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Investing Wisely in Investigative and Competitive Research

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Investing Wisely in Investigative and Competitive Intelligence Research

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**Introduction**

Much of the research that we focus on in law school is research about the law. What does this case mean? What implications does it have for this event? Law is a social science with many variables, not the least of which is the “human” element, and the work (whether forming contracts, advising clients, handling estates or litigated in a courtroom) requires knowledge of the actors involved. This requirement leads to a different kind of research called “investigative research.” Working in the law also requires skills for business development and preservation. These avenues of research are competitive and business investigative research.

While preparing for this presentation, I came across a short article entitled, “Practicing in the Age of Instant Gratification.”¹ Although the author focuses on estate planning, the challenge of helping people with something that they feel should be easy or that they can do for themselves is widely applicable. Searching for people and personal history can be surprisingly hard, even with so much information available electronically. First, although, some people cultivate large and active public persona online, others carefully conceal or minimize their footprint. Second, the many personal details held in “open” government records may or may not be publically available. 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.

While lawyers should search the Internet, they also should be careful about trusting the information they find online. Just because some information is online

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doesn’t mean it is good or current information. Even government sites come with their own list of disclaimers and caveats that must be reviewed and understood. These sites can be good starts to the bread crumb trail but not the final destination. Investigators should attempt to verify the information in other sources and understand the standards of authenticity required by a given court.

Public Information

Governments have collected personal information for millennia, and census records and tax rolls remain vital to some investigative inquiries. Federal and state laws define what information is covered under the umbrella phrase “public records” and set levels of protection and authorization. Anyone may initiate a public records request, but requests for public records deemed sensitive or private will not be filled. Also, states, like Georgia, do not require digitization of files—computer tapes and plain old paper and ink suffice. Thus, a basic knowledge of what kinds of data are searchable online and which sites are the most reliable will make efforts more efficient and productive.

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.”

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3 Official Code of Georgia (OCGA) 50-18-70(b)(2).
These documents can be birth certificates, tax assessments, and adoption papers. The law also has detailed provisions for refusal of requests, and it explicitly lists the protected classes of materials, which includes financial and medical records, employment files, social security numbers, and mother’s maiden name.4 Expect this information to be redacted wherever it appears in records requested.5 However, lawyers pursuing a case are granted special exception to access traffic records.6

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

In contrast, publicly-available information is not considered sensitive or private, and is, therefore, not protected or redacted from documents. This kind of information includes phone numbers and addresses and other details that might be found in a traditional directory or newspaper.

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4 OCGA 50-18-72.
5 OCGA 50-18-72(20)(a).
6 OCGA 50-18-72(a)(5)
Finding People

Attempts to find basic details about people online ranges from beguilingly simple to exceedingly frustrating. Much is made of the great expanse of the Internet, but the vast web also makes it difficult to quickly glean the relevant and valuable bits from the unrelated clutter. Several free online directories offer quick results when a person requires address or phone numbers. In all cases, it’s best to check results in at least a couple directories or search engines.

Free Contact Information (United States)

Straight-forward basic investigative research for contact information, like addresses or phone numbers, can be quick, easy, and free if the persons or companies have not taken specific steps to conceal themselves. Free telephone directory databases, like Anywho.com, YellowPagesGoesGreen.com, and Zabasearch.com provide clean interfaces to search. They also provide reverse look-up by phone or address when the name is unknown. These sites rely on a mix of public records, commercial sources, and publicly-available information (both online and off-line). Individuals can remove listings easily so be prepared for failed searches. Also, since they rely on business records and account billings, some of the information can be very dated. For example, one site includes a former neighbor even though he passed away over 20 years ago.

Free Contact Information (foreign countries)
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 “some 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. Its scope continues to expand beyond Europe, and it now offers results from over 200 countries.

General Biographies

A general 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 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 be used to revise the query and will lead to better results.

Confirming Births and Deaths

In cases in which one need only verify a birth or death or uncover the dates, genealogical sites offer excellent resources. Enterprising private sites have purchased the Social Security Administration’s death index, mounted it online, and provided fairly sophisticated search interfaces. Since the government offices of Georgia’s neighboring do not permit open online browsing of vital documents for recent events, researchers do not have a more official online version to access.

