of residence is unknown, the GSCCCA offers a Georgia-wide search of UCC statements, real estate deed index, and lien index. The clerks' site permits broad state-wide or targeted county-specific searches. The UCC index contains financing statement data from all counties since January 1,

⁸ http://www.sec.gov/investor/pubs/edgarguide.htm#P158_19972 (Accessed 2/22/2010).

1995, and can be searched by name, taxpayer ID, file date and file number. Additionally, the actual image of the corresponding UCC statement appears.

BRB Free Resource Center

<http://www.brbpub.com/freeresources/pubrecsitesOcc.aspx?st=GA>

BRB's Free Resource Center offers an impressive list of occupations requiring Georgia licenses or certification with links to the state governing bodies. First and last names are all that is required to launch a state-wide search of Georgia. A similar profile is available for each of the fifty states.

Search Engines

As with people, an easy first search can be conducted via a search engines, like Google or Yahoo, or preferably, a meta-search engine like Dogpile (<http://www.dogpile.com/>). Dogpile will launch searches simultaneously in several different search engines (including Google, Yahoo, Bing, and Ask). Look for clues in online marketing, news articles, press releases, and blogs to jump start the online investigation of companies.

Income Data

Although generally dated, some annual income information can be mined online from freely-available resources. Since this data tends to be at least a year out-of-date, it should be used with caution and with the expectation that the values have changed.

Open Georgia

<http://www.open.georgia.gov/>

The salaries of state employees, including those working at state agencies, schools, and public institutions of higher learning, in any of the fifty states are public information. Most states provide this information online, but for some of the states the sites can be hard to find. Georgia's records are very easy to locate. The Open Georgia initiative provides data on government spending, including the salaries of state personnel. The search interface is simple and requires only the first letter of the last name to pull results from five categories of state employment: state agencies/commissions, university system, regional education services, technical colleges, and local boards of education.

Finding Previous Litigation and Criminal Background Information

Drawing a complete picture of legal encounters of individuals remains challenging. Online resources are available for state and federal level case law, but access to local courts is a rare find. Be prepared to run conduct state searches separately since only law enforcement can access a truly national database of state-held inmates and past offenders.

Previous Litigation

Knowing any previous litigation filed on behalf of or against a person might be useful in an investigation. Fortunately, three authoritative state and federal case law resources exist online.

LexisOne

<http://law.lexisnexis.com/webcenters/lexisone/>

Although some previously free functions on this site now incur fees, the case law searches are still free. Anyone can search the last years of state and federal court cases and the entire history of the Supreme Court. Would-be users are required to set up an account, but the registration is free. Keyword searches will find names of defendants, plaintiffs, and counsel, but for common names the results list might be huge. Another option is to launch a keyword search for a word that one could expect to be in all the records (like "Law" or "judge") and use the optional "party" search field to refine the search.

FindLaw

<http://lp.findlaw.com>

FindLaw for Legal Professionals has a more limited scope than LexisOne does. FindLaw includes only the US Supreme Court, circuit courts of appeals, and a shortlist of state supreme and appeals courts. The interface permits searches by parties, but one cannot search multiple jurisdictions simultaneously. Each court requires a separate search. If the name is not too common, then better results are retrieved by searching only by last name in the party field.

Public Access to Court Electronic Records Party/Case Index

<http://pacer.uspci.uscourts.gov/>

Investigators can use the PACER Party/Case Index to determine if a party has been involved in federal litigation. This index provides on-line access to bankruptcy courts in addition to US Appellate and Federal District courts. It

contains no state or local courts. As with the general PACER service, users must register, and all searches incur a small per page fee (even unsuccessful searches are charged \$0.08). Also note that the PACER service assesses fees by results, not by page views or downloads. So, if the subject has a very common name, it might be advisable to avoid PACER until a more precise search can be constructed.

Criminal Background

The state of Georgia, as well as the nation at large, increasingly provides criminal records on the Web. Although all the states do not compile their records into a single database that is available to the general public, each state has a Department of Corrections office (actual title varies) that can provide information on the state and county prison populations. Georgia has searchable databases online that cover current and past inmates and another to cover current parolees.

