

EXAMINATION OUTLINE FOR PRIVATE INVESTIGATORS

2014

- I. **Ethics (18%)** – This area assesses the candidate’s ability to comply with ethical standards of private investigators regarding privacy rights, confidentiality, scope of practice, and management of investigative bias.

<i>Job Tasks</i>	<i>Associated Knowledge</i>
<ul style="list-style-type: none"> • Maintain professional integrity and credibility as a private investigator by adhering to applicable laws and regulations. • Perform assignments within investigative scope of competency to meet client needs. • Manage impact of biases to maintain a neutral and objective perspective during the investigation. • Determine lawfulness of the investigative request from client. • Recognize conflicts of interest in order to provide investigative services that meet client needs. • Disclose information about an individual to a client for permissible purposes. 	<ul style="list-style-type: none"> • Knowledge of characteristics of a lawful investigation request. • Knowledge of methods used to confirm client interview information. • Knowledge of laws related to disclosure of information obtained during the investigation. • Knowledge of the ethical and/or legal implications of revealing confidential information to client and/or to others. • Knowledge of methods used to identify the need for the involvement of an expert in the investigation. • Knowledge of criteria used to identify limitations of scope of practice. • Knowledge of areas of expertise that require specialized training. • Knowledge of methods used to identify conflicts of interest within the investigation. • Knowledge of strategies used to manage bias within an investigation. • Knowledge of the Private Investigator Act regarding the conduct of business and investigative practices.

II. Planning (18%) – This area assesses the candidate’s ability to analyze information from the client and other sources in order to establish an investigative plan to include client objectives, plan development, and resources needed.

Subarea	Job Tasks	Associated Knowledge
<p>A. Client Objectives (10%)</p>	<ul style="list-style-type: none"> • Interview client to understand nature and purpose of the investigation to be performed. • Discuss with client the types of activities, tasks, and evidence needed to complete investigation. • Develop investigative plan with client stating expectations of work for the case. • Develop written contract between client and investigator by defining terms and itemizing services for the investigation (e.g., time lines, budget, tasks to be performed, personnel and equipment needed). 	<ul style="list-style-type: none"> • Knowledge of the Private Investigator Act regarding activities performed by licensed private investigators. • Knowledge of interviewing techniques used to gather initial information from a client. • Knowledge of techniques used to evaluate objectives of a potential client. • Knowledge of methods used to plan investigation work according to client needs, work demands, resources, and schedules. • Knowledge of techniques used to plan investigation work based on legal limitations. • Knowledge of State and federal codes and regulations applicable to planning an investigation (e.g., privacy rights).
<p>B. Investigative Plan Development (8%)</p>	<ul style="list-style-type: none"> • Evaluate available information to determine direction of investigation. • Initiate investigator activity log in order to track activities and hours for case management. • Conduct a pre-surveillance assessment of potential hazards and other conditions to plan a course of action for investigation. 	<ul style="list-style-type: none"> • Knowledge of the Private Investigator Act regarding activities performed by licensed private investigators. • Knowledge of techniques used to evaluate objectives of a potential client. • Knowledge of methods used to plan investigation work according to client needs, work demands, resources, and schedules. • Knowledge of techniques used to evaluate risks and hazards connected with surveillance situations. • Knowledge of techniques used to identify individuals related to an investigation.

III. Information Gathering (26%) – This area assesses the candidate’s ability to lawfully collect case-related information by conducting interviews, researching public and private sources, and performing surveillance.

Subarea	Job Tasks	Associated Knowledge
<p>A. Interviews (12%)</p>	<ul style="list-style-type: none"> • Conduct interviews to gather information related to the investigation. • Gather information (e.g., name, date of birth, phone number, address) to develop list of individuals to be interviewed and/or investigated. • Compile background information by researching sources (e.g., organizations, databases, social networking sites) and/or locating and interviewing individuals to assist in the investigation. • Develop investigatory profiles including physical descriptions, addresses, and/or vehicle information. • Verify information gathered from previous investigative inquiries to determine the accuracy of prior investigative results. 	<ul style="list-style-type: none"> • Knowledge of interviewing techniques used to gather information from individuals related to an investigation (e.g., witnesses). • Knowledge of skip-tracing techniques used to locate individuals. • Knowledge of types of public and private information sources used for gathering information. • Knowledge of permissible purposes for accessing public and private records used in investigative work. • Knowledge of techniques used for accessing public and private records. • Knowledge of the federal Freedom of Information Act and its application in gathering information for investigative purposes. • Knowledge of the California Public Records Act and its application in gathering information for investigative purposes. • Knowledge of techniques used to obtain criminal and/or civil information from the court system. • Knowledge of State and federal codes and regulations applicable to gathering information for an investigation [e.g., Fair Credit Reporting Act (FCRA), HIPAA, FERPA]. • Knowledge of methods used to determine the accuracy of previous investigative results. • Knowledge of laws regulating the interviewing of individuals during investigations. • Knowledge of techniques used to verify information about individuals related to the investigation.