Ancestry.com
http://search.ancestry.com

Ancestry.com is an excellent resource for checking on birth and death dates since it contains the Social Security Death Index (SSDI). The SSDI contains birth and date of death information for over 94 million persons whose deaths were reported to the Social Security Administration between 1936 and 2014, but events from the most three years are embargoed from searches. 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.nationalobituaryarchive.com

Another timely resource for death notices is the National Obituary Archive (NOA) Funeral directors all across the United States and Canada regularly update the archive. Visitors may view the most recent additions to know just how current the database is at any given time. Depending on the time of year, the delay can be more than ten days or

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only a matter of hours. 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.”\(^9\) NOA went live in October 2000, so don’t expect to find earlier obituaries, and since it relies on funeral directors to contribute voluntarily, the coverage is spotty. In Atlanta 31 funeral homes contribute data, and in Athens seven funeral homes participate.\(^{10}\)

**Confirming Marriages and Divorces**

Confirming marriages and divorces are hard, even if only a yes or no is needed (were these people ever married or did they get a divorce?). Many state codes label divorce information to be “sensitive” and thus databases, like those offered by county clerks and the major genealogical sites, will not provide these details without clear proof of need. Ancestry.com has spotty county and date coverage for weddings. For examples, its marriage and divorce database for Georgia includes data from only eight counties. Records for only a handful of states, like Virginia and Texas, cover portions of the later twentieth and early twenty-first centuries. KnowX, a LexisNexis project, likewise is very incomplete. It offers free quick searches of this nature for events in North Carolina since 1998, but only Georgia marriages and divorces between 1963 and 1999 are included. Local online newspapers are the best quick tools to find information about these events.

**Official Vital Records**

Researchers should start with government offices at the state and county level when they need the physical records about vital events in a person’s life (birth, marriage, divorce, and death). All states provide some sort of search of these records online for


convenience. The ability to order official certificates varies by jurisdiction and by record type, but one constant remains: if a record is not available through a state-supported site, it is not available anywhere electronically. No commercial site will be able to deliver beyond what each state allows, so it’s important to know what to expect before paying for any service.

National Center for Health Statistics
http://www.cdc.gov/nchs/w2w.htm

The Center for Disease Control offers a single page to bookmark (rather than fifty) with links to the state offices responsible for vital statistics and an overview of how to order certificates by mail or over the phone.11 The site offers no country-wide search and does not lead users to third-party providers that might administer online requests. The CDC site also contains various health statistics datasets that might be of interest in reviewing general wellness characteristics of inhabitants of a region or of a segment of the population.

VitalChek
https://www.vitalchek.com/

If a client needs assistance with obtaining official copies of vital records for themselves or for an immediate family member, note that every state except Wyoming contracts with VitalChek. This LexisNexis company allows authorized 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 Department of Community Health. VitalChek adds another $9 “processing fee” in addition to shipping

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fees.\textsuperscript{12} 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.

The South Carolina Department of Health and Environmental Control handles vital records in South Carolina. Birth and death records for events since 1915 and marriage and divorce certificates between July 1950 and December 2012 may be ordered online via VitalChek for about $20. The state-sponsored site does not permit browsing, and online requests for documents require proof that the requestor is a party named on the document, legal counsel for one of the parties, or a parent, child or spouse of one of the parties. Processing of requests takes up to seven days.\textsuperscript{13}

In accordance with Alabama state law, marriage and divorce certificates may be requested by anyone who can provide enough information to search for the record and submit payment of the proper fee. Given the more official uses of birth certificates, these documents are embargoed for 125 years; requestors must include evidence of close personal or legal relationship with the party. Likewise, death certificates are restricted for twenty five years after death. VitalChek handles online requests for certificates and will charge $39.50 per item. Coverage begins in 1908 for births and deaths, in 1936 for marriages, and 1950 for divorces and continues through the current year.\textsuperscript{14}

**Georgia ROVER**

The definition of “authorized persons” varies by state and by record, but the Georgia Department of Community Health website offers clear guidance in its Frequently Asked Questions page. Only parents or legal guardians, grandparents, adult children, adult siblings, and current spouses may request birth certificates. Legal representatives and others with “a direct and tangible interest” may request death certificates. Copies of marriage licenses are open to the public, but the online sites only include events between 1952 and 1996, and divorce records are not available online.

Georgia recently launched an electronic database, ROVER, to handle online requests for birth and death certificates. The service is not quick. Certificates can take up to four weeks and there is no electronic preview of the documents. ROVER is $1 less expensive, charging an $8 rather than $9 processing fee per order.