Federal Bureau of Prisons Inmate Locator

<http://www.bop.gov/iloc2/LocateInmate.jsp>

Use the Inmate Locator to determine if someone is currently or has been incarcerated in a federal prison or in the District of Columbia since 1982. Read the records carefully to determine the crime and conviction because the site includes “a significant number” of pretrial detainees.⁹ The search requires both

⁹ http://www.bop.gov/inmate_locator/aboutInmateLocator.jsp (Accessed 2/22/2010).

first and last name and both must match the databases' holdings exactly (i.e., a search for Bill will not retrieve Billy).

Georgia Department of Corrections Offender Query

<http://www.dcor.state.ga.us/GDC/OffenderQuery/jsp/OffQryForm.jsp>

This search permits retrieves partial matches for names. Searches can retrieve all offenders in a given county if it is preferable to skim through a list of all names and photographs. It is also possible to limit by current inmates only or to includes the large back file of people released. The record displays a color photograph, but only if the search clicks the "more" button to the left of the name. The records also include a list of all prior sentences and incarceration history. However, the site does not publish records of offenders that were convicted and completed their sentence under Georgia's First Offender act.¹⁰

Georgia Parolee Database

http://thelmalou.pap.state.ga.us/pls/web/georgia_profile_pkg.entry_form

This site is the most barebones of any in this paper. Searches can be conducted by name (either first or last or both in any order), zip code or inmate number. The zip code search is useful if the exact name of the parolee is unknown. The records include address, basic physical description and photograph as well as primary offense and dates of parole. Upon completion of the sentence, the Georgia Board of Pardons and Paroles removes people from the database.

¹⁰ <http://www.dcor.state.ga.us/Help.html> (Accessed 2/22/2010).

Dru Sjodin National Sex Offender Public Website

<http://nsopw.gov/>

The site is a free national database of people convicted of sex offenses since 1996. Searches conducted in the basic and advanced search screens require first and last name. So it is important to know the name used in the criminal record for reliable results. Results include photographs of the person as well as charge information, current residence, and current employment.

Georgia Sex Offender Online Index

<http://services.georgia.gov/gbi/gbisor/SORSearch.jsp>

Georgia hosts its own sexual offender online index. The Georgia index permits broad searches by county (for example). This geographically-focused search is helpful when the exact name is unknown. The results appear alphabetically, facilitating browsing, and the site provides color photographs to help in identity confirmation. For precise searches, name searching remains an option.

Places to Go For Help

Online

To accompany the explosion of online genealogical research tools and for-profit online background check companies, the internet also has many helpful sites that can answer specific research questions. In the coming months as the information in this paper ages, these sites have the potential of staying current with the emergence of new databases and changes to existing ones.

The Virtual Chase

<http://www.virtualchase.com>

This site had been maintained by as a labor of love by Genie Tyburski for twelve years. Last April, Justia acquired the site and since then the original site has languished on the web—neither updated nor removed. Even as such, it contains useful tips and readily indicates shortcomings of public sites, but note that all of the articles in the “Internet Research Articles” are dated. “How to Find Someone’s Date of Birth” is the most current, and it’s nearly two years old. So while, the information is of high quality, it may not be as up-to-date as one would hope or expect from an online resource.

In Print

Unfortunately print documents age quickly when their subject concerns the World Wide Web, but basic advice and search strategies hold up well even as the specific vendors and fees change.

The Cybersleuth's Guide to the Internet : Conducting Effective Investigative & Legal Research on the Web (2006)

Although older than one would hope, this work by Carole A. Levitt and Mark E. Rosch is still useful as a starting point for investigative research online. At a little more than 250 pages in length, the book is fairly in depth and covers a broad range of topics. Be on the lookout for a ninth edition of the title.

BRB Publications

<http://www.brbpub.com/books/>

BRB Publications and its imprint Facts on demand Press specializes in investigative research and public record books. Their bookstore might provide useful titles for individual needs.

Conclusion

Free or low cost online resources exist to assist investigative research, but assessing the quality of the information remains challenging. Many sites rely on non-specified third parties for data, and it is difficult for a user to know how current the information is. Often accurate information is intermingled with out-of-date, incorrect or misleading information.

So, as investigative warriors get to know their quarry and their own Web search skills, they will also need to employ healthy skepticism of their sources and know who to trust for information.