Investigative Research on the Internet

By TeLisa T. Owens

Why should practitioners be proficient at or aware of Internet investigative research? First, Internet investigative research can provide a critical advantage defensively or offensively in litigation and settlement negotiations. Pre-investigative Internet research may convince an attorney to decline or quickly settle a case if damaging photographs, chat discussions, e-mails, documents, or posts are floating on the Internet. Conversely, practitioners can defend against surprises when forewarned of potentially damaging information on the Internet. In addition, the cost savings and ability to access up-to-date background information distinguishes Internet research from historical research mediums. Lastly, courts no longer consider Internet evidence inherently "taboo." Less than 10 years ago, at least one court rejected information provided by the Internet as patently unreliable and inadmissible.[1] However, trial and appellate courts are now sua sponte performing Internet investigative research.[2] Countless court opinions acknowledge the admission of Internet-based research,[3] and at least one court acknowledged that an attorney failed to perform basic Internet investigative research.[4] This article aims to provide a snapshot view of Internet investigative sources.[5]

Step One: Learn Search Engines' Advanced Features to Target Search

The first step to Internet research is to have a thorough understanding of the search protocols offered by the various Internet search engines. Learning the advanced features of Internet search engines to refine search terms can be daunting. However, Internet search engines often provide helpful guides and "cheat sheets" that can be saved for future reference. For example, Google's search guide can be found at http://www.

google.com/intl/en/help/features.html, and its cheat sheet is located at http://www.google.com/help/cheatsheet.html. Similarly, Yahoo uses shortcuts, which can be found at http://help.yahoo.com/l/us/yahoo/search/basics/basics-08.htmls. Altavista's guides can be found at http://www.altavista.com/help/search/syntax and http://www.altavista.com/web/tools. A feature unique to Google is the "search within results" link, located at the bottom of the results pages. Using the advanced features allows search queries to be limited to specific websites, domains, languages, Microsoft Word documents, PowerPoint presentations, and PDF documents.

Google, Yahoo, and Altavista are only three of the several free search engines available for investigative Internet research; however, practitioners should not rely exclusively on one search engine. For best results, experts recommend using multiple search engines, as each search engine only retrieves those pages to which it is indexed, and no Internet search engine is indexed to all available information. Practitioners may wish to choose a "meta-search" site, which allows queries to be submitted to multiple search engines simultaneously. Popular meta-search websites include http://www.twingine.com (searches Yahoo and Google simultaneously), http://www.clusty.com (provides search results in topical folders), http://lawcrawler.findlaw.com/more.html (searches for legal information on multiple websites), and http://www.usa.gov (provides search capabilities of federal, state, and local government documents).

Step Two: Examine Nontraditional Sources

Practitioners should look beyond the perfunctory personal or company website. Valuable information can be obtained

from social networking sites such as Myspace and Facebook, which are located at http://www.myspace.com and http://www.facebook.com, respectively. Discussion groups (i.e., Google groups) and chat sites are another potential source of personal or business information. Personal and business "blogs" are another valuable resource. Popular blog websites include Google's, http://blogsearch.google.com, and Technorati, which searches over 22 million blogs. Technorati includes a "Top 100" and "Most Popular" blog list and can be found at http://www.technorati.com/blogs/directory/. Other nontraditional searchable Internet resources include podcasts (http://www.ipodder.com) and videos (http://www.youtube.com).