**MyFlorida**

http://www.myfloridacounty.com

Until very recently Florida was uniquely generous about making public records available for view or order on the Internet. The County Clerks of Florida supported the MyFloridaCounty.com site and many Florida public documents appeared online as digitized PDFs with relatively little redaction. However, this site now is administered by a third party commercial entity, and it functions much like VitalChek (no PDFs are available for free). Users are charged $1 per page and assessed mailing, certification, certification, 

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and processing fees.\textsuperscript{18} The availability of records varies by county, but most range from 1950s to within one week.

**Finding Real Estate Assets**

Even after the collapse of real estate markets across the United States and slow recovery, an owned residence remains a major monetary asset. Public resources do not offer specific debt or mortgage numbers, but many sites reveal purchase price for homes and home value as assessed by the county tax office or a market value assessed by a real estate agent.

**Search Engines**

Top result links for searches of street address in Google are to real estate sites like trulia.com. Like other real estate sites, Trulia 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).

**County Property Assessments**


Georgia and each of its surrounding states have portal sites that link users to the various county revenue officers’ or property appraisers’ offices in that state. None offer a consolidated search capabilities across all counties, but the searches are free and open to anyone. The county sites might have the real property database labeled as “tax payer and property” or simply “Search.” The search interfaces in each of the counties are

simple and require only last name or address to start a search for real estate assessments. The displays of results are also very similar, generally showing address of property, all persons financially responsible for the property, date of purchase, price of purchase, date and description of any site improvements, square footage, number and type of rooms, and tax value assessed. Many sites also include GIS mapping.

**Georgia Superior Court Clerks’ Cooperative Authority (GSCCCA)**
[http://www.gsccca.org/search/](http://www.gsccca.org/search/)

The Georgia Superior Court Clerks’ Cooperative Authority provides a consolidated state-wide database for deeds, leases, and liens with coverage for all counties since the 1990s. While users may search for free by setting up an account, the site requires payment for access to digitized documents. Regular accounts cost $11.95 per month, but a single use (four-hour) temporary account may be created for $5.00.¹⁹ Search results display names of sellers and buyers, location of the property, any liens on the property, and the book and page where the actual instruments are filed in the county.

**NETR Online Directory**
[http://publicrecords.netronline.com](http://publicrecords.netronline.com)

This powerful portal continues to improve and become more valuable for all kinds of investigative research. It provides links to official county sites for finding public records in all fifty states, including tax assessors’ offices, tax collectors’ offices, county clerk/recorders, and it also offers links to real estate information, environmental data, and historic aerial photographs. The environmental data section compiles records on suspected contamination and natural environmental hazards that can be searched by

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company name or by address. Searches are free, and most can be launched with only a last name.

Finding Business Assets
Incomplete glimpses of assets are available for real estate holdings, corporate ventures, and state employees’ salaries. If the person’s general line of profession is known, a quick search for licensing and business registration may help in the estimation of assets and in pin-pointing a place of residence. 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. These detailed are never legally available online to anyone but the signatory parties.

EDGAR
http://www.sec.gov/edgar/searchedgar/companysearch.html

EDGAR, the U.S. Securities and Exchange Commission’s database, should be the first stop for queries regarding public company assets and related persons. The site boasts more than 20 million filings. All company filings required by the SEC since 1994 appear in EDGAR. The documents of most interest to people seeking financial information about a person are Schedule 13s, Form 10-Ks, and Forms 3 and 4. Anyone who acquires more than a 5% interest in a company must file a Schedule 13 with the SEC within ten days of the purchase. Form 10-K (audited annual report) contains the most complete executive compensation and listings of major owners. Between annual reports, corporate insiders must file Forms 3 and 4 to track any changes to their relationship with the company. If the company posts specific compensation values in their

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shareholder annual proxy statements, this practice will be clearly noted in the 10-K on file with the SEC.

Basic search fields in EDGAR are company name and ticker symbol, but full text searching of the documents is available for filings added in previous four years (on a rolling basis), which can greatly help searches for general officers. It’s not recommended to use the full-text search to find a specific corporation’s filings. For example, a full-text search for “PepsiCo” yields over 8,000 results, and all of the results on the first page are for asset management companies that hold PepsiCo stock.

Secretaries of State Websites

Per the Revised Article 9 of the Uniform Commercial Code (UCC), responsibility for retaining commercial statements rests with the individual secretaries of state’s offices. The offices of most of Georgia’s regional neighbors have created web sites to assist with online filing and retrieval of these transactions and agreements, but most require fees. Georgia’s “business search” service is free and permits searching by business name, control number or the names of the officers or registered agents. Images (.tiff) of more recent documents are available by clicking on “Filing History.”