III. Information Gathering (26%) – This area assesses the candidate’s ability to lawfully collect case-related information by conducting interviews, researching public and private sources, and performing surveillance.

Subarea	Job Tasks	Associated Knowledge
<p>B. Evidence (10%)</p>	<ul style="list-style-type: none"> • Collect case-related information (e.g., reports, depositions, records) to assist in the investigation. • Gather evidence (e.g., photographs, interviews, measurements, physical evidence) for the case by conducting investigation(s) at the scene of the incident. • Gather investigation scene information from public and private sources to aid in the preparation of legal cases. • Conduct asset search by checking public and private data sources to help meet investigation objectives. • Gather expert reports and opinions derived from tests and analyses of evidence to provide client attorney with information regarding the investigation. • Gather threat assessment information about individuals(s) who pose a danger to client (e.g., stalkers). 	<ul style="list-style-type: none"> • Knowledge of the Fair Credit Reporting Act related to obtaining information related to an investigation. • Knowledge of interviewing techniques used to gather information from individuals related to an investigation (e.g., witnesses). • Knowledge of types of public and private information sources used for gathering information. • Knowledge of permissible purposes for accessing public and private records used in investigative work. • Knowledge of techniques used for accessing public and private records. • Knowledge of the California Public Records Act and its application in gathering information for investigative purposes. • Knowledge of techniques used to obtain criminal and/or civil information from the court system. • Knowledge of State and federal codes and regulations applicable to gathering information for an investigation [e.g., Fair Credit Reporting Act (FCRA), HIPAA, FERPA]. • Knowledge of Investigative Consumer Reporting Agency Act (ICRAA) as it applies to background investigations. • Knowledge of methods used to select experts to analyze and evaluate evidence. • Knowledge of laws used to regulate the collection, preservation, and admissibility of evidence in civil and criminal cases. • Knowledge of methods used to assess the potential threat level of individuals who may pose a danger to client or others.

III. Information Gathering (26%) – This area assesses the candidate’s ability to lawfully collect case-related information by conducting interviews, researching public and private sources, and performing surveillance.

<i>Subarea</i>	<i>Job Tasks</i>	<i>Associated Knowledge</i>
B. Evidence (10%) (continued)		<ul style="list-style-type: none"> • Knowledge of methods used to determine the accuracy of previous investigative results. • Knowledge of laws regulating the interviewing of individuals during investigations. • Knowledge of the use of cameras, video recorders, and audio recorders in surveillance and investigation work.

III. Information Gathering (26%) – This area assesses the candidate’s ability to lawfully collect case-related information by conducting interviews, researching public and private sources, and performing surveillance.

Subarea	Job Tasks	Associated Knowledge
<p>C. Surveillance (4%)</p>	<ul style="list-style-type: none"> • Perform surveillance of individual(s) by personal observation, video recording, and/or taking photographs to be used as case evidence in legal proceedings. • Perform stationary and/or moving surveillance to obtain evidence related to the investigation. • Perform covert investigation of individual(s) by observing them in their daily environments (e.g., neighborhood, work, social). 	<ul style="list-style-type: none"> • Knowledge of techniques used to verify information about individuals related to the investigation. • Knowledge of adverse and beneficial conditions that affect a successful surveillance. • Knowledge of laws regulating privacy as they relate to evidence gathering during surveillance activities. • Knowledge of the use of cameras, video recorders, and audio recorders in surveillance and investigation work. • Knowledge of laws regulating permissible surveillance techniques. • Knowledge of the use of stationary and mobile surveillance techniques for gathering information. • Knowledge of protocols regarding the notification of local law enforcement prior to initiating surveillance.

IV. Evidentiary Evaluation (10%) – This area assesses the candidate’s ability to evaluate and analyze information and evidence to advance the investigative process.

