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It's Elementary, My Dear Lawyer : Use Online Investigative Resources

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**IT'S ELEMENTARY, MY DEAR LAWYER:
USE ONLINE INVESTIGATIVE RESOURCES**

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IT'S ELEMENTARY, MY DEAR LAWYER: USE ONLINE INVESTIGATIVE RESOURCES

I. Introduction

The web is a handy investigative tool, allowing a researcher to obtain a variety of information about persons, property and things. One can find email addresses, home addresses, telephone numbers, criminal records, military service information, property records, vital statistics information, photographs and more. This information may help locate a missing heir, reveal useful information about a potential expert witness, confirm the legitimacy of a business, determine who owns a piece of property or expose the litigious nature of a potential client.

Much of the information is free, but considerably more is available for a fee. Most of the sites providing free information heavily promote paid services that provide more extensive information. The vast number of sites providing access to information about persons, property and things makes it impossible to provide an inclusive list; therefore, this chapter strives only to provide a sampling of representative sites.

I note out the outset that we need to strike a balance between access to public information and protection of personal information. The news is filled with stories of identity theft and stalking incidents. The legal system is beginning to catch up with the technology, and state and federal legislation increasingly strives to protect individuals from these crimes.¹ Many sites now restrict the information they provide, or they require an affirmation from the requestor that the information will be used only for the specified authorized purposes.

¹*See, e.g.*, Fair Credit Reporting Act, 15 U.S.C. § 1681, Driver's Privacy Protection Act of 1994, 18 U.S.C. §§ 2721 - 2725, Privacy Act of 1974, 5 U.S.C. § 552a.

The focus in these program materials is on free resources; however, because many of the fee-based services can be accessed for a reasonable price, I will cover several of them where relevant. The attorney-investigator needs to determine whether it is more cost-effective to hire an investigative agency or to spend time searching for free information. Keep in mind that agencies will have access to some kinds of information not available to the public; for example, credit report information that is not available to you may be accessible by a licensed investigative agency with a credit bureau account.² In addition, if you need to search across multiple states it may be worth the fee to hire out the investigation. If you do determine that your time and money are better spent hiring an investigative agency, a few of the more reputable agencies are:

Accurint: <http://www.accurint.com/>

This LexisNexis product advertises a database containing “tens of billions” of data on individuals and businesses. Services include Advanced Person Search for finding individuals when only old or fragmented information is available.

BRB Publications <http://www.brbpub.com/>

In addition to publishing source books on public records, BRB Publications offers updated links to public records resources and also provides fee-based records searching services.

² The Graham Leach Bliley Act, 15 U.S.C. 6802(e) allows access to non-public credit header information by entities falling within one of the stated exceptions. For a more detailed description, see CAROL A. LEVITT & MARK E. ROSCH, THE CYBERSLEUTH’S GUIDE TO THE INTERNET 139-40 (2006).

ChoicePoint <http://www.choicepoint.com/>

Headquartered near Atlanta, Choicepoint's services including finding people and retrieving corporate, property, driver records plus vehicle registrations, UCC filings and OSHA investigation records.

II. Getting Started

When seeking information about a person or place, do not sell short the power of a good search engine, such as Google. A quick search can often reveal satisfactory results, and an unsuccessful search will not consume too much time. If searching for with a common name, any related terms you can include could narrow your results to a manageable size. Google's Advanced Search allows you to refine your search query even further http://www.google.com/advanced_search?hl=en).

Google provides street address and phone number searching through the regular search box. If a query includes a name and city or state, publicly listed phone numbers and addresses will display at the top of results pages. You can force Google to perform a phone listing search by typing "phonebook:" followed by the name and city or state of the person you seek. For example, a query of **phonebook: John Smith New York NY** will retrieve the phone numbers and addresses of over 30 John Smiths with listings in New York City.

The lack of proximity searching in Google may be viewed as a shortcoming, and Staggernation <http://www.staggernation.com/cgi-bin/gaps.cgi> attempts to address the lack of this search function by providing a search box that creates all the possible combinations that a proximity search such as **John within 2 of Smith** would create,

thereby allowing the searcher to simultaneously search for John Smith, John X. Smith, John Xxxx Smith or Smith, John. The creators of this search function allow that “[p]roximity searching on this very basic and clumsy level may or may not do anyone any good (especially since Google already seems to take proximity into account to some extent when ranking results for multiple terms on a page),”³ but it is an attempt to provide a more sophisticated function in creating Google queries.

If you seek a photograph, Google Image searching might quickly locate a useful image. Many employers include employee photos on their sites. Photos also show up frequently on sites posted for conferences, sporting events, and other gatherings. Go to <http://images.google.com/> and enter your own name. You might be surprised to find a photo of yourself posted on a site.