Florida provides free and easy access to basic details about a corporation, including address, date of incorporation, status, officers and any changes in leadership. Although the site offers links to PDFs of “annual reports,” the linked documents are not
financial statements, like 10-Ks filed in EDGAR, but rather annual statements to confirm current address and officer details with the state.\footnote{Florida Department of State. “Annual Report Overview” \url{https://www.alabamainteractive.org/ucc_filing/} [Accessed Jan. 7, 2016].}

South Carolina’s UCC database search incurs a $5 per search charge regardless of results. Users can launch searches with a last name or keyword within a corporation’s name and review available document types, but the site permits users to review only the types of documents found. No images or transcriptions of the entries are available. Staff from the Secretary of State’s office will email copies of documents to users for a $1.00 per page, $2 certification fee per document, and $10.00 electronic access fee.\footnote{South Carolina Secretary of State. “UCC Online” \url{https://ucconline.sc.gov/UCCFiling/UCCMainPage.aspx} [Accessed Jan. 7, 2016].}

Alabama is the most expensive state in the region to run a UCC search for actual documents (called “Advanced Search with Images”). Since the online service is administered by a third-party and is not subsidized by state funds, charges can be as much as $29.25 per search with additional $1.00 per page to review results.\footnote{Alabama Secretary of State. “UCC Online System.” \url{https://www.alabamainteractive.org/ucc_filing/} [Accessed Jan. 7, 2016].} Fortunately, the state also offers a “Simple Search (no images),” however, user can only search by debtor name, filing number or date of filing. Another approach is to start with a general “government records” search for “business entity records.” These searches are free and may be launched with names of officers or of the corporation. The results screen allows users to assess the type of business engaged, responsible persons, status, nature of business, and types of documents about the business available for purchase.

\textbf{Georgia Superior Court Clerks’ Cooperative Authority (GSCCCA)}
\url{http://www.gsccca.org/search/}

\begin{itemize}
\item \footnote{Florida Department of State. “Annual Report Overview” \url{https://www.alabamainteractive.org/ucc_filing/} [Accessed Jan. 7, 2016].}
\item \footnote{South Carolina Secretary of State. “UCC Online” \url{https://ucconline.sc.gov/UCCFiling/UCCMainPage.aspx} [Accessed Jan. 7, 2016].}
\item \footnote{Alabama Secretary of State. “UCC Online System,” \url{https://www.alabamainteractive.org/ucc_filing/} [Accessed Jan. 7, 2016].}
\end{itemize}
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 links to online tools. BRB’s Free Resource Center offers an impressive list of occupations requiring licenses or certification with links to the state governing bodies, generally also the Secretaries of State’s Offices. 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.

**Finding Income Data**
Surprisingly, inquiries seeking estimations of salary and wage information have several good resources to consult. Transparency standards for public corporations and governments dictates that these employers open their accounting books. Labor and government groups also closely monitor trends in wages and publish their findings online.

**State Employee Salaries**

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.

Within the region, both Alabama and Florida offer very current information in their salary databases. Alabama permits searching by month or fiscal year with breakdowns by individual paycheck. South Carolina releases online salary information only for those employees making over $50,000 per year.

**AFL-CIO Executive Paywatch**

http://www.aflcio.org/Corporate-Watch/Paywatch-2014/CEO-Pay-by-State/

The AFL-CIO offers another metasearch tool for corporate executive salaries. Queries can be launched from the search box in the upper right hand corner of each screen or users may browse executive salaries by state or by industry to scan for trends. Salaries can be viewed by state or by industry. The site relies on the proxy statements in EDGAR and publishes data about a year out-of-date.\(^\text{24}\) Also, be aware that the site has an obvious pro-labor agenda.


http://www.bls.gov/oes/

\(^{24}\) AFL-CIO. “Terms and Data Sources.” [Accessed Jan. 6, 2016].
The United States Department of Labor compiles general wage data for over 800 employment roles across the United States in an easy and clean display. The site can refine searches to one of 15 cities or four regional “nonmetropolitan” areas in Georgia, enabling users to pinpoint median and mean hourly and annual wages for many occupations.\(^\text{25}\) When reviewing the data, keep in mind that the site relies on semi-annual surveys mailed by the Bureau of Labor. These surveys sample like establishments across the country, and the site currently displays statistics for May 2014. Data for 2015 will not be published until May 2016.\(^\text{26}\)

**Finding Prior Litigation and Personal Bankruptcies**

Attorneys can use familiar online resources such as Fastcase, WestlawNext and LexisAdvance to find litigants in civil cases at the state appellate and federal levels. Georgia Bar members have free access to the current documents for federal bankruptcy courts in every state through Fastcase. Online access to local courts in the southeastern United States, however, is simply not available in any aggregators although some individual courts do host dockets on their websites.