Use the Federal Government's Guide to Investigative Research

Some may be surprised to know that our federal government (more specifically, the U.S. General Accounting Office (GAO)) has published a 117-page guide to Internet investigative research. This guide can be found at http://www.gao.gov/special.pubs/soi/os97002.pdf. The *Investigators' Guide to Sources of Information* (Investigators' Guide) is published by the GAO as a "service to the investigative community by the GAO's Office of Special Investigations" and "is intended to be a useful investigative tool for identifying sources of information about people, property, business, and finance." On the Internet, the guide appears as a PDF document, but it is easy to navigate—thanks to the live Internet and page links contained within the document. The breadth of information contained in the guide exceeds the scope of this article; however, practitioners should note chapters 4 and 5. These chapters provide information on searching

government investigative and law enforcement databases and how to use the Internet to gather information valuable to the investigative process. Below is a sampling of the information contained within the Investigators' Guide and other Internet resources:

Searching for Persons, Businesses, or Organizations and Detailed Information About Them

C | net
http://www.search.com

DIALOG
http://www.dialog.com/sources/newsroom/

Dun & Bradstreet
http://www.dnb.com

Equifax
http://www.equifax.com

Experian
http://www.experian.com

Infomine
http://infomine.ucr.edu

Infoseek Guide
http://www.infoseek.com

National Fraud Information Center
http://www.fraud.org

Standard & Poor
http://mcgraw-hill.com/index.html

Switchboard: Find People and Businesses
http://www.switchboard.com

Trans Union
http://www.tuc.com

WhoWhere?: Searches for People
http://www.whowhere.com

PRARS (provides free annual reports)
http://www.prars.com/

Department of Justice and the FBI

The Justice Information Center
http://www.ncjrs.org

Department of Justice
http://www.usdoj.gov

FBI Fugitive Policy
http://www.fbi.gov/libref/factsfigure/fugitives.htm

FBI Ten Most Wanted Fugitives
http://www.fbi.gov/wanted/topten/fugitives/fugitives.htm

Federal Bureau of Investigation
http://www.fbi.gov

Federal Bureau of Investigation National Computer Crime Squad
http://www.fbi.gov/cyberinvest/cyberhome.htm

Kidnapping
http://www.fbi.gov/wanted/kidnap/kidmiss.htm

The FBI Law Enforcement Bulletin
http://www.fbi.gov/publications/leb/leb.htm

Other Law Enforcement and Legal References

Criminal Justice Organizations
http://www.aele.org/Crimlinks.html

COPNET: Police Resource List
http://www.copnet.org

Police Officers' Internet Directory
http://www.officer.com

U.S. Army Criminal Investigation Command
http://www.cid.army.mil

Investigative research starting points
http://www.researchops.com/Links.html

News Resources

Vanderbilt Television News Archive Collection (an extensive archive of television network evening news broadcasts by ABC, CBS, NBC, and CNN)
http://tvnews.vanderbilt.edu/

Deja News (news searches of all newsgroups)
http://www.dejanews.com

FedNews (full text speeches, news releases, congressional hearings, and Supreme Court debates)
http://www.fnsg.com

ABYZ News Links (an index of newspapers and weekly magazines)
http://www.abyznewslinks.com

NewsLink (an index of newspapers and weekly magazines)
http://www.newslink.org

Newspage (news collected from several different sources, sorted by topic)
http://www.newspage.com

Document Indices

**Government Information
Locator Service (GILS)**
> http://www.gpoaccess.gov/gils/
> index.html

Library of Congress Catalog
> http://lcweb.loc.gov/z3950

**NARA (National Archives and Records
Administration) Archival Information
Locator (NAIL/ARC)**
> http://www.archives.gov/research/arc/
> index.html

National Academy Press
> http://www.nap.edu/readingroom

TileNet: (indexes of listservs by name and
a brief description
> http://tile.net/lists/

Other Select Investigative Research Websites

Public Records

Public record information can be found at http://publicrecords.netronline.com (NETR). The NETR Public Records Online Directory is a portal to official state websites and tax assessors' and recorders' offices that have developed websites for the retrieval of available public records over the Internet. A secondary source for free public record information is Search Systems, located at http://www.searchsystems.net/. Search Systems promotes itself as the "original, largest, most up-to-date and reliable directory of public records and best resource for background checks and criminal records on the Internet." This site and the majority of "public record" websites provide links to free (and subscription-based) public record sources. Additional websites worth investigating include Portico (http://indorgs.virginia.edu/portico), BRB publications (http://www.publicrecordsources.com/), Zabasearch (http://www.zabasearch.com/), and Black Book Online (http://blackbookonlineinfo.com).