III. Finding People

A. Directories

If you have an idea of the person’s actual name and city (or at least state), an online directory may be the quickest way to access a full street address or to obtain an email address. A few of the more popular directories are:

AnyWho <http://www.anywho.com/>

Associated with AT&T, AnyWho provides residential and business white page listings which are public information obtained from local telephone records for

³Google API Proximity Search, <http://www.staggernation.com/gaps/readme.php>

published telephone listings. The listings are updated every three months. AnyWho's business listings are provided by the AT&T Yellow Pages®.

InfoBel <http://www.infobel.com/en/world>

InfoBel, provided by European telephone and business directory publisher Kapitol, is a free web directory of millions of residential and business phone numbers in numerous countries. The search interface is available in English, French, Dutch, Spanish, German and Italian.

InfoSpace <http://www.infospace.com/>

Searches White Pages and Yellow Pages. When searching for persons, the search box allows entries for last name, first name, city and state. Separate search boxes provide for email searches as well as cell phone searches and reverse-lookup for phone numbers and addresses, where entering a phone number or address retrieves the name of the person associated with that number.

InfoSpace also provides a box for searching by cell phone number or unlisted phone number. The resulting search screen provides the searcher with the opportunity to purchase the "phone report" for \$4.95.

PeopleFinders <http://www.peoplefinders.com/>

PeopleFinders provides basic search functions and returns records including age, city, and possible relatives. The free results also indicate which additional information is available for a fee. The lowest level provides the additional

information of full name, address, phone number, and date of birth for \$9.95. Varying packages also offer aliases and maiden names, address history, phone numbers, info on marriages and divorces, and searching of a number of criminal records databases.

WhitePages.com <http://www.whitepages.com>

This service provides searching for people and businesses along with reverse look-up for phone numbers and addresses. White Pages also provides an address book function that allows the researcher to store address records online and print labels from the stored records.

IV. Finding Information about People

You may seek more than contact information, and a variety of resources exist providing information on births, deaths, marriages, divorces, criminal background, military service, litigation history, scholarly or professional activities, and more. The depth of information freely accessible via the web varies tremendously from state to state. This program provides suggestions on places to look.

A. Dead or Alive?

Before embarking on a search, it may be useful to ascertain whether the subject is still alive. Although no site can provide absolute assurance re the status of the person sought, the following may prove helpful:

Social Security Death Index (SSDI) <http://ssdi.rootsweb.com/>

The SSDI contains information on individuals who were born and died between 1875 to last year *and* had a social security card *and* whose deaths were reported to the Social Security Administration. If the person in question died before 1962, odds are they are not included in the index since about 98 percent of the deaths in the SSDI occurred between 1962 and the present.

The following search fields are available for the Social Security Death Index (SSDI) Interactive Search and will appear in the search results:

- last name, first name, middle name
- Social Security Number
- last known residence
- last benefit
- birth date (day, month, and/or year)
- death date (month and/or year)
- state issuing the death certificate.

National Obituary Archive <http://www.arrangeonline.com/>

The National Obituary Archive provides access to more than 55 million records. Funeral directors contribute data to the archive, which is updated daily. The site is free but requires registration.

Interment.net <http://www.interment.net/>

This free database contains thousands of transcriptions of cemetery records and

tombstone inscriptions from cemeteries in the United States, Canada, England, Ireland, Australia, New Zealand and more. Some of the records provide images of the grave markers.

B. Did the Person You Seek Serve in the Military?

Security concerns have made it more difficult to find information about active military personnel, and service records are protected under federal privacy law. However, there are some options that may provide information regarding a person currently or formerly serving in the military.

Defense Manpower Data Center

<https://www.dmdc.osd.mil/scra/owa/home>

Maintained by the Department of Defense, this site provides free access to Military Status Reports, which only state whether the individual is currently on active duty. The search box requires at least a Social Security Number and last name.

Military.com's Buddy Finder <http://www.military.com>

The Buddy Finder database is free but requires registration to search the more than 20 million records. These records *may* include status (active duty, retired), pay grade, coded military specialty, home of record, and state of residence. Members may add additional information, such as biographies, conflicts and operations, interests, unit affiliations, photos, awards, education and more.

Gisearch.com <http://www.gisearch.com>

Gisearch.com provides a military locator, which allows service members to enter information about themselves. The site was developed by the creators of Reunion.com and is managed by a former military intelligence specialist.

Searching requires no registration, but other features, such as posting on the Lost & Found board, do require free registration.

C. Does the Person Possess a Professional License or Belong to a Professional Organization?

Many licensing entities provide online directories of members. BRB Publications provides links to licensing boards at <http://www.brbpub.com/pubrecsitesOccStates.asp>. In addition, you may find contact information or at least confirm a person's occupation by searching the online directory of a professional organization. You are likely familiar with the print version of Martindale-Hubbell's venerable directory of lawyers which is available online at <http://www.martindale.com>. Search for similar directories in other fields, such as those provided by:

- American Dental Association "Find A Dentist"
<http://www.ada.org/public/directory/index.asp>
- National Association of Realtors "Find A Realtor"
<http://www.realtor.com/findreal/WhichPages.asp?poe=realtor>
- American Medical Association "Doctor Finder"
<http://webapps.ama-assn.org/doctorfinder/home.html>

I note that many organizations provide directory access only to members.