**Finding Criminal Background Information**

Drawing a complete picture of legal encounters of individuals remains challenging. Be prepared to pay for this knowledge whether in dollars or hours. From the perspective of convenience and full disclosure, it would be quite a boon if the suite of tools known collectively as the National Crime Information Center (NCIC) were to be


opened for general searching. However, the NCIC remains exclusively an asset for law enforcement and criminal justice agencies and under tightly-controlled conditions to other government officials.27 The individual states, as well as the nation at large, increasingly provide records on the web for incarcerated people.

**Federal Bureau of Prisons Inmate Locator**

The Federal Bureau of Prisons enables users to search its database to determine if someone is currently or has been incarcerated in a federal prison or in the District of Columbia since 1982. 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). Read the records carefully to determine the crime and confirm conviction because the site includes “a significant number” of pretrial detainees and material witnesses.28 Also, note that the “release date” in the records applies to the federal prison system only. The person may still be on parole or transferred to custody in another jurisdiction.

**State Departments of Corrections**

In Georgia, OCGA 35-3-35C, expressively permits the electronic search and delivery of felony convictions, pleas, and sentences. Other states have similar statements justifying these records in the interest of public safety. Department of Corrections offices (actual title varies) in each state provide information on the state and county prison populations and other tools contains current parolees, and others to track sex offenders specifically.

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The site is free and includes a generous advance search interface that enables user to retrieve results based on partial name matches. 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.

The Georgia Felon Search provides the most comprehensive search within the state as it relies on the Georgia Federal Bureau of Investigation Crime Information Center data. Two main disadvantages to the service are the price and the inflexibility of the search. Each search, even unsuccessful ones, incur a charge of $15 (and each record viewed from the results adds to the tab). One can very quickly amass quite a bill if the query data doesn’t exactly match the name on file. Starting with one of the free sites to confirm names and aliases would be both a cost saving and prudent approach. The reports typically include known aliases, photographs, all Georgia arrests, all court depositions, and all sentences.

Georgia Parolee Database
http://www.pap.state.ga.us/ParoleeDatabase/

The Parolee Database is not fancy, but it does offer a broad search by zip code that retrieves all known parolees living in that area in a tidy browsible display. Such a search strategy is useful if the exact name of the parolee is unknown. Searches also can be conducted by name (either first or last or both in any order), zip code or inmate number. 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 “data current as of October 18, 2011,” but it contains starting date entries as recent as July 2015.31

SLED Catch and South Carolina Judicial Case Records
http://catch.sled.sc.gov ; http://www.judicial.state.sc.us/caseSearch/

South Carolina Law Enforcement Division (SLED) offers criminal histories for $25.00 per search plus a $1.00 convenience fee on its SLED Catch database.32 Staff of the various law enforcement and detention facilities across the state input entries into the database whenever fingerprints are taken. As in Georgia, the reports come at a premium and search terms must be exact matches in order for results to display. Fortunately, researchers can also search for criminal offenses county by county for free in the “Case Records Search” on the Judicial Department’s site.33

Dru Sjodin National Sex Offender Public Website
http://nsopw.gov/

The Dru Sjodin 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. Reports include photographs of the person as well as charge information, current residence, vehicle make/model/license plate, and location of current place of employment.

State Sex Offender Sites

Each state hosts its own sex offender online index. These indexes permit broad searches by county and zip code which help researchers when the exact name is unknown. The results appear alphabetically, facilitating browsing, and the site provides color photographs to help in identity confirmation. For more precise searches, name searching remains an option in each database.

Commercial Investigative Services
Professional Background Information Services
http://www.tloxp.com

TransUnion’s TLOxp offers a rich and deep array of location, relations, contact information, and asset data for people and businesses. It also offers reports and services tailored to the needs of the legal professional. Many sites will list previous cities and employers, but TLOxp provides dates related to those addresses (both physical and email). Until very recently, light users could opt for transactional ($2.00 per search and retrieved record) subscriptions. As of January 1, 2016, every subscriber will be assessed
a $25.00 minimum per month fee whether the service is used during a given month or not. Also, while many of the site includes disclaimers and statements about how the information should be used (and declarations that should be made to search subjects should actions be taken), TLOxp takes this responsibility very seriously. Researchers must attest to authorization and intended purpose before initiating any searches. Users also are subject to “audits” or site visits by TLOxp representatives.

