

INTERNET PRESENCE INVESTIGATIONS AND SURVEILLANCE

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In the Spring/Summer 2016 issue *USLAW Magazine*, we gave insight into the importance of using people's internet presence to help determine the merit of a claim and how to mitigate accordingly. We now are taking the power of the internet one

step further in the investigative process. Video surveillance, along with traditional investigative techniques, are still effective tools in catching fraudulent claims, but the combination of these techniques in tandem with internet presence investigations create

some of the most powerful tools in the investigator's arsenal that can effectively and efficiently detect fraud as well as aid in investigating questionable claims.

Developing information from an individual's internet presence can be a low-cost

alternative to traditional surveillance. Internet presence reviews create the opportunity to search hundreds of sites for potential information and evidence utilizing user names history, phone numbers and e-mail addresses.

Information from an individual's internet presence has been key in developing clues regarding activities and lifestyles. The key is to profile the individual for whom you are searching. Their geographic origin is a vital component to your search. Were they born in the United States or somewhere else? Do they have family overseas? If they came to the United States recently and are posting on Facebook, could they also be posting on VK or RenRen? These sites are similar to Facebook but they are popular in Europe, Asia and Africa. We all know the name Zuckerberg, but is anyone familiar with the name Pavel Durov? Pavel Durov created VK and is now an outcast from Russia after refusing to give President Putin access to all subscribers on the site.

Remember that internet presence does not stop at our borders; it is global and must be treated as such.

If you are doing your own research and are screen printing content from social media, please be mindful to copy the entire URL and not just what is on your desktop. Many URLs are cut off on your desktop screen. To properly preserve social media, you need to have a reference as to where it was received. A full URL is mandatory in preserving evidence. If you are engaging an investigative company or attorney to do the research on your behalf, make sure that they are preserving the full URL. To avoid any issues regarding internet preservation

for trial, an Internet Presence Audit is the best tool to preserve this evidence. An audit should include the metadata needed to establish full URL, geotagging, EXIF, date and time information.

After an internet presence review has been completed, we have a better understanding of the subject's activities, lifestyle and family makeup. We also develop the frequency of use on the internet and social media. This frequency is a vital indicator as to whether we should perform surveillance

as well as whether or not we have the right person to monitor. Internet presence monitoring is a useful tool when the person of interest posts daily or up to 3-4 times a week. These avid users of social media can sometimes tip off our researchers to an upcoming event. In a recent monitoring case we identified that the subject was looking forward to a visit to Six Flags the next day. Having a neck and back injury, we thought this activity would prove not to

be what the doctor ordered. The surveillance documented that the individual had achieved a full recovery and was back to an active lifestyle. This scenario has similarly played out with golf outings, ski trips, vacations and more. However, keep in mind that monitoring a case is only useful when the internet poster posts frequently. Make sure to do your due diligence and conduct an internet presence review *before* you assign someone to perform internet presence monitoring.

We have recently used Twitter and other similar blogs and social media channels to locate or follow a subject on surveillance. Fortunately for investigators, Twitter

is a great place to tell the world what you're thinking before you've had a chance to think about it. Some people feel that they want the general public to know that they ordered a Whopper meal and are sitting at their local Burger King. Though rare, that has happened and has helped the investigator get the video documentation needed to better understand the claim and the accurate extent of an injury. When assigning surveillance, make sure that the investigative agency to which it is assigned is actively watching social media on the day the surveillance is performed.

CONCLUSION

Using social media in correlation with internet surveillance will provide the best results to gain a more complete picture of the individual or the matter in question.

1. Be diligent about social media. Make sure it is done early in the claim.
2. Think outside the box. Remember internet presence does not stop at our borders.
3. Ensure that when you find something on social media that will be helpful to your claim, you get the metadata.
4. Copy the full URL as full URL is mandatory in preserving evidence.



Doug is president of Marshall Investigative Group and has been involved in claims investigations for the last 30 years. Doug's philosophy in creating the highest-quality investigative techniques is to employ people not just from criminal justice backgrounds but various fields such as IT, Engineering, Marketing, Sociology and Psychology. Doug's degree is in Industrial Design and that background has helped him see the value of bringing people from various specialties to make a stronger company.



Thom Kramer is director of marketing and business development at Marshall Investigative Group and has been involved in the insurance investigative industry for more than 25 years. Thom has been a featured subject matter expert at trade conferences, association meetings and on national and syndicated television shows including CBS's The Early Show and Real TV. Thom is also a professional photographer and his client list includes many Hollywood celebrities and studios.