

# Importance of Using Private Investigators



By Alan W. Payton

Thanks to books, movies and TV shows, many people have a clear mental image of the stereotypical private investigator. He works from a dimly-lit, cluttered, sometimes smoky office in a less-than-affluent part of town. There he greets a series of walk-in clients -- often women -- who have been wronged in one way or another. Or he wears a Detroit Tigers hat, drives a Ferrari and charges \$200 per day plus expenses. The private investigation industry has come a long way since these stereotypes.

There have been significant changes to the the private investigation industry in the past 20 years. In the state of Florida, the licensing requirements have increased to include a statewide certification exam. The most significant change has come with new technology. Internet research is booming with more and more access to public record information. Technologically advanced equipment used for surveillance has changed drastically. Examples include digital cameras/video cameras, cell phone cameras, spy glasses/hidden cameras and global positioning satellite (GPS) tracking devices. Wireless/remote internet allows investigators to update and correspond with clients with "real time" information, video and photographs.

As a private investigator, I'm asked all the time about technology that someone has seen on television. Although the CSI programs are entertaining, they are not always accurate. Murder cases are not solved in one day and DNA is not used on every case with instantaneous results. Does some of the technology they use exist? Of course, but not as fast as shown on TV. Bottom line: do not believe everything you see on TV.

As an investigator, I believe it is important for attorneys to consider if they are using all the resources they have to win a case(s). Some attorneys already use private investigators, but do they use them effectively and economically?

The most common question from attorneys

is "can't my staff do the investigation in-house?" Sure an attorney can investigate their case, but that does not mean they should. Leave the investigation to the professionals. Hire a licensed investigator with experience because they can be the most important asset to your case.



Investigators can help from the first client intake appointment to the final day of trial. The investigator is trained to get a comprehensive history of the client's life. Investigators can conduct interviews with the clients and witnesses in their home at a time that is outside the usual 8 to 5 schedule. Interviews that take place at home during the evening or weekend create a more relaxed atmosphere which lends to a much more productive interview. A good investigator knows how to read a witness; they are trained not only to listen to what is said but to also listen to what is not being said. A good investigator will pursue all possible leads because they know even the smallest detail can be valuable. An investigator's skill set allows them to focus on the client, the case facts/details and the witnesses, while the attorney can focus on the legal aspects of the case. Hiring a private investigator is a cost that can be passed onto the client as a case preparation cost.

I take many calls from attorneys and their staff who want us to find a current address

for a witness or defendant after they tried and could not find it on the internet. The internet and online databases are merely tools. I have been amazed that so many law firms think that because they have access to one database they have all the information in the world. Be aware, these databases may not have the most up to date information. When I show them the information that a competent PI can find, they realize that the internet is only a starting point, not an end.

Perhaps the most persuasive arguments for hiring a private investigator include establishing credibility, avoiding the appearance of bias, and improving the likelihood of a favorable outcome in the case. Paralegals and other law firm staff should not conduct investigations because they generally lack the investigative experience and the appearance of distance between themselves and witnesses.

The investigator you select reflects upon yourself and your firm. He or she should appreciate the importance of your trust. The investigator will sometimes have to hold hands or coax witnesses. Does your investigator to-be have the interpersonal skills to gain the trust of witnesses, the discipline to organize and prioritize vast amounts of information, and the credibility to convince a judge or jury?

After hiring an investigator, instill confidence in him or her as a professional team player. Work together with clear time lines for your case. As a team, set priorities and stress the importance of adhering to timetables.

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