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Finding a Virtual Trail: Investigative Research on the Web

Suzanne R. Graham

University of Georgia School of Law Library, sgraham@uga.edu

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Finding a Virtual Trail: Investigative Research on the Web

**Suzanne R. Graham
Cataloging Services Librarian
University of Georgia School of Law Library**

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Table of Contents

Introduction.....	1
Public Information and Publicly-Available Records	1
Open Records in Georgia	2
Open Records in Contiguous States	3
Finding People.....	4
Search Engines	4
Commercial Services.....	5
Intelius.com	5
Anywho.com.....	6
Argali.com	7
InfoBel.com.....	7
Vital Records Online.....	8
NETR Online Directory	8
VitalChek.....	8
Confirming Deaths.....	9
Social Security Death Index.....	9
National Obituary Archive	10
Georgia Deaths, 1919-1998	10
Finding Assets.....	11
Real Estate Assets	11
Specific Georgia County Tax Assessors' Offices	11
Georgia Superior Court Clerks' Cooperative Authority (GSCCCA)	11
Business Assets.....	12
EDGAR	12
Georgia Secretary of State Website.....	13
Georgia Superior Court Clerks' Cooperative Authority (GSCCCA)	13
BRB Publications.....	13
Search Engines	14
Income Data.....	14
Open Georgia	14

Finding Previous Litigation and Criminal Background Information	15
Previous Litigation.....	15
FindLaw.....	15
Public Access to Court Electronic Records Party/Case Index.....	15
Criminal Background.....	16
Federal Bureau of Prisons Inmate Locator.....	16
Georgia Department of Corrections Offender Query	17
Georgia Parolee Database	17
Dru Sjudin National Sex Offender Public Website	17
Georgia Sex Offender Online Index.....	18
Places to Go For Help	18
Online.....	18
The Virtual Chase	18
Portico.....	19
In Print.....	19
The Cybersleuth's Guide to the Internet : Conducting Effective Investigative & Legal Research on the Web (2006)	19
BRB Publications.....	19
Conclusion.....	19

Introduction

The proliferation of investigative tools on the Internet enables anyone to conduct basic background checks with little initial information about the subject. However, ease of search does not equate to authoritativeness. Just because some information is online doesn't mean it is good information (even government sites come with their own list of disclaimers and caveats) or that the lawyer should be the one to mine it. As thrilling as the last minutes of a Perry Mason trial are, do not rely on unsubstantiated information found on the Internet to break your case, and remember Perry relied on Paul Drake for this work. 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 are better spent on other necessary parts of the case is critical.

Public Information and Publicly-Available Records

When conducting investigative research online, researchers should have a clear understanding of what kinds of records they need and whether privacy laws protect those records. Publicly-available records are not filed with the government, but they are publicly known, such as telephone numbers and addresses. Private parties may remove their data, but there is no blanket protection, and the information is freely available until a specific action is taken to remove it. Public records are data held or generated by a government agency. Federal and local laws define "public records" and set levels of protection and authorization as lawmakers balance transparency with privacy.

Open Records in Georgia

The Georgia Open Records Act (OPA), which was greatly expanded in 2012, defines public records as:

“All documents, papers, letters, maps, books, tapes, photographs, computer based or generated information, data, data fields, or similar material prepared and maintained or received by an agency or by a private person or entity in the performance of a service or function for or on behalf of an agency or when such documents have been transferred to a private person or entity by an agency for storage or future governmental use.”¹

These documents can be birth certificates, tax assessments, and adoption papers. The law also has detailed provisions for refusal of requests.² These protected classes of materials include (but are not limited to) records of sensitive, private nature:

- medical records
- insurance records
- bank account balances
- credit card account information
- mother’s maiden name
- law enforcement investigations
- motor vehicle accident reports
- hiring and firing records
- historical records given to historical institutions, archives and libraries
- social security numbers
- email addresses

Expect this information to be redacted wherever it appears in records requested.³

¹ Official Code of Georgia (OCGA) 50-18-70(b)(2).

² OCGA 50-18-72.

Also, access to vital records and other sensitive documents (divorce records, Department of Motor Vehicle files, etc.) held by state agencies requires a formal and detailed request to the agency and may be limited to only the named persons in the records or files. While some requests may be made and granted over the phone, other requests require written correspondence, which must include:

- a statement that the letter is making a public records request
- citation to 50-18-70 of the Georgia Code
- clear reference to the specific, known records requested
- a statement concerning anticipated fees for material processing
- a statement asserting that any refusal must cite a statutory justification

Open Records in Contiguous States

Florida is very generous about making public records available for view or order on the internet. Many Florida public documents appear online as digitized pdfs with relatively little redaction. A good place to start is MyFloridaCounty.com. The site and its data are supported by the County Clerks of Florida. The service will mail a wide variety of documents for a small processing fee.⁴ The availability of records varies by county, but most range from 1950s to within the past three months.

Searches for information in South Carolina require more effort and additional fees. Unlike Florida, South Carolina does not have a consolidated county clerks' site. But for real estate and liens, individual counties have very useable sites. South Carolina Law Enforcement Division (SLED) offers criminal histories for \$25 per search on its SLED

³ OCGA 50-18-72(20)(a).