“DIY” Background Information Services

Online subscription-based services are included with some trepidation. These tools are too pervasive and beguiling to ignore, but the reviews of the services range from very high to very low.34 First caveat: before using, make sure that the terms of use and subscription rate are understood clearly. Second caveat: no commercial database is complete or completely accurate.

Intelius.com turned thirteen this year, and this online background check company continues to grow and improve. The site scores well for overall ease of use and comprehensiveness of coverage compared to competitors. It also has no trouble finding me, and all the data points and contacts in the results scree are accurate—even my brief stint in Texarkana. However, the service is more expensive than others similar products, and Intelius no longer supplies any contact information for free. Basic investigative research runs from $3.95 (for date of birth, phone number, and address) to $9.95 (for basic report plus email and social network profiles) to $49.95 for a background report

(includes criminal check, bankruptcies, liens, lawsuits, judgments, and marriage reports, as available). Intelius offers a member subscription price of $29.95 per month.

Instant Checkmate is a newer service with a more Bing-like interface. While it compiles the information, it prompts users with questions designed to improve the results (“Has [this person] ever lived in [city]?” and “As far as you know, is [this person] related to [name]?”). While many reviewers indicate great satisfaction with this tool, it cannot find me under my correct legal name. Also, the service takes much longer to process than similar sites. Instant Checkmate offers no per report fee schedule. Users are asked to subscribe to in a one- or three-month automatically renewable plan for $22.80 to $26.82 per month.

**Competitive and Business Intelligence**

From the work done to assist clients (investigative intelligence) to the work done to grow one’s practice, this second section addresses how to change strategically with online investigative tools. In the business world, much buzz surrounds the catch-phrases “competitive intelligence” and “business intelligence.” Understanding the emerging distinction between the two concepts before undergoing a strategic plan or change is direction is important. For much of the collective experience, law firms focused on competitive intelligence, defined as looking to the right and left to see what surrounding firms and attorneys were doing. The threshold question for competitive intelligence is: what are the best business practices that others are using? Now in the literature, both print and online, strategists put increasing emphasis on learning from those people for whom the work is done—and by whom the bills are paid. “Business intelligence” deemphasizes the practices of others doing the same work and asks what
does the potential client pool want or need? After all, maybe everyone is doing this work inefficiently. The shift of focus is important because the sources and tools are different as one considers not “how to keep up with the Joneses,” but how to best respond to current and potential clients and becoming the expert about one’s own office. The beauty of business intelligence investigations is that you probably have access to the required sources. Online tools are only needed to facilitate the dialog.

### Setting Up News Alerts and Feeds

In traditional competitive intelligence, the prognosis would be to subscribe to industry blogs, read the major newsletters and magazines, and set up alerts on the web sites for key competitors. Search engines got very good at helping users set up these alerts and forwarding emails directly to investigators when a new post appeared, a new article of interest was published, or a firm updated its site. Sabrina Pacifici recently updated her online *Competitive Intelligence – A Selective Resource Guide*. The guide contains listings of key legal industry news aggregators, newsletters, and blogs for anyone interested in setting up RSS streams directly into a blog reader or email account. No list can be exhaustive or universally applicable, therefore, be vigilant and critically assess the posts that roll in. It might be that only one blog of ten provided by an aggregator delivers pertinent news. In such cases, discontinue the aggregator service and subscribe to the blog directly.

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Conducting Client Surveys
In contrast to aforementioned investigative tools, business intelligence tools are much more traditional and low-tech. The key elements of business intelligence is follow-up with clients on services rendered and getting valuable feedback on and assessment of the business relationship. These candid surveys can be done as in person conversations, as print surveys or as online surveys. If you decide to try the online survey route be prepared to spend extra time developing and honing the questions to facilitate actionable and constructive comments. Two popular online survey tools are SurveyMonkey and Qualtrics. Of course, the feedback can only be meaningful if a genuine interest exists in the candid conveyance and response.

Conclusion
Virtual gum-shoeing doesn’t make sense in every situation or for every lawyer just as spending more time exploring how to work better rather than actually working doesn’t make sense. Knowing what kinds of information can be retrieved and building confidence in trusted tools will serve attorneys well whether they seek investigative, competitive or business intelligence.