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October 2009 Newsletter ***Celebrating 22 Years*** ***of Professional Investigations!*** *Please distribute per your office protocol*

- Important Dates
- Article – ‘The Investigator’s Relationship with Families’
- GPS Embedded Digital Photographs – Presentation Demo
- Surreptitious Recordings of Interviews
- FAQs – Topics for Speaking Engagements

IMPORTANT DATES

- OCTOBER – 08th to 14th (Vacation)
- NOVEMBER – 26th and 27th (Thanksgiving)

‘THE INVESTIGATOR’S RELATIONSHIP WITH FAMILIES’

My most recent professional article, ‘The Legal Investigator’s Relationship With Families’, has been published in the October issue of ‘The Legal Investigator’, the national magazine of the National Association of Legal Investigators; it is found in ‘PI Magazine’ at all major booksellers.

I wrote this article to share the importance of dealing with families that are still experiencing deep emotions from the trauma of a personal injury or wrongful death. This is from the experiences of my first 18 years as a legal investigator and a total of six years associated with the medical examiner’s office. This experience has focused on two things: working the case, and maintaining positive contact and communication with the families. The communication skills I honed are focused on having a positive relationship with the families through their life-changing experience.

This article, and others, is available on our agency website. Click on the navigation link ‘Articles’ or if you are receiving this in your email you can click here << [Articles](#) >>

GPS EMBEDDED DIGITAL PHOTOGRAPHS – PRESENTATION DEMO

In the last newsletter I told you about the newest addition to our forensic photography capabilities – embedding GPS data into the digital photographs and Google Earth files. This has many different applications and we have received many inquiries about how this works. I have put together a PowerPoint presentation that demonstrates this and what you can expect.

Please visit our agency website for details of this service, examples, and this downloadable presentation. Click on the navigation link ‘GPS Photography’ or if you are receiving this in your email you can click here << [GPS Photography](#) >>

SURREPTITIOUS RECORDING OF INTERVIEWS

Interviewing witnesses is a key component of the investigative and legal process. Generally, I

treat the process the same for both civil and criminal matters. With civil matters all recordings must be disclosed and permission granted; whereas with criminal there are some exceptions. As your agents, we also follow all applicable rules, such as those promulgated by the courts, state and national bar associations. Finally, within those guidelines, we follow any specific requests made by the attorney.

Recently an inexperienced investigator, not aware of any rules, had a related question about disclosure to the witness(es). He was getting mixed answers on the procedures and legalities of recording interviews, and specifically doing so without disclosure or permission to record the interview. He had been explicitly advised that all interviews should be recorded without disclosure, as this would ensure honest responses from the witness and you might catch them changing their story or in a lie. It was also advised that pretexting was okay.

First, the protocol of recording interviews should be reviewed with the attorney for clarity. In recording interviews, this non-disclosure was simply bad blanket advice – as it was related to me. There are specific circumstances, in criminal cases, that undisclosed recording is permitted, and pretexting could also be permitted. In the civil arena, I am not aware of any scenario that undisclosed recording or pretexting is permitted. I took the time necessary to share details and resources with this new investigator. I also advised that in the course of interviewing witnesses we are also building rapport and trust. Trust is more persuasive than deception. Being dishonest or deceiving with the witness is a sure way to violate that trust, and therefore the trust of the attorney.

FAQs – WHAT TOPICS CAN YOU GIVE PRESENTATIONS ON?

I recently gave four presentations at two conferences and we were asked to speak at an upcoming conference in Denver. The question to us was – *what topics would we like to do?*

I have been giving presentations for about 20 years, mostly concerning background investigations and locating persons. In mid 2010 I may be giving a national presentation on understanding autopsies and autopsy reports for the attorney and investigator (see a related article on our agency website). We have about a dozen presentations that can be fine tuned for any group, and can develop specific presentations for any legal and investigative group. Feel free to contact us to review your needs, dates, arrangements, and subject matter. It is your group and your subject that we are glad work with.

We are available 24/7 for your investigative needs and provide no-fee consultations.

www.Forensic-Investigators.com – for updates, current information, and articles.

Sincerely,




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