<i>Job Tasks</i>	<i>Associated Knowledge</i>
<ul style="list-style-type: none"> • Analyze investigation-related documents such as reports, depositions, and records to become familiar with case. • Analyze information from interviews to determine relationships among evidence, people, places, and things. • Evaluate oral and/or written statements related to the investigation to assist in assessing credibility of individual(s). • Evaluate investigation scene information from public and private sources to aid in the preparation of cases. • Analyze investigation information to determine if experts are needed to perform further analysis. • Evaluate intelligence information by assessing the risk factors in order to provide client with information upon which to act. 	<ul style="list-style-type: none"> • Knowledge of methods used to review and evaluate information gathered during an investigation. • Knowledge of methods used to locate and evaluate experts who specialize in the analysis of various types of evidence. • Knowledge of methods used to determine the credibility of an individual’s responses to questioning. • Knowledge of methods used to assess situations that may necessitate the notification of law enforcement during an investigation.

V. Case Documentation (17%) – This area assesses the candidate’s ability to prepare and organize investigative results and methods of reporting the findings to the client.

Subarea	Job Tasks	Associated Knowledge
<p>A. Preparation (11%)</p>	<ul style="list-style-type: none"> • Prepare reports based on investigations to document observations for use as evidence in the case. • Prepare reports (e.g., narrative, activity, oral, technical, confidential memo) and/or multimedia presentations of investigative findings. • Prepare investigation and/or surveillance reports detailing evidence for use in legal proceedings. • Prepare summary of an individual’s interview statements for the client’s review. • Prepare affidavit or declaration based on information obtained during the investigation. 	<ul style="list-style-type: none"> • Knowledge of the Fair Credit Reporting Act (FCRA) related to reporting information to client. • Knowledge of methods and procedures used to obtain oral statements and/or signed written statements. • Knowledge of methods used to document information gathered from databases about an individual or individuals related to an investigation. • Knowledge of techniques used to prepare investigation-related reports and correspondence. • Knowledge of techniques used to prepare and retain investigation records and surveillance logs.
<p>B. Retention (6%)</p>	<ul style="list-style-type: none"> • Retain case information for retrieval purposes as required by law. • Use secure means to preserve for future use evidence obtained by investigation and/or surveillance. 	<ul style="list-style-type: none"> • Knowledge of techniques used to prepare and retain investigation records and surveillance logs. • Knowledge of State and federal laws regulating the preservation of business records [e.g., DMV, Fair Credit Reporting Act (FCRA), Investigative Consumer Reporting Agency Act (ICRAA)]. • Knowledge of laws regulating record retention and evidence preservation. • Knowledge of techniques used to document, store, and preserve various types of evidence.

VI. Trial Preparation (11%) – This area assesses the candidate’s ability to secure and review evidence, evaluate witnesses for presentation in legal proceedings, and conduct service of legal process.

Subarea	Job Tasks	Associated Knowledge
<p>A. Preparation (8%)</p>	<ul style="list-style-type: none"> • Review case evidence and reports with client attorney for legal and/or trial preparation. • Discuss case strategy with client attorney to assist in the presentation of admissible evidence. • Evaluate witnesses for potential legal testimony by identifying their strengths and weaknesses related to the case. • Testify in court regarding investigation findings. • Recreate investigation scenes by developing diagrams and using photography, video recordings, and witness interviews in order to aid client attorney in preparation of litigation. 	<ul style="list-style-type: none"> • Knowledge of techniques used to depict accident and crime scenes including photographs, drawings, exhibits, and 3-D technology. • Knowledge of California Evidence Code and California Business and Professions Code sections that regulate investigator conduct while acting on behalf of an attorney (e.g., privacy, confidentiality). • Knowledge of court system procedures such as discovery, testimony, and presentation of evidence. • Knowledge of the admissibility in court of evidence collected in an investigation. • Knowledge of procedures for testifying in court regarding civil or criminal cases. • Knowledge of methods used to select witnesses to provide testimony in court. • Knowledge of techniques used to develop diagrams (e.g., link analysis) that illustrate relationships between persons, information, and issues related to a case.
<p>B. Service of Legal Process (3%)</p>	<ul style="list-style-type: none"> • Serve subpoenas to witnesses to aid client attorney in securing testimony and documents to be used as evidence for a legal case. • Process serve legal documents for litigation purposes. 	<ul style="list-style-type: none"> • Knowledge of laws that regulate process serving.