Genealogical Information

Need to know if someone is still alive? Go to the free Social Security Death Index (SSDI), located at Rootsweb.com (http://ssdi.rootsweb.ancestry.com/cgi-bin/ssdi.

cgi). The Obituary Daily Times provides the publication source of obituaries at http://www.rootsweb.ancestry.com/~obituary/. Gravesite information may be found at http://www.findagrave.com. Other genealogical websites include http://www.myfamily.com, http://www.birthdatabase.com, and the USGENWEB project at http://usgenweb.org/.

Telephone Directories

Argali White and Yellow, found at http://www.argali.com, provides free and subscription-based telephone directory research. This site sends searches to approximately 25 search engines in one request. The Ultimates, http://www.the ultimates.com, also sends searches to multiple indexes, plus it allows the practitioner to find e-mail addresses. Finally, Infobel provides interna-

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tional and domestic telephone directory information. When the United States is selected as the country to search, practitioners can find government telephone directories; 1-800, 1-888, and 1-877 numbers for businesses; and yellow and white page information for both individuals and businesses. Infobel is located at http://infobel.com/en/world/index.aspx.

Conclusion

Previously, investigative research information was available only through fee-based services. With the explosion of information on the Internet, practitioners should incorporate online investigative resources into their research strategy from both a defensive and offensive perspective. Using these sources should provide helpful information that supplements, at less expense, information obtained from traditional investigative research sources. ■

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FOOTNOTES

1. See *St. Clair v Johnny's Oyster & Shrimp, Inc*, 76 F Supp 2d 773, 775 (SD Tex, 1999) (describing information taken from the Internet as "voodoo" and inherently unreliable).

2. See, e.g., *United States v Khan*, 538 F Supp 2d 929, 934 (ED NY, 2007) (using Google to determine the extent of publicity and taint associated with defense counsel's statements made in a foreign country); *People v Mar*, 52 P3d 95, 103 (Cal, 2002) (relying on Internet legal and nonlegal articles). See also *Persuasion in the Court: Nonlegal Materials in U.S. Supreme Court Opinions*, 94 LAW LIB J 427 (2002) (reporting the results of a study of citations to non-legal sources in U.S. Supreme Court opinions from 1989 to 1998).

3. See *Telewizja Polska USA, Inc v Echostar Satellite*, 2004 WL 2367740 at *5 (ND Ill, 2004) (holding that archived web pages were a reliable source, admissible under the best evidence rule and suggesting that the archived web pages could constitute admissions by a party-opponent); *Van Westrienen v Americontinental Collection Corp*, 94 F Supp 2d 1087, 1109 (D Or, 2000); *Citizens Banking Corp v Citizens Financial Group, Inc*, 2008 WL 1995104 at *7 (ED Mich, 2008) (noting Internet search results were admitted at trial); *Coleman v Granholm*, 2008 WL 919642 at *13 (ED Mich, 2008) (rejecting the prisoner plaintiffs' claims that the denial of access to either radio, tape player, or television inhibited their free exercise of religion when a Google search revealed an overwhelming selection of writings by the religious leaders of the plaintiffs' chosen faith, and the plaintiffs did not allege a lack of access to written materials); *People v Leatherman*, unpublished per curiam opinion of the Michigan Court of Appeals, entered June 30, 2005 (Docket No. 252679) (rejecting the defendant's argument that had defense counsel objected to the introduction of Google search results, the Internet search results would not have been admitted).

4. *Munster v Groce*, 829 NE 2d 52, 62 n 3 (Ind App, 2005) (appellate court upheld a decision in which the trial court performed its own Internet research and nullified a government tax sale when the trial court's Google research revealed an alternate address for service of process and that the original tax-delinquent owner's family could be identified from an obituary).

5. Cited websites were last visited July 9, 2008.