D. Do You Know the Person's Educational Background?

Reunion sites, such as that found at Classmates.com <http://www.classmates.com> also contain biographical and contact information. Classmates.com currently has records for over 50 million individuals, provide social networking services for acquaintances from high school, college, work and the military.

E. Does the Person Have a Criminal Background?

With criminal records maintained at the national and state level, access will vary depending on the jurisdiction. The FBI's National Crime Information Center is only available to law enforcement agencies. For a list of links to sources of scattered criminal record information, check out the Virtual Chase's guide to federal criminal records at http://www.virtualchase.com/topics/criminal_records_federal.shtml. The Inmate Locator at the Federal Bureau of Prisons site <http://www.bop.gov/iloc2/LocateInmate.jsp> contains records for all inmates incarcerated in a federal facility since 1982. Search fields include name, race, age sex and identification number. The information provided in the results includes a projected or actual release date, the facility, and whether the inmate has been released.

For state criminal record information, see the listing at http://www.virtualchase.com/topics/criminal_records_state.shtml which gives state-by-state links to sites providing a variety of criminal records. Some Georgia-specific sites include:

Georgia Parolee Database <http://www.pap.state.ga.us/opencms/opencms/>

The Georgia Board of Pardons and Paroles provides this database including records on offenders currently under supervision of the Parole Board. It does not include probationers or offenders who have completed their sentences. The records include name, age, address, primary offense, parole or probation dates, and photos.

Georgia Inmate Query

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

This database, provided by the Georgia Department of Corrections, can be searched by name, primary offense, county of conviction, institution, alias and more. The records include photographs.

F. Are There Relevant News Stories?

When attempting to learn more about a missing person, news stories may provide just the tidbit of information to open a path to explore. If have an idea of the city where the person lives (or has lived), look for online archives at the local newspaper's web site. While some are fee-based, many online newspaper archives are freely available. Use one of the following sites to find newspaper web sites:

- <http://www.newspapers.com/>
- <http://www.onlinenewspapers.com/>
- <http://www.50states.com/news/>
- http://dir.yahoo.com/News_and_Media/Newspapers/

To search multiple news stories simultaneously, try Google News at <http://news.google.com/> or NewsLink at <http://www.newslink.org/>.

G. What Public Records Are Available Online?

Records for births, deaths, marriage, divorce and other vital statistics may be available online. Each state has its own laws governing what kinds of information are considered public records. Even if the information you seek is classified as “public” it may not be available online. BRB Publications provides an excellent list of links to Free Government Public Records sites in all 50 states at <http://www.brbpub.com/pubrecsitesStates.asp> . In this program, I will focus on public records in Georgia.

Georgia Vital Records <http://health.state.ga.us/programs/vitalrecords/> - confirmation of divorce decree, marriage application and license, and death certificate for a fee. O.C.G.A. Title 31 governs the Georgia vital records program.

Georgia Property Records

The Georgia Superior Court Clerks Cooperative Authority at <http://www.gscca.org/> administers statewide indexes on real estate and personal property records, including a real estate deed index, a lien index, a plat index, and a carbon registry index. Although not free, access to the indexes is available either as a subscription (\$9.95/months) or as a single use account (\$5.00 for four consecutive hours of access).

H. What Can You Find out about Expert Witnesses?

If in academia, there will likely be considerable biographical information at the institution employing the expert witness. If in a profession, check professional organizations' sites to see if they contain directories with biographical information (see section above discussing professional licensing boards and organizations). Google Scholar at <http://scholar.google.com/> provides access to scholarly literature across many disciplines and includes peer-reviewed papers, theses, books, abstracts and articles, from academic publishers, professional societies, preprint repositories, universities and other scholarly organizations. FindArticles at <http://findarticles.com/> also provides access to a number of articles on a variety of topics. Some of the articles on FindArticle are free and others are available for a fee.

Although fee-based, the Idex Network at <http://www.idex.com/> is worth mentioning. This "Collaborative Network for Expert Witness Research" collects information on and researches the backgrounds of expert witnesses, including previous cases where the expert provided testimony. The site includes a state license discipline search. Fees are either subscription-based or per service.

For a more in-depth discussion of the online resources available for finding information about expert witnesses, see Jim Robinson, "Finding and Researching Expert Witnesses on the Web" at <http://www.llrx.com/features/findingexperts.htm>.

V. Conclusion

Our ability to access information online changes daily, with social networking sites like MySpace and Facebook providing ever new ways to post information about

oneself pushing in one direction while consumer and legislator awareness about the dangers of identify theft and stalking push in the other. With a flexible approach and a willingness to travel down a winding path, the investigator will find the internet to be a viable source of free information. The key is to assess whether it is more cost-effective to follow that winding path or to pay a reputable investigative agency with better resources to track down the information for you.