⁴ MyFlorida.com. <https://www.myfloridacounty.com/ori/index> [Accessed Mar. 5, 2013]

Catch database.⁵ Researchers can also search for criminal offenses county by county for free in the Case Records Search on the Judicial Department's site.⁶ Uniform Commercial Code filings are available directly from the Secretary of State's UCC Online site for \$5 per search.⁷

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. Searching and comparing the information on at least two sites is prudent considering how many people have the same name and how often people relocate.

Search Engines

<http://www.dogpile.com>, www.google.com, <http://www.yahoo.com>, <http://bing.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 advantages of potentially retrieving information about the person's professional, social, and personal life and of being international in scope. For example, results might include place of employment with email and business phone number, newspaper articles, internet sites

⁵ South Carolina Law Enforcement Division. Home page <http://www.sled.sc.gov> [Accessed Mar. 4, 2013]

⁶ South Carolina Judicial Department. Case Records Search. <http://www.judicial.state.sc.us/caseSearch/> [Accessed Mar. 5, 2013]

⁷ South Carolina Secretary of State. UCC Online <https://ucconline.sc.gov/UCCFiling/UCCMainPage.aspx> [Accessed Mar. 4, 2013]

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

The avalanche of results for someone with a common name is a considerable 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 to be used to revise the query.

A query for a phone number (area code-XXX-XXXX) in a Google, Bing 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. However, it is easy to opt out and privacy minded folks might have removed themselves from the directory. Even phone numbers listed in printed telephone directories may be missing from search engine query.

Google top links for street address searches go to real estate sites like trulia.com. Most offer names of current owners, 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).

Commercial Services

Intelius.com

<http://www.intelius.com>

Intelius.com offers more than just names and addresses, but access to most of its data incurs a fee. Three years ago results for me in this database were not reliable, but this year, they were all completely correct and surprisingly thorough, including even a three-month stint at Fort Campbell, Kentucky. Basic investigative research runs from \$0.99 (for date of birth, phone number, and address) to \$4.99 (for basic information plus email and social network profiles) to \$39.95 for a background report (includes criminal check, bankruptcies, liens, lawsuits, and judgments).

Intelius offers a warning under its terms and conditions that are equally valid for all commercial sites: “Customers should use extreme caution when interpreting the results of a criminal or civil background search for any type of personal verification. Positive or false matches in criminal or civil searches may not provide confirmation of an individual's criminal or civil background. Proper use of these reports is the responsibility of you, the customer.”⁸

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

Anywho is a free address and phone look-up service of the The Real Yellow Pages, sold by At&T to a capital management firm in May 2012.⁹ It provides addresses and phone numbers for free in a clean display. The site updates its information weekly. After any failed searches, the user is directed to try Intelius. Anywho links to Infobel for several foreign countries, but it also offers an impressive list of international people-

⁸ Intelius Terms & Conditions “Additional restrictions” <http://www.intelius.com/useragreement.pho> [Accessed 3/04/2013].

⁹ News, “AT&T to Sell Advertising Solutions...” <http://corporate.yip.com/news/press-and-media/2012/att-to-sell-advertising-solutions-and-interactive-business-units-to-cerberus> [Accessed 3/04/2013].

searching web sites for consideration. As much as I use Anywho, I admit cannot find me in that database.

Argali.com

<http://www.argali.com>

Argali allows researchers to query simultaneously twenty white- and yellow-page indexes (including Google, Anywho, and the United States Postal Service) and to retrieve a tidy consolidated list of results. For personal use, the service is free. Professionals must register for ArgaliPro for \$29.95 per year. Argali requires downloading special software, so its functionality is tied to one computer (it does not 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>

InfoBel is the place to start for international publicly-available information. InfoBel started producing Belgian telephone directories on CD-ROM in 1995. InfoBel's main focus remains Europe (its site boasts over 130 million European telephone subscribers in the database), and there are expanded search capabilities for several European countries. The site covers an important niche, and basic searches for addresses and telephone numbers are free. Other people-search databases use InfoBel data for listings in foreign countries, so one might as well go directly to InfoBel for the most current updates. InfoBel continues to expand beyond Europe and offers results from nearly 200 countries.

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 county level that hold these records. Regardless of the jurisdiction and resource needed, only authorized persons may request to see an official 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.¹⁰

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 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/>

Should you need to help a client obtain vital records for themselves or for an immediate family member, nearly every state, as well as District of Columbia and Puerto Rico, contracts with VitalChek, a Lexis-Nexis company. VitalChek allows qualified parties to order certified government-issued vital records online. The service is not free; for example, a birth certificate is \$25 directly from local offices of the Georgia

¹⁰ <http://health.state.ga.us/programs/vitalrecords/faq.asp> [Accessed 2/22/2010].

Department of Community Health. VitalChek adds another \$9 “express charge” in addition to shipping fees. Also note that the same official departmental definition of qualified or “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. Genealogical sites also offer extensive access to funeral, cemetery, and obituary information that might provide verification and dates of someone’s death. As mentioned above VitalChek also can confirm dates for additional fees.

Social Security Death Index

<http://search.ancestry.com> ; <http://genealogybank.com>

Previously available via Rootsweb.com, the Social Security Death Index (SSDI) is now separate indexes within ancestry.com and genealogybank.com. While the change heightens the index’s profile, it does require users to be paying members of ancestry.com or members of genealogybank.com.

The SSDI contains date of death information for over 92 million persons whose deaths were reported to the Social Security Administration between 1936 and 2011. The basic search accepts name and location, and the 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, and for common names the result list can be overwhelming.

National Obituary Archive

<http://www.arrangeonline.com>

In contrast to the one-year delay in 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, 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.”¹¹ NOA went live in 2001, so don’t expect to find earlier obituaries, and since it relies on funeral directors to contribute voluntarily, the coverage is spotty. In Athens, only one funeral home, Bernstein Funeral Home, contributes data.¹²

Georgia Deaths, 1919-1998

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

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 adding more current data. As the title clearly states, the last year entered is 1998, and 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

¹¹ <http://www.arrangeonline.com/Company/companyInfo.asp> [Accessed 2/22/2010].

¹² [Arrangeonline.com/FuneralHomes/](http://www.arrangeonline.com/FuneralHomes/) [accessed march 3, 2013].

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 are therefore appropriately unavailable online to all but the financial institutions 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).

Specific Georgia County Tax Assessors' Offices

<http://www.qpublic.net/ga/<insert county name>>

Several of the services listed earlier in the "Finding People" section of this paper 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 have been in the works since 2009 with an expectation that earlier years will be added in the future.¹³ The lien index is the most limited, going back to only 2004. It contains additional 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 1994 should appear in EDGAR. Basic search fields are:

- company name
- ticker symbol
- file #

Full text searching of the documents is only available for filings added in previous four years (on a rolling basis), which is potentially a shortcoming if all that is known are personal names of firm general officers.

¹³ <http://www.gsccca.org/search/RealEstate/deedindex.asp> [Accessed 2/22/2010].

Georgia Secretary of State Website

<http://sos.ga.gov/corporations/>

The Georgia Secretary of State's Corporation Division offers a means to track down recently-registered corporations. However, the site is moving to a new platform and only limited online services are available. Unlike the old service, the new site requires researchers to register. For a narrow window, until the migration is complete, the old search tool is available for filings prior to January 10, 2013 at

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

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. 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, 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 Publications

<http://www.brbpublications.com/freeresources/pubrecsites.aspx>

The real strength of this site is the many online links to other databases. For example, 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.

Formerly called the BRB Free Resource Center, this site is powered by PeopleSmart. Of the four relations retrieved in a search for me, all are incorrect. Also,

the records might be "free," but the service and searches are not. Several of the searches link to ancestry.com, which requires membership fees.

Search Engines

As with people, an easy first search for businesses can be conducted via search engines, 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 people 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. The Open Georgia initiative provides data on government spending, including the salaries of state personnel, and Georgia's records are easy to locate. 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. Be aware that the site is at least one fiscal year out-of-date and that “salaries” may include travel awards and grant funding in addition taxable income.

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.

FindLaw

<http://lp.findlaw.com>

FindLaw for Legal Professional is a service of the West Group family, specifically Thomson Reuters. The Lexis competitor for case law, LexisOne, is no longer available. FindLaw LP permits searches by parties, but one cannot search multiple courts simultaneously. Each court requires a separate search. Better results are achieved by searching by surname only, provided that the last name is not too common.

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 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.¹⁴ The search requires both first and last name and both must match the databases’ holdings exactly (i.e., a search for Bill will not retrieve Billy).

¹⁴ http://www.bop.gov/inmate_locator/aboutInmateLocator.jsp [Accessed 2/22/2010].

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 convicted in a given county or of a given offense, allowing users to skim through a list of all names and photographs. It is also possible to limit by current inmates only or to include people on parole. 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.¹⁵

Georgia Parolee Database

<http://www.pap.state.ga.us/ParoleeDatabase/>

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. Also, be aware that the site states that it was last updated on October 2011, but it contains entries as recent as November 2012.

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

¹⁵ <http://www.dcor.state.ga.us/Help.html> [Accessed 2/22/2010].

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 sex 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.justia.com>

Justia acquired this site in April 2008 and has re-conceptualized and updated it. Under the “Other Resources” tab and “General Resources” heading, the site contains useful tips and links to vetted databases, but it is no longer as candid about shortcomings of some other sites.

Portico

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

Portico is a web portal constructed at the University of Virginia for advancement professionals. It provides a wide range of links to online information, and a pathfinder to county tax assessors' offices all across the country. However, representation among Georgia counties is weak; only 29 counties are included.

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 (2012)

Carole A. Levitt and Mark E. Rosch produced the 12th edition of this classic in 2012. It nearly doubles the length of the edition published in 2006. The book provides in-depth tips and covers a broad range of topics.

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. Some sites rely on non-specified third parties for data, and it is difficult for a user to know how current the

information is. Accurate information can be intermingled with out-of-date, incorrect or misleading information.